

# UK policy on smoking and vaping May 2024

E-cig Summit (US) 14<sup>th</sup> May 2024  
Action on Smoking and Health (UK)  
Presenter: Deborah Arnott

ASH receives funding from:



CANCER  
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Foundation

# Declaration of interests

- ASH (UK) was set up by the Royal College of Physicians in 1971 to advocate for evidence-based measures to reduce the harm from tobacco
- ASH is independent from all other ASH organisations internationally
- ASH accepts no commercial funding: our main funders are the British Heart Foundation and Cancer Research UK

ASH receives funding from:



# Purpose of the presentation

- Present the latest ASH survey data on vaping
- Summarise UK tobacco and vape policy
  - Policy objectives
  - Policy content
- Summarise ASH recommendations

# UK government policy objectives

## Two key objectives

- 1) To end smoking
- 2) To curb underage vaping while supporting use of vaping as a quitting aid for adults:
  - In addition to minimising underage vaping minimising uptake among adult never smokers
  - Minimising risk that policy changes will discourage adult smokers from vaping to quit smoking
  - Minimising environmental damage caused by e-cigarettes
  - Maximising product safety including by better control of the illicit market

# Legislative framework

## Three legislative strands

1. Tobacco and Vapes Bill 2024
  - Raise the age of sale one year every year from 1 Jan 2027
  - Powers to regulate vaping and nicotine products
2. Ban on disposable vapes: regulations under existing Environment Laws from 1 April 2025 (draft regulations laid)
3. National tax on e-liquids from 1 October 2026 (currently being consulted on)

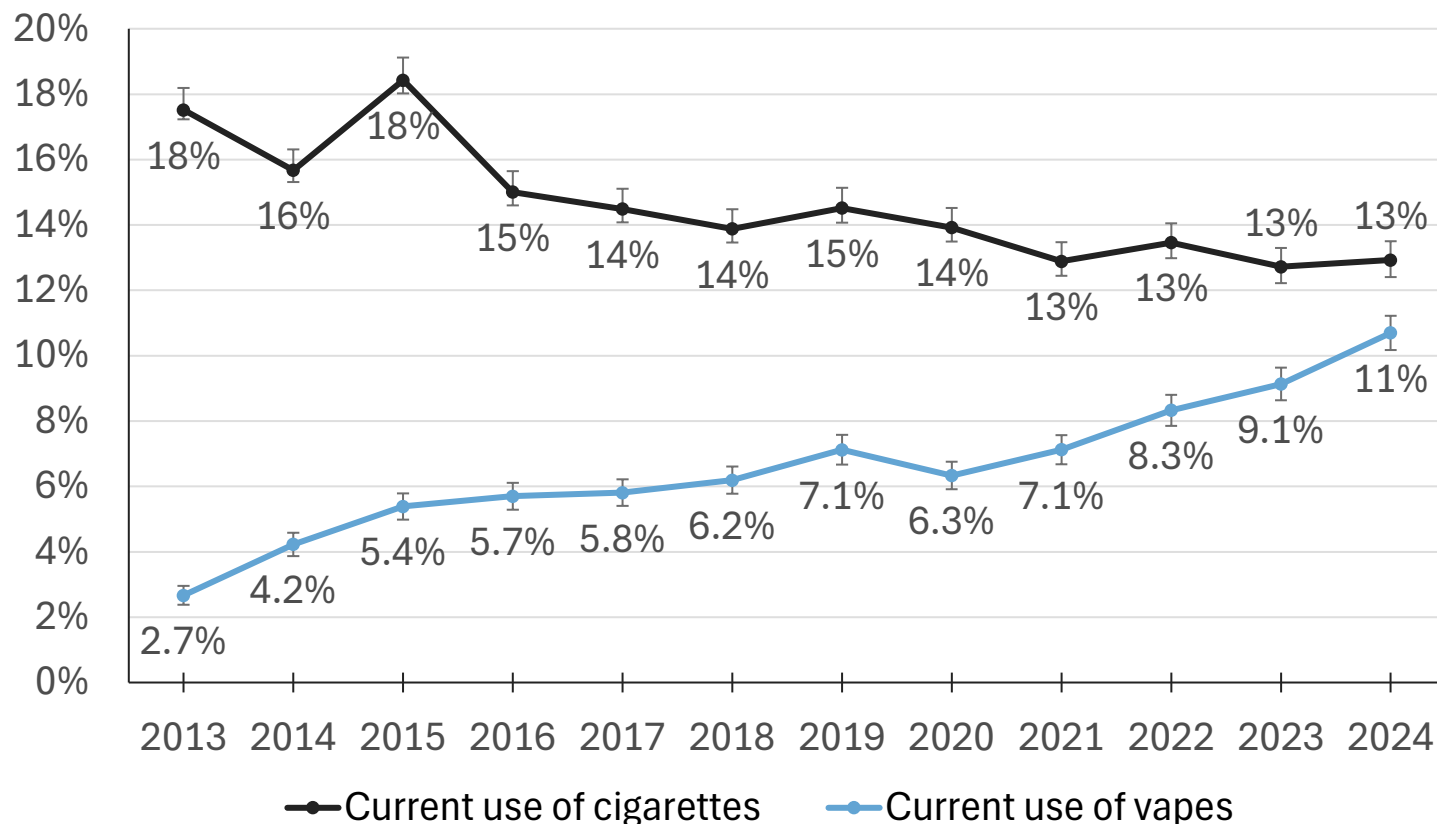


# Adult vaping rates

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# GB adults: smoking and vaping trends

