

Creating a smokefree generation and tackling youth vaping: your views

Please complete and submit this survey to clinicaladvisers@rcgp.org.uk by Wednesday 22nd November 2023

This consultation asks questions on proposed action the UK Government and devolved administrations will take to protect future generations from the harms of smoking, by creating the first smokefree generation. It also asks about proposals to crack down on youth vaping and ensure the law is enforced. The proposed actions are outlined in more detail in [Stopping the start: our new plan to create a smokefree generation.](#)

The consultation asks questions in 3 areas for which new legislation would be needed, which are:

1. Creating a smokefree generation: consulting on the smokefree generation policy and its scope.
2. Tackling youth vaping: consulting on several options to ensure we take the most appropriate and impactful steps, building on England's analysis of the youth vaping call for evidence.
3. Enforcement: consulting on the proposal to introduce new powers for local authorities in England and Wales to issue fixed penalty notices to enforce age of sale legislation of tobacco products and vapes.

Devolved administrations is a collective term for the executive bodies in Northern Ireland, Scotland and Wales: the Northern Ireland Executive, the Scottish Government and the Welsh Government.

Prohibiting anyone born on or after 1 January 2009 from ever being sold tobacco products (and also from purchasing tobacco products, in Scotland) will impact children who are turning 14 or younger in 2023. Setting this date will mean the change in the law would come into effect in 3 to 4 years' time from January 2027, when this group of children turns 18.

Do you agree or disagree that the age of sale for tobacco products should be changed so that anyone born on or after 1 January 2009 will never be legally sold (and also in Scotland, never legally purchase) tobacco products?

Agree Disagree Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

General Practitioners (GPs) advocate for changing the age of sale for tobacco products, highlighting its potential in reducing smoking prevalence. This will prevent younger generations from starting to smoke and will support those who do smoke, to stop. GPs often encounter harmful smoking-related health issues, among young individuals, reinforcing the urgency for such preventive measures which will significantly reduce adverse health outcomes. Additionally, GPs witness firsthand that smoking is not only more prevalent among disadvantaged communities but also contributes to their poorer health outcomes, thereby exacerbating existing health disparities.

It is important to note the amount of money that would be saved as a result of not having to treat as many people with smoking related health problems. Furthermore, restricting vape flavours will lead to a decrease in their use, thereby having a reduced impact on the environment.

GPs therefore emphasise that these measures will correspond to a decline in smoking prevalence among the youth, thereby mitigating the health problems associated with early tobacco use.

Proxy sales

Proxy sales refer to a person at or over the legal age of sale purchasing a product on behalf of someone under the legal age of sale. Proxy sales are prohibited under existing tobacco age of sale legislation. In this context, prohibiting proxy sales would mean that anyone born before 1 January 2009 would be prohibited from purchasing tobacco products on behalf of anyone born on or after 1 January 2009.

Do you think that proxy sales should also be prohibited?

Yes No Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

GPs often encounter adolescents who smoke, experiencing health issues and addiction risks associated with tobacco use. Nicotine is highly addictive, and research indicates that adolescents are more sensitive to the rewarding effects of nicotine, which may be a reason that many people start to smoke during adolescence.

Preventing proxy sales is therefore a way by which underage access to such products can be limited and therefore plays an imperative role in protecting and preventing the youth from tobacco use and developing an addiction to nicotine which can have adverse effects on their developing brain and other adverse health outcomes.

Product scope

The following products would be in scope of the new legislation:

- cigarettes
- cigarette papers
- hand rolled tobacco
- cigars
- cigarillos
- pipe tobacco
- waterpipe tobacco products (for example shisha)
- chewing tobacco
- heated tobacco
- nasal tobacco (snuff)
- herbal smoking products

This mirrors the current scope of age of sale legislation in England and Wales. Existing age of sale requirements in Scotland currently cover products consisting wholly or partly of tobacco and which are intended to be smoked, sniffed, sucked or chewed. Insofar as the products listed would not be within the scope of the existing restrictions, it is proposed that the scope of the Scottish legislation be expanded to include them.

Do you agree or disagree that all tobacco products, cigarette papers and herbal smoking products should be covered in the new legislation?

Agree Disagree Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

Warning notices in retail premises

It is currently a legal requirement for retail premises to display the following statement 'it is illegal to sell tobacco products to anyone under 18'. This requirement would need to be changed to align with the new age of sale.

Do you agree or disagree that warning notices in retail premises will need to be changed to read 'it is illegal to sell tobacco products to anyone born on or after 1 January 2009' when the law comes into effect?

