

Independent British Vape Trade Association (IBVTA) submission of 3 November 2023

PE2033/G: Introduce a full ban on disposable vapes

The IBVTA represents independent businesses along the UK's supply chain. As such neither we nor our members have any control or influence from the tobacco industry.

The petition seeks support for a ban on single use vapes but ignores any potential unintended consequences of banning an entire vaping product category. These include the risks of many users going back to smoking, and of increasing the illicit trade.

The claim that 'there is not enough health research being done to know how dangerous these devices really are' is unfounded. While we do not yet know the very long-term impact of vaping, vapes have been on the market for ~15 years now. We have a plethora of evidence showing the short to medium term risks are very much lower than smoking. It is therefore inconceivable that the long-term risk of vaping ever approaches that of smoking.

The evidence that shows this includes a series of UK Government commissioned, independently compiled evidence reviews¹ published since 2015. Furthermore, the Royal College of Physicians evidence review, and position statement published in 2016². There have been studies looking at the biomarkers for certain smoking related cancers, studies on potential risks to bystanders, and studies on the efficacy of vaping as a stop smoking tool. The overwhelming scientific consensus is that vaping poses only a very small percentage of the long-term risk of smoking and is the country's most effective tool to help adult smokers quit.

Scotland has been progressive in recognising the health benefits of vaping and the consensus is that vaping is substantially safer than smoking. The results speak for themselves; thanks to vaping the number of 18-year-olds who regularly smoked fell from 24.5% in 2021 to 19.5% in 2022, a reduction of 20% in one year. There are also other benefits; a

¹ <https://www.gov.uk/government/collections/e-cigarettes-and-vaping-policy-regulation-and-guidance>

² <https://www.rcplondon.ac.uk/news/promote-e-cigarettes-widely-substitute-smoking-says-new-rcp-report>

recent study by Brunel University found that the NHS could save more than £500 million per year if half of England's adult smokers switched to e-cigarettes, a figure that could deliver a proportionately similar figure in Scotland.

There is clear evidence that negative media headlines impact on the understanding of the benefits of switching from smoking to vaping among the public and, crucially, smokers in both the UK and Scotland. Research published by the public health group, Action on Smoking and Health, in August 2023 highlights that 40% of smokers incorrectly believe vaping is as, or more harmful than smoking. Worryingly, this is a figure that is up from around 30% last year, and around 20% in 2019.

This concerning trend shows the awareness and understanding of the health benefits of vaping is going backwards. Unchecked, the growing confusion risks jeopardising the positive work that vaping has achieved in the last decade. It is unlikely that the Scottish Government will meet its smoke free target by 2034 (smoking reduced to below 5% of the adult population) if it is not addressed. 27% of smokers have yet to try vaping, and reasons given include concerns amplified in the media that there is no objective evidence for.

The IBVTA has launched a major campaign³ across Scotland to help correct some of these misunderstandings and misapprehensions. To underpin this campaign, we also published new consumer insight that shows the real benefits of vaping, including how smokers have come to depend on them to start and then sustain their quit journeys.

This research underlines the importance of vaping to adult smokers moving from tobacco:

- 37% of ex-smokers (who quit in past 5 years) and 46% of regular smokers have tried a vaping device to help them quit smoking; Of those that used a vaping device:
 - 53% of regular smokers use a single use device to help them quit and 61% of ex-smokers (who quit in past 2 years) used a single use device

The results clearly show that a potential ban on single use devices would have a detrimental impact on smoker quit attempts and their

³ <https://www.ibvta.org.uk/explorethefacts/>

journey to become tobacco free and would set back the Scottish Government's ambition to become smoke free by 2034.

The petition cites research that shows not enough single use vapes are being returned for recycling. While producers and retailers need to uphold their legal obligations with regards to waste compliance, there also needs to be more awareness among consumers that vapes are highly recyclable. Recycling points are now on most high streets.

There is a clear link between sales of illicit single use vapes and sales to under-18s. The IBVTA believes that Challenge 25 policies in major grocers, and reputable vape shops is effective. However, "undisciplined" convenience stores, corner shops, mobile phone cover shops, etc. are likely the biggest supplier to children. Banning single use vapes would likely have little consequence for determined rule-breakers and those ignorant of the law, of which there are many.

It is not just the independent vape industry which recognises the potential negative consequences of a ban. Experts such as Dr Stuart Griffiths of Yorkshire Cancer Research⁴ are concerned that a ban on disposable vapes will most impact the most vulnerable members of society. Other stakeholders not in support of a ban include the Chartered Trading Standards Institute (CTSI), Action on Smoking and Health, and Material Focus, an environmental NGO that aims to reduce electrical waste and increase levels of recycling.

A recent pre-print study by researchers at University College London⁵ found that a ban on single use vapes would affect one in 20 adults in Great Britain (approximately 2.6 million people). A ban may discourage uptake of vaping in younger adults aged 18-24, but it would also affect 1.1 million people who currently smoke and a further 744,000 who previously smoked. It would also have a disproportionate impact on disadvantaged groups that have higher rates of smoking and typically find it harder to quit.

We trust this submission will be useful to the debate, and we welcome the opportunity to provide additional information, should the Committee have any further queries.

⁴ <https://www.yorkshirecancerresearch.org.uk/insights/disposable-vaping-ban-could-affect-some-of-the-most-vulnerable>

⁵ <https://www.medrxiv.org/content/10.1101/2023.10.23.23297396v1>