## Use of cigarettes and vapes over time 18+



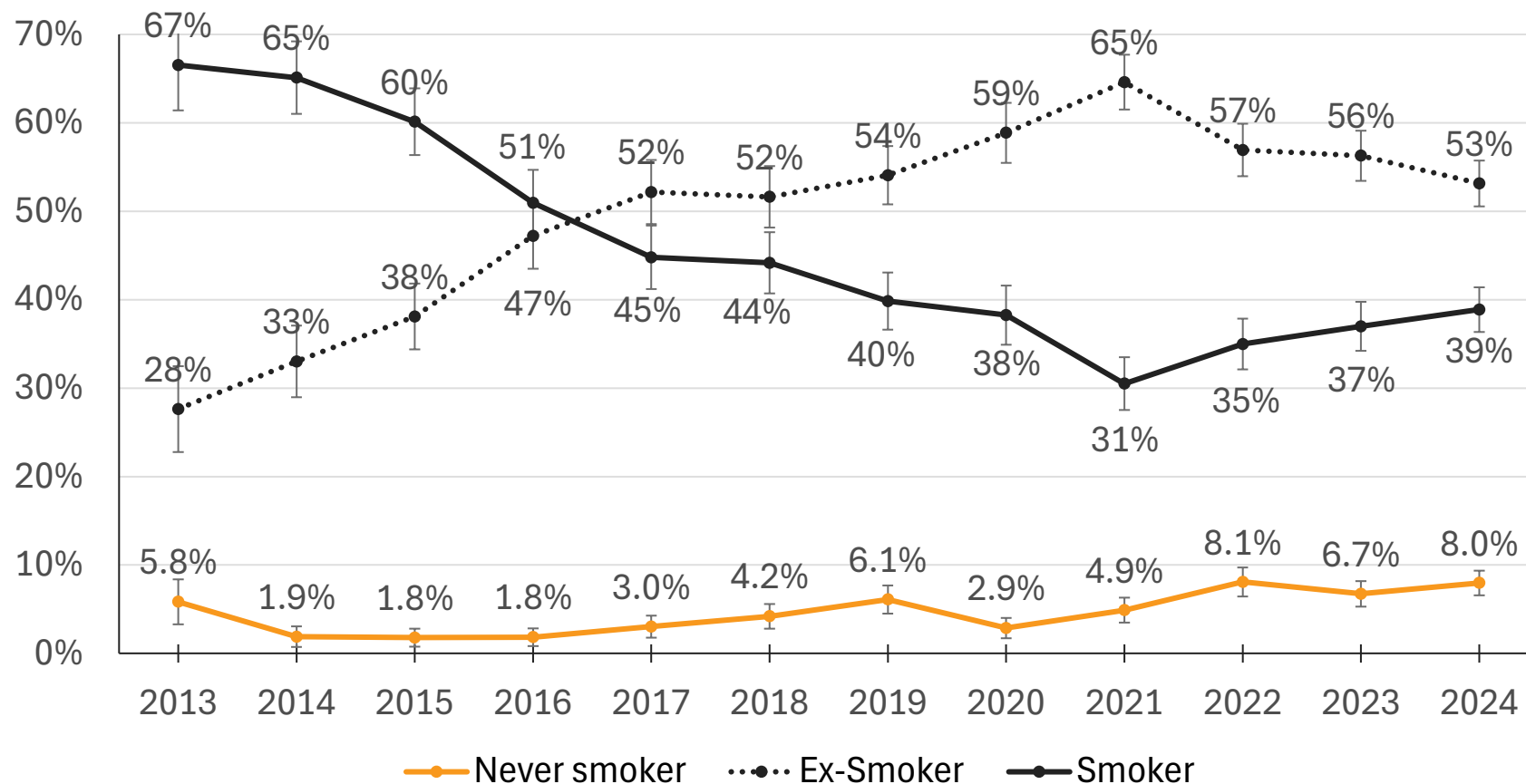
- Still more GB smokers (6.2 million) than vapers (5.6 million)
- 11% of adults currently vape: an all-time high
- Rise has been fairly steady over the past decade

ASH Smokefree GB Survey 2024 and ONS mid-year population estimate 2022

ASH Smokefree GB Adult Surveys 2013-2024. Unweighted base: All adults (2013=12,171, 2014=12,269, 2015=12,055, 2016=12,157, 2017=12,696, 2018=12,767, 2019=12,393, 2020=12,809, 2021=12,247, 2022=13,088, 2023=12,271, 2024=13,266)