Agree Disagree Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

GPs endorse the need to change the statement to read 'it is illegal to sell tobacco products to anyone born on or after 1 January 2009'. These warning notices will prevent consumer deception regarding the sale of tobacco and enable compliance with the new regulation.

Do you agree or disagree that the UK Government and devolved administrations should restrict vape flavours?

Agree Disagree Don't know

GPs support restricting vape flavours. Although vapes are often used to move away from smoking cigarettes, the way these vapes are marketed, raises concerns. Vapes are being used by younger individuals, given the appeal of flavours they are available in. Research indicates that flavours are an important determinant for the initiation and continuation of e-cigarette use among the youth. It is therefore imperative to restrict the flavours to avoid targeting this population, potentially reducing the number of young individuals using these products.

To ensure vapes are available and appealing to individuals looking to quit smoking cigarettes, a potential option is to prescribe them. This approach could prevent their use by young individuals for other purposes.

It is important to note that as a result of restricting vape flavours, there will be a decrease in their use, leading to a reduced impact on the environment.

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

Which option or options do you think would be the most effective way for the UK Government and devolved administrations to implement restrictions on flavours?

You may select more than one answer.

Option 1: limiting how the vape is described

Option 2: limiting the ingredients in vapes

Option 3: limiting the characterising flavours (the taste and smell) of vapes

Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

Which option do you think would be the most effective way for the UK Government and devolved administrations to restrict vape flavours to children and young people? (optional)

Option A: flavours limited to tobacco only

Option B: flavours limited to tobacco, mint and menthol only

Option C: flavours limited to tobacco, mint, menthol and fruits only

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

Do you think there are any alternative flavour options the UK Government and devolved administrations should consider?

Yes No Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

Do you think non-nicotine e-liquid, for example shortfills, should also be included in restrictions on vape flavours?

Yes No Don't know

For GPs, the inclusion of these products in restrictions of vape flavours is crucial. Although these products do not contain nicotine, they are highly appealing to adolescents given the diverse flavours and packing options they are available in. Hence, this often results in young people using nicotine containing products. Additionally, it is important to note that such products allow the user to add their desired type and amount of nicotine which can be detrimental to their health.

Including these products will contribute to efforts of promoting public health and reducing the health risks associated with vaping.

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

Which option do you think would be the most effective way to restrict vapes to children and young people? (optional)

Option 1: vapes must be kept behind the counter and cannot be on display, like tobacco products

Option 2: vapes must be kept behind the counter but can be on display

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

Displaying tobacco products are a promotional tool and a form of advertising. Visual exposure to these products could prompt purchases, increase the risk of young individuals using these products as well as increase the risk of relapse.

Keeping these products behind the counter would still enable its sale without reducing its appeal to adult smokers who are trying to quit smoking cigarettes. It is therefore important to undertake this approach to reduce the likelihood of young individuals experimenting or initiating the use of vapes.

Do you think exemptions should be made for specialist vape shops?

Yes **No** Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

If you disagree with regulating point of sale displays, what alternative measures do you think the UK Government and devolved administrations should consider? (optional)

Please explain your answer and provide evidence or your opinion to support further development of our approach. Maximum 300 words.

-

Which option do you think would be the most effective way for the UK Government and devolved administrations to restrict the way vapes can be packaged and presented to reduce youth vaping? (optional)

Option 1: prohibiting the use of cartoons, characters, animals, inanimate object, and other child friendly imagery, on both the vape packaging and vape device. This would still allow for colouring and tailored brand design.

Option 2: prohibiting the use of all imagery and colouring on both the vape packaging and vape device but still allow branding such as logos and names.

Option 3: prohibiting the use of all imagery and colouring and branding (standardised packaging) for both the vape packaging and vape device.

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

A factor that may be driving the increase in youth vaping is the packaging and its appeal to this population. Research indicates that removing brand imagery from packs reduces the appeal of vapes to young individuals without reducing appeal to adults, highlighting the option for standardised packaging.

If you disagree with regulating vape packaging, what alternative measures do you think the UK Government and devolved administrations should consider? (optional)

Please explain your answer and provide evidence or your opinion to support further development of our approach. Maximum 300 words.

-

Do you agree or disagree that there should be restrictions on the sale and supply of disposable vapes?

That is those that are not rechargeable, not refillable or that are neither rechargeable or refillable.

Agree Disagree Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

Given the alarming rise in vaping in the younger population, it is crucial to restrict their sale and supply. It is concerning that vapes are cheap and widely available to this population and GPs are first hand witnesses to the health problems associated with their use.

