

# Stronger Measures Proposed to Tackle Youth Vaping

*Ensuring vaping products are safe, regulated, and used only to stop smoking*

## Where are we now?

Youth vaping is becoming increasingly popular, with many choosing to vape despite never having smoked. Vaping can be a helpful tool for those who are addicted to nicotine through cigarette smoking, but it is not harmless.

There are lots of different opinions and beliefs about vaping. Some say it's as bad as smoking, others say it helps with quitting smoking. What experts agree on is that vaping is addictive and the best thing you can do for your health is be smoke and vape-free.

*"The biggest risks of vaping are the unknown risks. Vaping hasn't been around long enough to know the risks of long-term use."* – Ministry of Health

A 2022 survey found that 18.2% of Year 10s were vaping regularly (either daily, weekly or monthly). These numbers are a real concern – our young people are still growing and we simply don't know enough about the harms vaping can do – that's why the Government has made a number of proposals to protect young people and we want to hear your views.

## The current rules

In 2020, the first round of vaping laws passed through the Parliament and came into effect, this meant:

- No sales to under-18-year-olds
- No advertising and sponsorship of vaping products and e-cigarettes
- No vaping in smokefree areas, like schools, workplaces and restaurants
- Restricting the sale of flavoured vapes to R-18 specialty stores, while General retailers like dairies can only hold a limited product range of flavours (tobacco, menthol and mint)
- The introduction of a product safety system – which enables the Ministry of health to recall, suspend and issue warnings about vaping products

## The new proposed rules

In early January, Minister of Health Dr Ayesha Verrall asked for feedback from the public on three further proposals that aimed reduce the number of young people vaping. These requirements are intended to limit the appeal of vaping products and set out additional safety requirements.

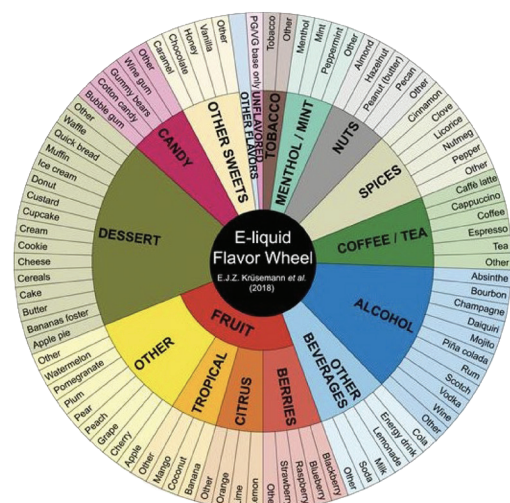
### 1. Proximity restrictions for new specialist vape retailers

This proposal would set out restrictions relating to where any new Specialist Vape Retailers can be located, so they are not allowed near schools, sports grounds or potentially other areas where children gather. SVRs are specialist stores that sell a large range of vaping products, with the full range of flavours. General retailers, like dairies, that have a limited range of flavours would not be affected.

### 2. Restricting flavour names

This proposal would create a "flavour wheel," a list of flavours from which vape flavour names must be selected from. The naming of vape flavours in some products appear to be likely to appeal to young people, for example "cotton candy" and "gummy bears." On the flavour wheel, these may no longer be allowed, replaced with more generic names."

\*Image for reference and example only



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### 3. Restricting single-use vapes to increase safety

Lastly, this proposal aims to make single-use vapes safer and reduce the amount of nicotine in them. It will do this by ensuring all vaping devices have a mechanism to prevent them being accidentally activated by a child, requiring single-use vapes to have removable batteries to reduce risk of battery failure or explosion, require labelling on containers (this may be the device itself), and finally reducing the concentration of nicotine salts allowed in single-use products from 50 mg/ml to 35 mg/ml (a 30% reduction). Nicotine is the substance in vapes that makes them addictive.

## FAQs

### What are the current rates of youth vaping?

According to the ASH Year 10 Snapshot Survey 2022:

- Year 10s: 10.1% vape daily, 18.2% vape regularly.
- Māori: 21.7% vape daily, 33.8% vape regularly.
- Pacific: 11.1% vape daily, 19.8% vape regularly.

More ethnic and gender breakdowns are available in the sources below.

### Why do something as simple as flavour names need to be regulated?

Some vape flavour descriptions and names appear to target young people, like cotton candy and gummy bears. By excluding these flavour descriptions, we reduce the attractiveness of vaping products to young people.

### Will the proposed specialist vape retailer proximity restrictions apply to other places where young people gather, like youth hubs, sports facilities, playgrounds etc?

The proposal would allow the Ministry of Health to take into account any other locations that are important to communities. The consultation is also asking communities which other locations they think should have proximity restrictions.

### Will the proposed proximity restrictions apply for existing specialist vape retailers?

Under the current proposals, only new retailers will be subject to proximity restrictions – current retailers would not be affected.

### Why are disposable vapes being targeted by these proposed regulations in particular?

Disposable vapes are an easy gateway product to vaping and internationally there has been a dramatic increase in younger people using them. A recent study found 86% of 14-17 years old from New South Wales had tried disposable vapes. These products have high levels of nicotine, and have a number of safety concerns associated with them, including a lack of child safety mechanisms, the inability to inspect for battery damage, and high nicotine concentration. These proposed regulations address these issues.

### How can I provide feedback on the new proposed rules?

Consultation on these proposals is running on the Ministry of Health website until 5:00pm, Wednesday 15th March 2023. You can provide feedback here:

<https://consult.health.govt.nz/tobacco-control/proposals-for-the-smoked-tobacco-regulato/>

## Group Consultation Questions

1. Do you believe restricting vape flavour names that appear to target young people is a good idea? If so, what flavour names on the example wheel on pg. 2 should be restricted or replaced?
2. In addition to schools and sports grounds, which important locations do you think should be included in the Specialist Vape Retailer proximity restrictions?
3. Do you think increasing safety requirements like requiring removable batteries and child safety mechanisms, as well as decreasing nicotine concentration in single-use vape products will be an effective way to address these products?

### Sources:

Vaping Facts from Te Whatu Ora and the Ministry of Health: <https://www.vapingfacts.health.nz/>

ASH Survey: [https://assets.nationbuilder.com/ashnz/pages/357/attachments/original/1670892009/2022\\_ASH\\_Y10\\_Snapshot\\_Topline\\_smoking\\_and\\_vaping\\_FINAL.pdf?1670892009](https://assets.nationbuilder.com/ashnz/pages/357/attachments/original/1670892009/2022_ASH_Y10_Snapshot_Topline_smoking_and_vaping_FINAL.pdf?1670892009)

Proposals for the Smoked Tobacco Regulatory Regime Public consultation document: [https://www.health.govt.nz/system/files/documents/publications/proposals\\_for\\_regulation\\_-\\_smokefree\\_environments\\_and\\_regulated\\_products\\_act\\_1990\\_22\\_dec\\_final.pdf](https://www.health.govt.nz/system/files/documents/publications/proposals_for_regulation_-_smokefree_environments_and_regulated_products_act_1990_22_dec_final.pdf)

Stronger Measures Proposed to Tackle Youth Vaping (Minister Dr Ayesha Verrall): <https://www.beehive.govt.nz/release/stronger-measures-proposed-tackle-youth-vaping>



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