# Most adults who vape are ex-smokers

## Smoking status of adult current vapers



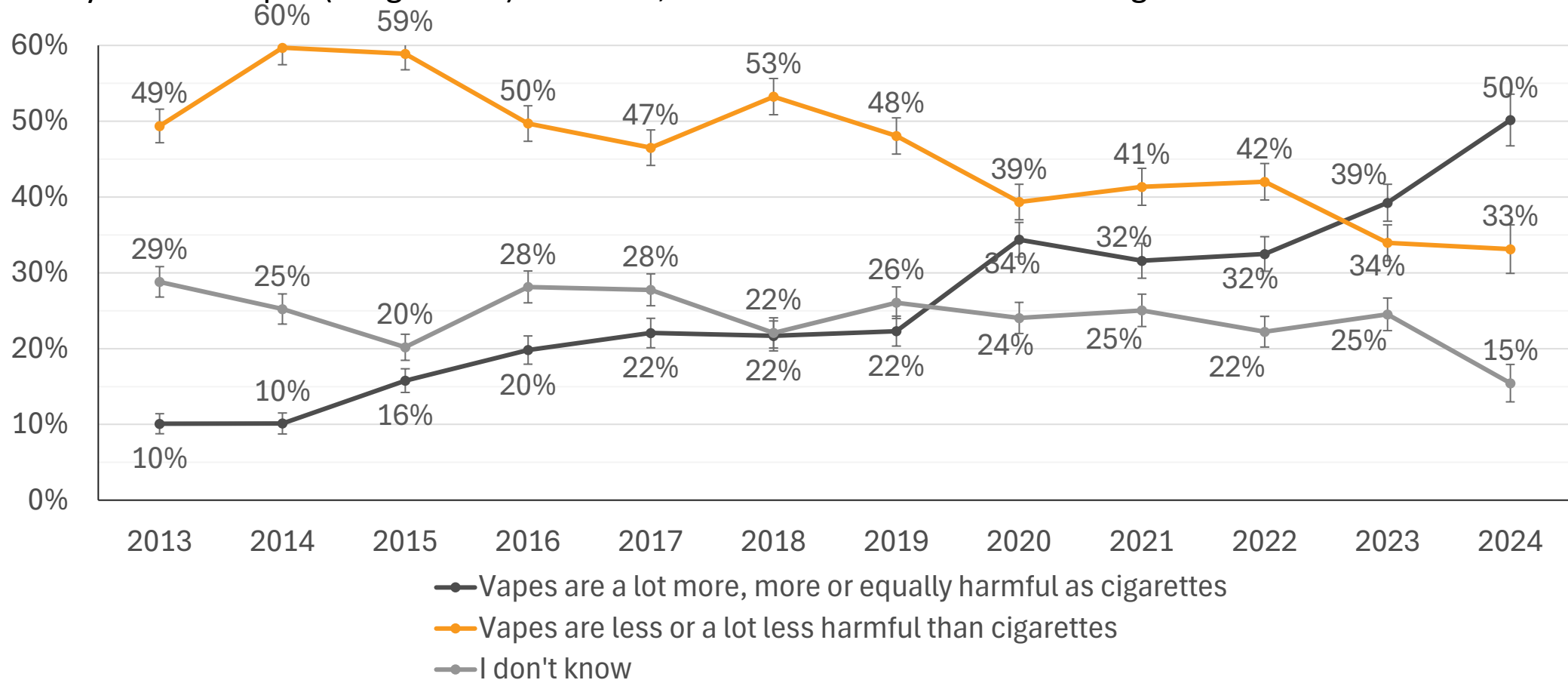
- More than half (53%) of current vapers are ex-smokers ~3 mn
- Nearly four in ten (39%) of current vapers also smoke ~2.2 mn
- Fewer than 2 in 100 never smokers currently vape ~0.4m (8.0% of people who vape have never smoked)

ASH Smokefree GB Adult Surveys 2013-2024. Unweighted base: Adult current vapers (2013=325, 2014=498, 2015=614, 2016=667, 2017=669, 2018=738, 2019=854, 2020=787, 2021=826, 2022=1,089, 2023=1,079, 2024=1,408)



# Adult smokers' perceptions of harm worsening

Do you think vapes (e-cigarettes) are more, less or as harmful as tobacco cigarettes? GB adult smokers 2024



ASH Smokefree GB Adult Surveys 2013-2024. Unweighted base: Adult current smokers who have heard of vapes (2013=1,720, 2014=1,705, 2015=1,945, 2016=1,639, 2017=1,569, 2018=1,566, 2019=1,679, 2020=1,599, 2021=1,438, 2022=1,641, 2023=1,426, 2024=816)

*NB: sample size is halved in 2024 because the question was split to make sure that a small wording change didn't have a big effect. There was very little difference between the two wordings. The version of the question with the new wording is used here.*