Additionally, vapes pose environmental concerns due to their lithium batteries, hard to recycle components and the frequency at which they are littered or thrown away.

Restricting the sale and supply of vapes will, therefore, not only decrease their use and improve health outcomes among young individuals but also have a positive impact on the environment.

Do you agree or disagree that restrictions on disposable vapes should take the form of prohibiting their sale and supply?

Agree Disagree Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

Individuals who smoke often begin to vape as a way to reduce or quit smoking. According to GPs it is important to carefully strike a balance between preventing young people from starting to vape and providing vapes as tools to reduce or stop smoking. Therefore, including an excise tax to vapes to reduce the affordability to the younger population, could be implemented.

Given that vapes are most popular among young individuals, increasing the price will make them less accessible to them. However, if this approach is insufficient to discourage their use, further measures should be considered including a complete ban.

Are there any other types of product or descriptions of products that you think should be included in these restrictions? (optional)

Please explain your answer and provide evidence to support further development of our approach. Maximum 300 words.

-

Do you agree or disagree that an implementation period for restrictions on disposable vapes should be no less than 6 months after the law is introduced?

Agree Disagree Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

Are there other measures that would be required, alongside restrictions on supply and sale of disposable vapes, to ensure the policy is effective in improving environmental outcomes? (optional)

Please explain your answer and provide evidence to support further development of our approach. Maximum 300 words.

Do you have any evidence that the UK Government and devolved administrations should consider related to the harms or use of non-nicotine vapes?

Yes No Don't know

GPs highlight that although non-nicotine vapes do not contain nicotine, they consist of several chemicals that are still being inhaled. Vapes are made from propylene glycol, vegetable glycerine, flavours, and other chemicals. Glycerine and glycol are both known to cause irritation in the upper airway, often resulting in a persistent cough. Additionally, research suggests an increase in dry mouth, gum irritation, and gum disease as a result of using non-nicotine vapes. In addition to these side effects, it is important to consider the following adverse health issues that may be experienced because of using these vapes:

- Reduced sense of taste
- Bronchial spasms
- Burning sensation in the throat
- Persistent itchiness of the mouth, lips, or tongue
- A scratchy feeling in the lips, mouth, or throat
- Dizziness that can get more severe after standing up
- Headache
- Irregular heart rate
- Drowsiness or sleepiness
- Shortness of breath or shallow breathing
- Difficulty breathing due to aggravation of existing conditions like asthma, emphysema, or COPD

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

Do you think the UK Government and devolved administrations should regulate non-nicotine vapes under a similar regulatory framework as nicotine vapes?

Yes No Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

Do you have any evidence that the UK Government and devolved administrations should consider on the harms or use of other consumer nicotine products such as nicotine pouches?

Yes No Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)
Maximum 300 words.

General practice teams play an integral part in recognising the dangers and harms posed by these products. Brief opportunistic advice on smoking cessation is routine in GP consultations and delivered regularly. Clinical teams prescribe appropriate products for smoking cessation as appropriate.

GPs highlight that although there is limited research on the health effects of nicotine pouches, these products can be addictive and harmful health effects have been observed. It is concerning that nicotine pouches have been introduced by exploiting a legal loophole and are being promoted as a fun and glamorous lifestyle product, especially to young individuals.

Do you think the UK Government and devolved administrations should regulate other consumer nicotine products such as nicotine pouches under a similar regulatory framework as nicotine vapes?

Yes No Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

GPs have observed a rapid increase in the use of these products during the last few years, mainly by the younger population. GPs are first hand witnesses to the harmful health effects and its addictive nature. Furthermore, there is insufficient research to assess the effectiveness of nicotine pouches as a cessation tool, highlighting the need to regulate these products in a similar way.

Do you think that an increase in the price of vapes would reduce the number of young people who vape?

Yes No Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)
Maximum 300 words.

GPs find that vapes are primarily used by younger individuals. Therefore, increasing the price of vapes will make them less accessible to the younger population who are often on limited budgets.

Do you think that fixed penalty notices should be issued for breaches of age of sale legislation for tobacco products and vapes?

Powers to issue fixed penalty notices would provide an alternative means for local authorities to enforce age of sale legislation for tobacco products and vapes in addition to existing penalties.

Yes No Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)
Maximum 300 words.

-

What level of fixed penalty notice should be given for an underage tobacco sale?

£100

£200

Other

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

What level of fixed penalty notice should be given for an underage vape sale?

£100

£200

Other

Please explain your answer and provide evidence or your opinion to support further development of our approach. (optional)

Maximum 300 words.

-

You have reached the end of the survey. Thank you.