



Public submission from World Vapers' Alliance to the Scottish Government

About the World Vapers' Alliance

The World Vapers' Alliance (WVA) amplifies the voices of vapers worldwide and empowers them to make a difference in their communities. Our members are vapers associations and individual vapers from all over the world. More information can be found on www.worldvapersalliance.com

About this consultation and why the World Vapers' Alliance is responding to it

The legislation proposal put forth by the Scottish Government to address concerns surrounding youth vaping and foster a smoke-free generation includes a measure to ban disposable vapes. We firmly believe that this proposed ban on disposable vapes represents a potential setback in Scotland's efforts towards a smoke-free future. It could also have unintended consequences, including driving consumers towards less regulated or unsafe alternatives.

Our participation in this consultation is aimed at providing our views on the potential implications of banning disposable vapes. We aim to ensure that the Scottish government and all stakeholders have access to a well-informed perspective as they consider this proposal.

How to read this document:

We directly respond to the questions presented by the Scottish Government and present our concerns.

1. Do you have any feedback on the draft regulations to prohibit the sale and supply of single-use vapes in Scotland?

While it is true that disposable vapes have an environmental impact if not properly recycled and their use by teenagers needs to be addressed, their prohibition is likely to have a negative impact on public health.

We understand the intention behind this proposal to address concerns regarding youth vaping and promote public health, but we have several concerns about the potential impact of such regulations and believe that a blanket prohibition on single-use vapes will not effectively achieve the desired outcomes. Instead, it would inadvertently push consumers towards less regulated or unsafe alternatives or back to smoking, thereby exacerbating rather than mitigating public health risks.

Therefore, disposable vapes should be included in a holistic harm reduction strategy and regulated accordingly.

Disposable vapes serve as an accessible, easy-to-try product for smokers looking to quit. They act as a bridge for smokers seeking a less harmful alternative who are unfamiliar with vape products and their complexities. As an entry point into vaping, disposables can be more cost-effective than initially investing in a high-end device, encouraging more smokers to try vaping without the pressure of a significant initial investment. In the long run, other systems are more cost-effective, and once a smoker switches to disposable, they will soon find incentives to switch to refillable devices.

Disposable vapes should be regulated and endorsed as one option for smoking cessation along with similar less harmful alternatives.

Moreover, [data from ASH](#) shows that underage vaping users mainly use disposable vapes, but this does not mean that the existence of disposable vaping products leads to youth vaping. Most underage users are or were smokers, suggesting that youth vaping initiation is a consequence of tobacco use and other factors, rather than of the existence of disposable vapes. These factors are not being properly addressed, while targeting disposable vapes and banning them will impact smokers looking to switch. All measures should aim to prevent their use in minors while keeping them available for adults. Additionally, we can't forget that vaping is already prohibited for teenagers.

Therefore, better enforcement of existing laws should be prioritised instead of additional bans for adults.

We accordingly urge the Scottish Government to abandon the establishment of a disposable ban and take other measures aiming to prevent minors from accessing them. Instead of an outright ban, we recommend a more nuanced approach that focuses on targeted regulation and education initiatives to address underage vaping while preserving access to harm reduction tools for adult smokers. This could include stricter age verification measures for purchasing vape products and enhanced public awareness campaigns.

Regarding the environmental impact of disposable vapes, we believe that the array of measures that could be implemented to reduce it is large and that prohibition should be the last option.

Regulations to promote improved less-damaging designs, recycling, reutilization, and awareness of their environmental impact should go first.

The electronic waste produced by toys is estimated to be [77 times that of vaping](#), amounting to up to one-third of the e-waste globally. Yet, their prohibition is not discussed. It then should not be argued that disposable vapes should be banned, moreover, given the beneficial impact they can have on public health.

2. Do you have any concerns about how these regulations would work in practice?

We have several concerns about how these regulations would work in practice.

Firstly, implementing a ban on disposable vapes may inadvertently drive consumers towards less regulated or unsafe alternatives, as individuals seeking access to vaping products may turn to unregulated markets or online sources where product quality and safety cannot be guaranteed. This could pose significant risks to public health and undermine the objectives of the proposed regulations.

Additionally, without robust enforcement mechanisms in place, there is a risk that the ban could be circumvented or ignored, further undermining its effectiveness. The focus should be placed on enforcing already existing regulations.

Implementing a ban on disposable vapes would inadvertently foster illegal trade and the emergence of a black market for vaping products. History has shown that prohibitions always lead to underground markets where products are sold without any regulation or oversight, increasing the risk of counterfeit or substandard products entering circulation. In such a scenario, minors may find it even easier to access vaping products through illicit channels, as unregulated vendors are unlikely to enforce age restrictions or adhere to any quality control standards. Moreover, if vaping devices are already banned for minors and they are still accessing them, it raises questions about the effectiveness of enforcement measures.

Furthermore, there is a concern that a ban on disposable vapes would disproportionately impact certain segments of the population, including vulnerable communities and individuals with limited access to other smoking cessation resources. Disposable vapes are often more affordable and accessible than other vaping devices, making them a popular choice for individuals looking to quit smoking, particularly those with limited financial means. Banning disposable vapes could therefore create barriers to smoking cessation for these populations, exacerbating existing health inequities.

Overall, while we recognise the intent behind the proposed regulations to address concerns about youth vaping and promote public health, we believe there are significant practical challenges and unintended consequences associated with implementing a ban on disposable vapes. We urge policymakers to carefully consider these concerns and explore alternative approaches to achieving the desired objectives while minimising negative impacts on public health and access to harm reduction tools for adult smokers.