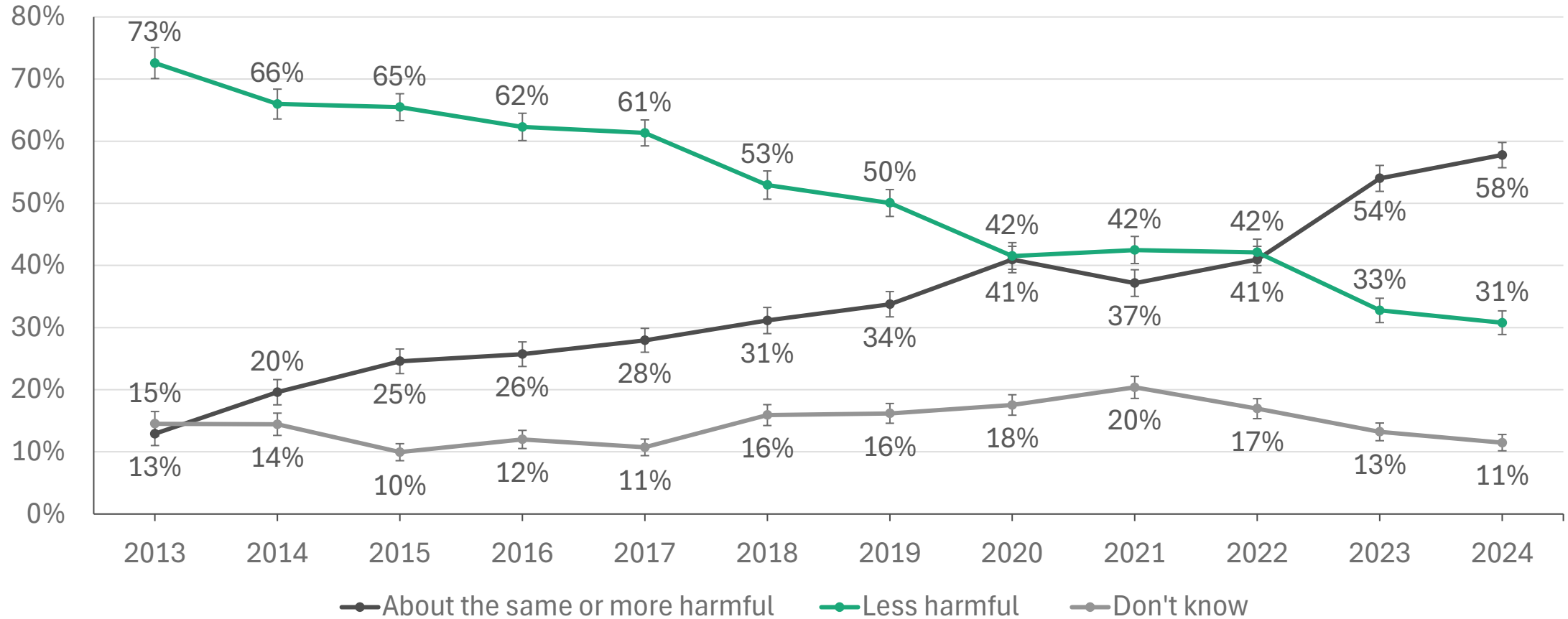


# Underage vaping rates

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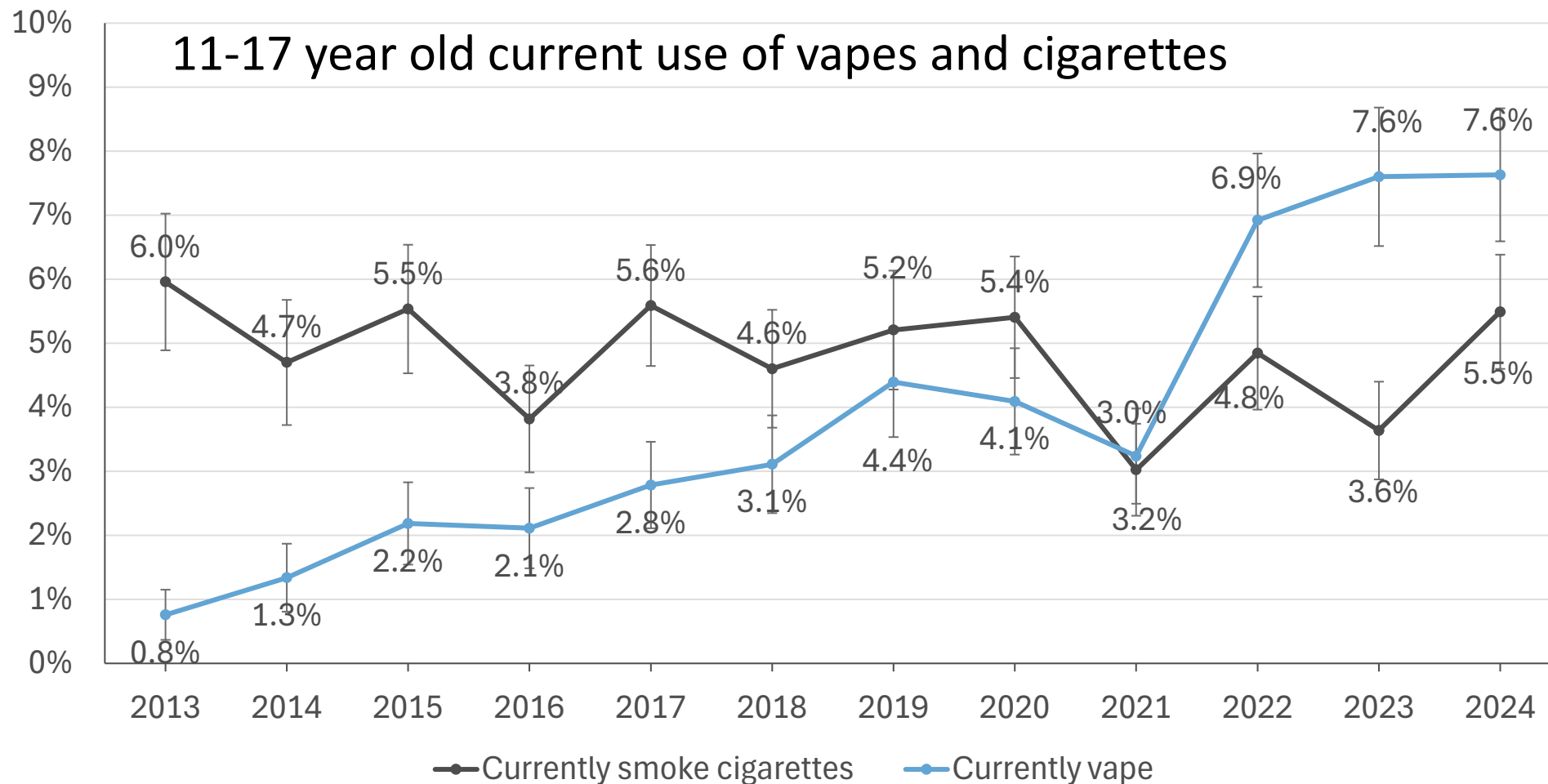
# 11-17 perceptions of harm worsening

