

UKVIA Briefing: Westminster Hall Debate: Smokefree 2030 target, 9:30am 20th June 2023

The UK Vaping Industry Association is the country's largest vaping industry association. As the largest e-cigarette trade association in the UK, we fully acknowledge that the industry needs to demonstrate responsibility and take positive action against youth access to e-cigarettes, illicit products and environmental damage. As an industry we are working hard to address these concerns, but we are also aware that vaping is the most effective way for people to quit smoking, playing a central role in reducing the number of smokers in the UK, saving lives and taxpayers money.

The UKVIA is dedicated to supporting as many people as possible to transition to a less harmful alternative, and we are eager to see vaping highlighted in this debate as a critical quitting tool and for parliamentarians to take action to improve enforcement against rogue retailers and illicit products.

Lines to take

1. In order to reach a Smokefree future it is important to consider all of the tools at our disposal to reduce smoking rates, including the use of e-cigarettes which are a uniquely useful quitting tool.
2. To encourage the Government to incorporate the recent Khan Review into the forthcoming Tobacco Control Plan, which highlights the critical role e-cigarettes play in successful quit attempts.
3. "The levels of exposure to cancer causing and other toxicants are drastically lower in people who vape compared with those who smoke. Helping people switch from smoking to vaping should be considered a priority if the Government is to achieve a smoke-free 2030 in England." – [Dr Debbie Robson](#), a Senior Lecturer in Tobacco Harm Reduction King's IoPPN
4. "Smoking is uniquely deadly and will kill one in two regular sustained smokers, yet around two-thirds of adult smokers, who would really benefit from switching to vaping, don't know that vaping is less harmful. However, the evidence we reviewed indicates that vaping is very unlikely to be risk-free. So we strongly discourage anyone who has never smoked from taking up vaping or smoking." – [Professor Ann McNeill](#), a professor of tobacco addiction at King's IoPPN
5. "Every minute someone is admitted to hospital in England due to smoking. Every eight minutes someone dies from a smoking-related death. This important study [[Nicotine vaping in England: 2022 evidence update](#)] is the latest in a series which carefully pulls together the science on vaping to help reduce the damage from smoking. Vaping is substantially less harmful than smoking so the message is clear, if the choice is between smoking and vaping, choose vaping. If the choice is between vaping and fresh air, choose fresh air. Quitting smoking is one of the best things you can do for your health, please give it a go this Stoptober." - [Dr Jeanelle DeGruchy](#), Deputy Chief Medical Officer for England

6. It is right that the recent increase in vaping by young people is a cause for concern but we disagree that this represents a failure of public health policy. Between 2011, when vaping entered the mainstream, and 2021 ([the most recent available national data](#)), UK smoking prevalence has fallen from 20.2 per cent to 13.3 per cent — a fall roughly 50 per cent larger than in either of the preceding two decades, and equivalent to about three million smokers. While many of these former smokers are still vaping, the facts that smoking kills half of all long-term smokers and that vaping is unquestionably far less harmful than smoking make this a massive public health gain. We need to ensure that existing laws protecting children from e-cigarette promotion and under-age sale are observed and enforced, but ought not lose sight of the reality that vaping has contributed to a record reduction in the UK’s biggest avoidable cause of premature death and disability.

Health

A complete ban on the sale of single use vapes goes against the suggestions made in [The Khan Review: Making Smoking Obsolete](#). The Review recommends “vaping as a substitute for smoking, alongside accurate information on the benefits of switching, including to healthcare professionals”. Banning disposable e-cigarettes completely would reduce the success rate of smokers trying to quit and endanger the Government’s smokefree 2030 ambitions. The Government has committed to incorporating the Khan Review’s recommendations into the new Tobacco Control Plan, which highlights the role e-cigarettes can play in helping smokers quit. As part of any review, it is also vitally important for the Government to consider the following:

For many smokers, particularly those on low incomes, single use vapes offer a cost effective and easy way to quit their habit, thereby helping to address health inequalities. The recently published [Office of National Statistics \(ONS\) report](#), showed that smoking is at an all-time low, while acknowledging the important role played by vaping in reducing these numbers.

An unintended consequence of a ban would be to add to the confusion and misinformation around the relative risks of vaping compared to smoking, despite the fact that evidence published recently by the [Office of Health Improvement and Disparities](#) in England re-emphasized that vaping is at least 95% less harmful than smoking. A ban on disposables could put doubt back into the minds of smokers and vapers about using e-cigarettes.

Environmental Responsibility

The UKVIA is working closely with its members to ensure compliance with the [Waste Electrical and Electronic Equipment Directive](#). We are currently working with manufacturers, waste companies, DEFRA, the Office for Product Safety and Standards, retailer bodies and consumer groups to proactively look at ways in which the industry can maximise the recycling and reuse of disposable vape products.

The UKVIA has recently hosted a virtual Environmental Summit to facilitate such collaboration and fresh thinking. The Environmental Summit discussed finding a waste management solution that minimises the impact of vapes on the environment, particularly when it comes to single use disposables. UKVIA member [Waste Experts recently unveiled a vape recycling vessel](#) designed to collect and recycle e-cigarettes.

Youth Access Prevention

As an association we employ test purchasers to test all UKVIA members to ensure the upmost compliance with the law. We are well aware of rogue retailers selling e-cigarettes to minors and for this reason are calling for increased fines against offenders. The UKVIA also adheres to [Section 22 of the Advertising Standards Authorities](#) guidance that prevents the marketing of e-cigarettes to children.

The UKVIA has long called for a licensing or approved retailer and distributor scheme to filter out retailers who are not applying the law and ensure consumers (and lawful retailers) can feel confident that the vape products they purchase adhere to strict safety and compliance standards.

Regrettably, we have seen a rise in rogue traders outside the UKVIA membership who are selling vaping products to children as well as illicit products (non-UK compliant and counterfeit) without sufficient deterrents and enforcement. We recognise that such illegal retail activity represents a significant threat to preventing underage and ‘never-smoker’ access, individual health of those looking to quit smoking, and to the reputation of the UK’s vaping industry.

In our recently published [Accelerating the Prevention of Underage and Illicit Sales of Vapes in the UK](#) proposal, we called for a number of recommendations to be considered. These recommendations were to:

- Introduce a licensing or approved retailer and distributor scheme whereby vape retailers (both online and in-store) and distributors on the scheme would pay a fee, adhere to strong age verification practices and commit that products they sell are both notified with the MHRA and compliant with CLP classifications.
- Serve increased penalties of at least £10,000 per instance for traders flouting UK law. Should two fines be issued, a retailer would lose its ‘approved retailer’ status.
- Commission a national test purchasing scheme to ensure all operations are performing to high standards when it comes to preventing youth access to e-cigarettes.
- Ensure Trading Standards is effectively resourced, such that it can recruit and train officers, dispose of illicit products, and ensure its actions are an effective deterrent to rogue actors across the supply chain. Such funding would be sourced from the proposed licensing scheme and, eventually, from fines issued for illegal trading.
- Adopt into legislation the UKVIA’s packaging, labelling and flavour names guidelines to prevent against branding that inadvertently appeals to non-smokers or under-18s. These guidelines reflect recommendations from the Khan Review.



We would welcome the opportunity to discuss these points in detail, as we believe that with the right approach, public health can greatly benefit from switching to reduced harm alternatives. The UKVIA remains committed to finding workable solutions to single use products that do not have a negative effect on smoking rates. The UKVIA fully supports the Government's decision to incorporate the recommendations from the recent Khan Review into the new Tobacco Control Plan that shows vaping to be a key tool in the fight against smoking.