Compared to cigarettes, do you think vapes (e-cigarettes) are more or less harmful to the person using them, or is there no difference? GB youth (11-17) 2024



ASH Smokefree GB Youth Surveys 2013-2024. Unweighted base: 11-17 year olds aware of vapes (2013=1,190, 2014=1,483, 2015=1,700, 2016=1,607, 2017=1,968, 2018=1,687, 2019=1,863, 2020=1,909, 2021=1,905, 2022=1,916, 2023=1,917, 2024=2,349)

# GB Trends in Youth use of cigarettes and vapes over time

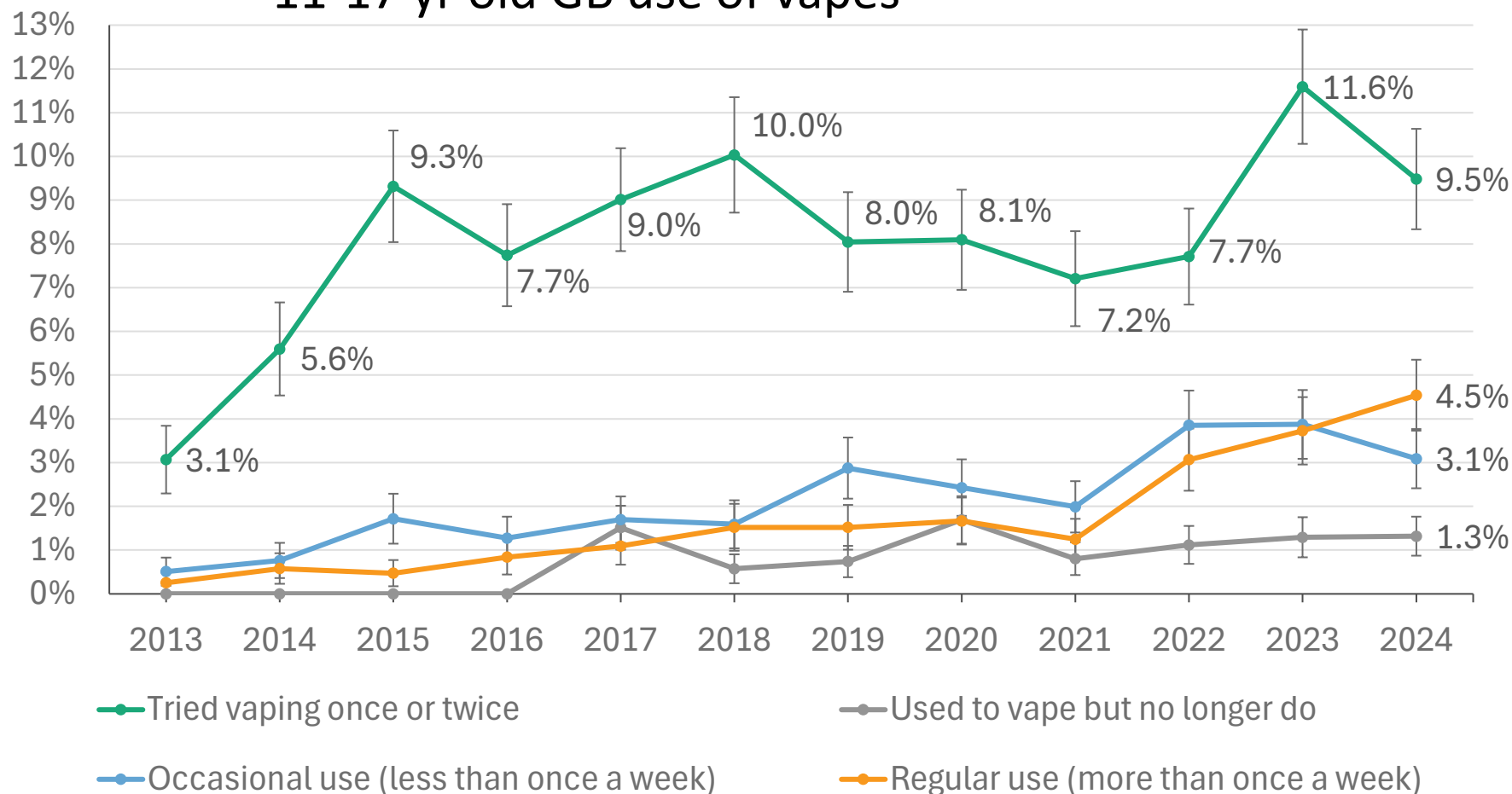


- Underage smoking back to pre-pandemic levels
- Underage vaping same as 2023 but higher than pre-pandemic levels

ASH Smokefree GB Youth Surveys, 2013-2024. Unweighted base: All 11-17 year olds (2013=1,895, 2014=1,817, 2015=1,834, 2016=1,735, 2017=2,151, 2018=1,807, 2019=1,982, 2020=2,029, 2021=2,109, 2022=2,111, 2023=2,028, 2024=2,587)

# Changes in patterns of youth vaping

## 11-17 yr old GB use of vapes

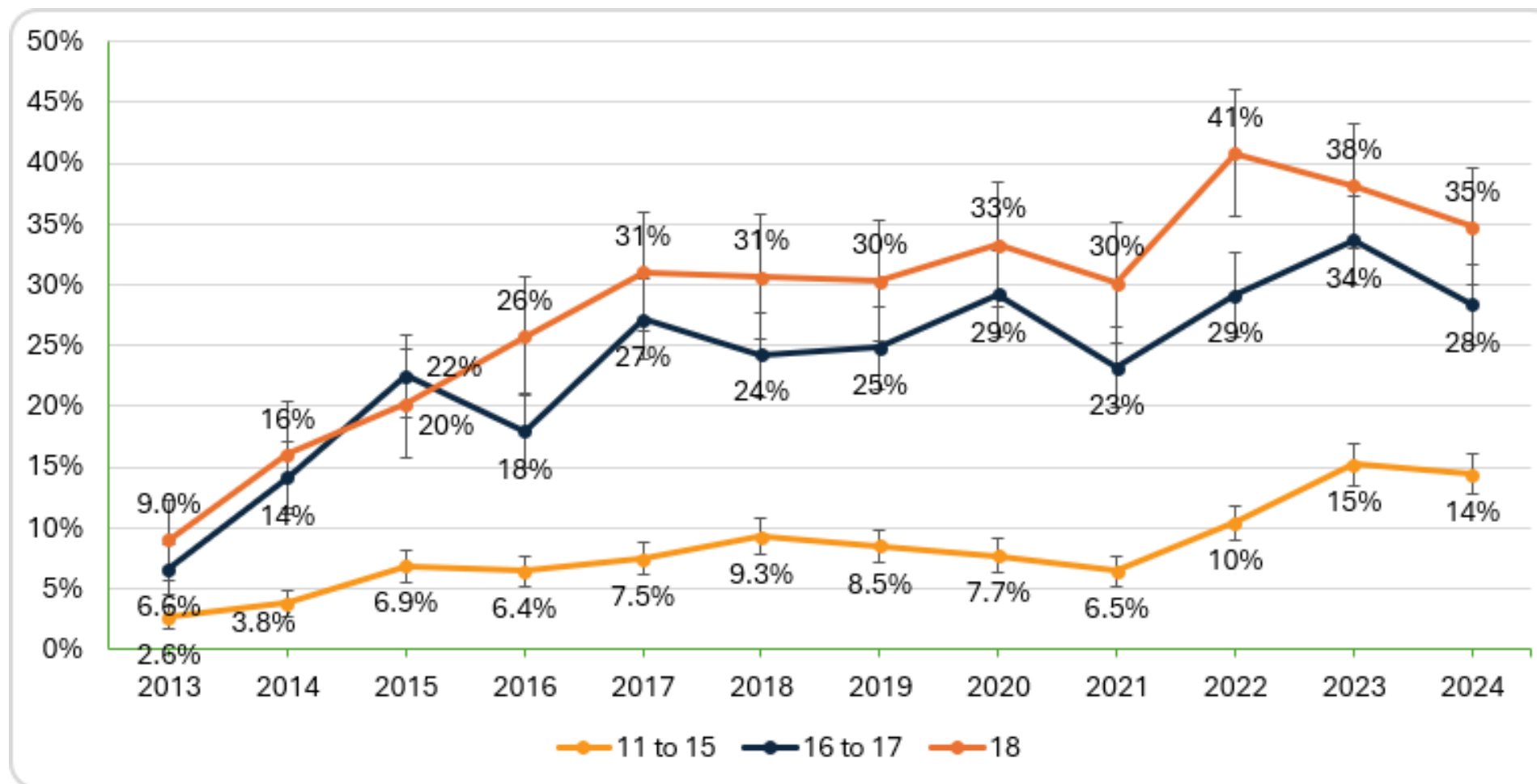


- Fewer than one in five (18.4%) have ever vaped down from 20.5% in 2023
- 9.5% of 11-17s have tried vaping once or twice
- 7.6% current vapers: occasional use (3.1%) and regular use (4.5%).
- First year that the rate of regular use is higher than occasional use

ASH Smokefree GB Youth Surveys, 2013-2024. Unweighted base: All 11-17 year olds (2013=1,895, 2014=1,817, 2015=1,834, 2016=1,735, 2017=2,151, 2018=1,807, 2019=1,982, 2020=2,029, 2021=2,109, 2022=2,111, 2023=2,028, 2024=2,587)

# Clear age gradient of youth vaping

Ever vaping by age, GB youth (11-15, 16-17, and 18), 2013-2024



Ever tried in 2024

- 14% aged 11-15
- 28% aged 16-17
- 35% aged 18

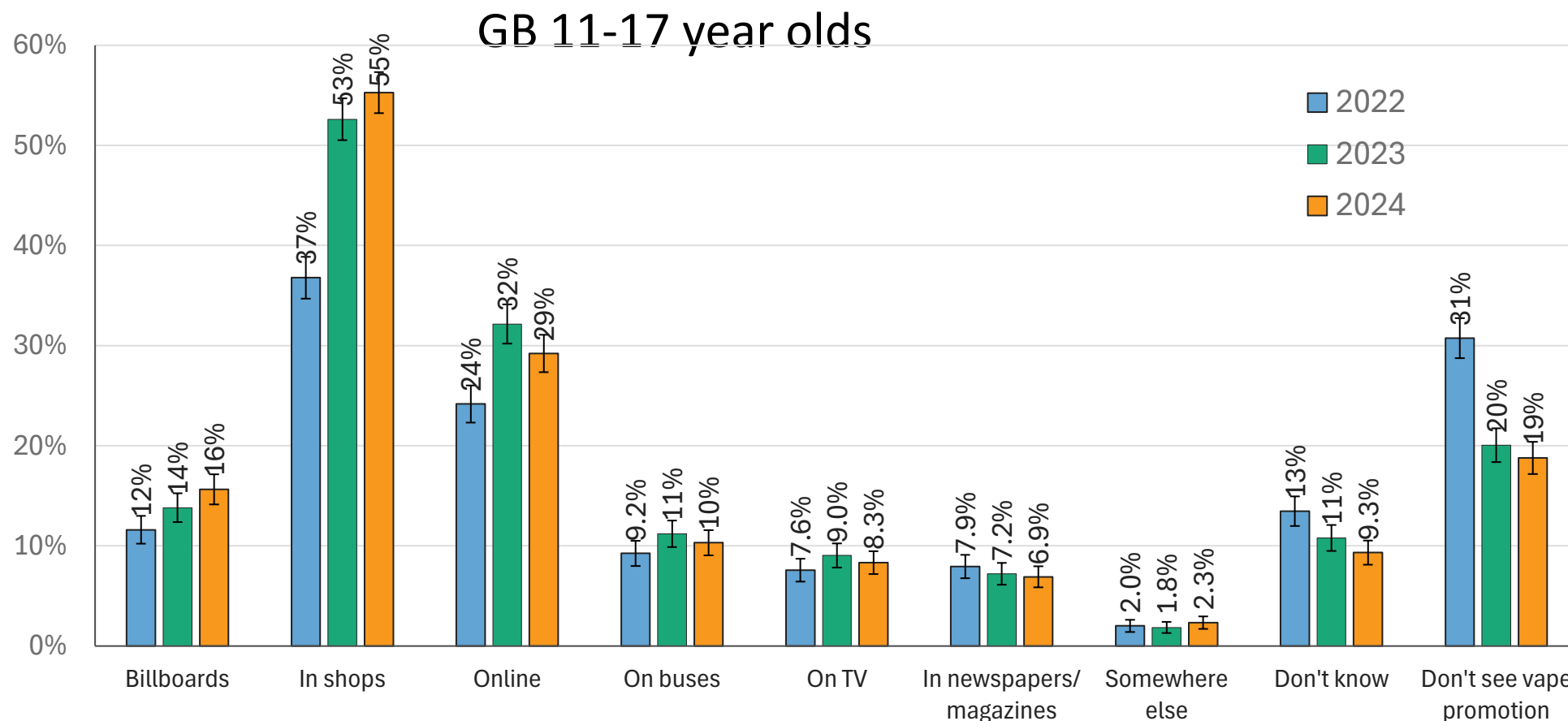


# Promotion to children

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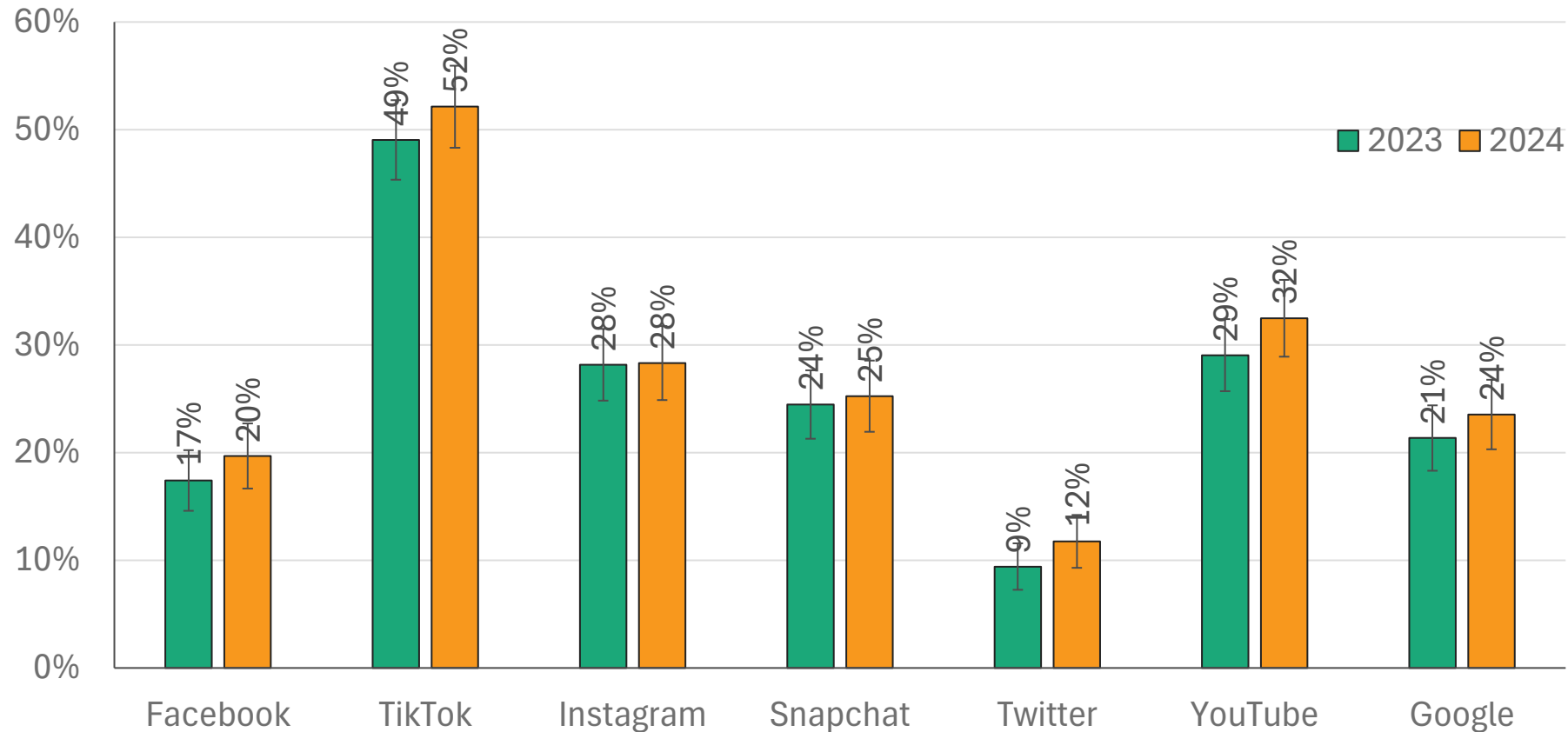
# Youth awareness of vape promotion highest instore



- One in five say don't see vapes being promoted, down from nearly a third two years ago (31% to 19%)
- More than half are aware of promotion in shops compared to a third two years ago (37% to 55%)



# Among youth aware of online promotion



- 29% of youth aware of online promotion
- Most likely source Tik Tok, then Youtube Instagram and Snapchat
- Little change since last year

ASH Smokefree GB Youth Surveys 2023 & 2024. Unweighted base: 11-17 year olds aware of vapes who have seen them promoted online (2023=640, 2024=717)

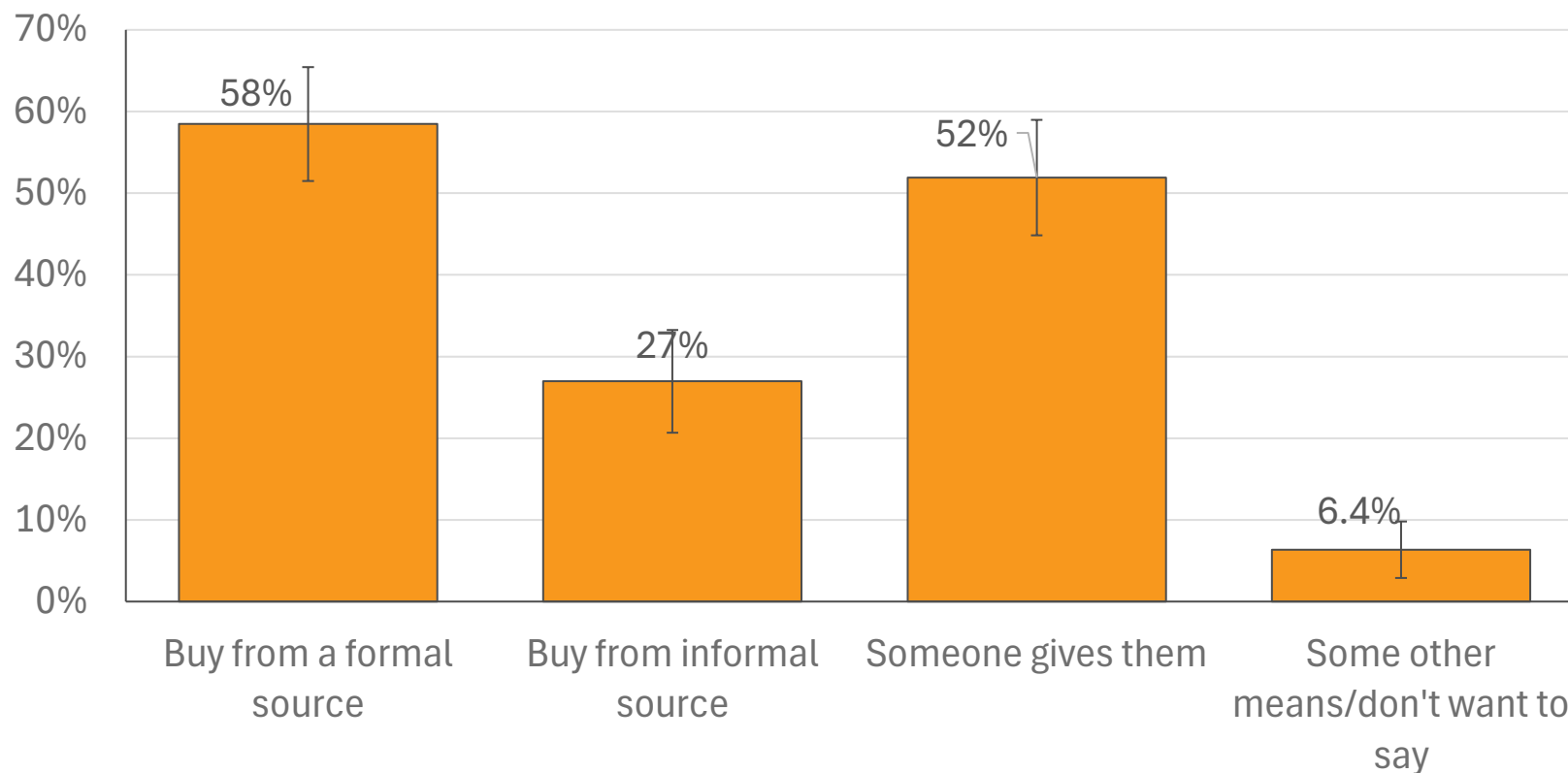


**Access for  
children**

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# Most current underage vapers buy their vapes

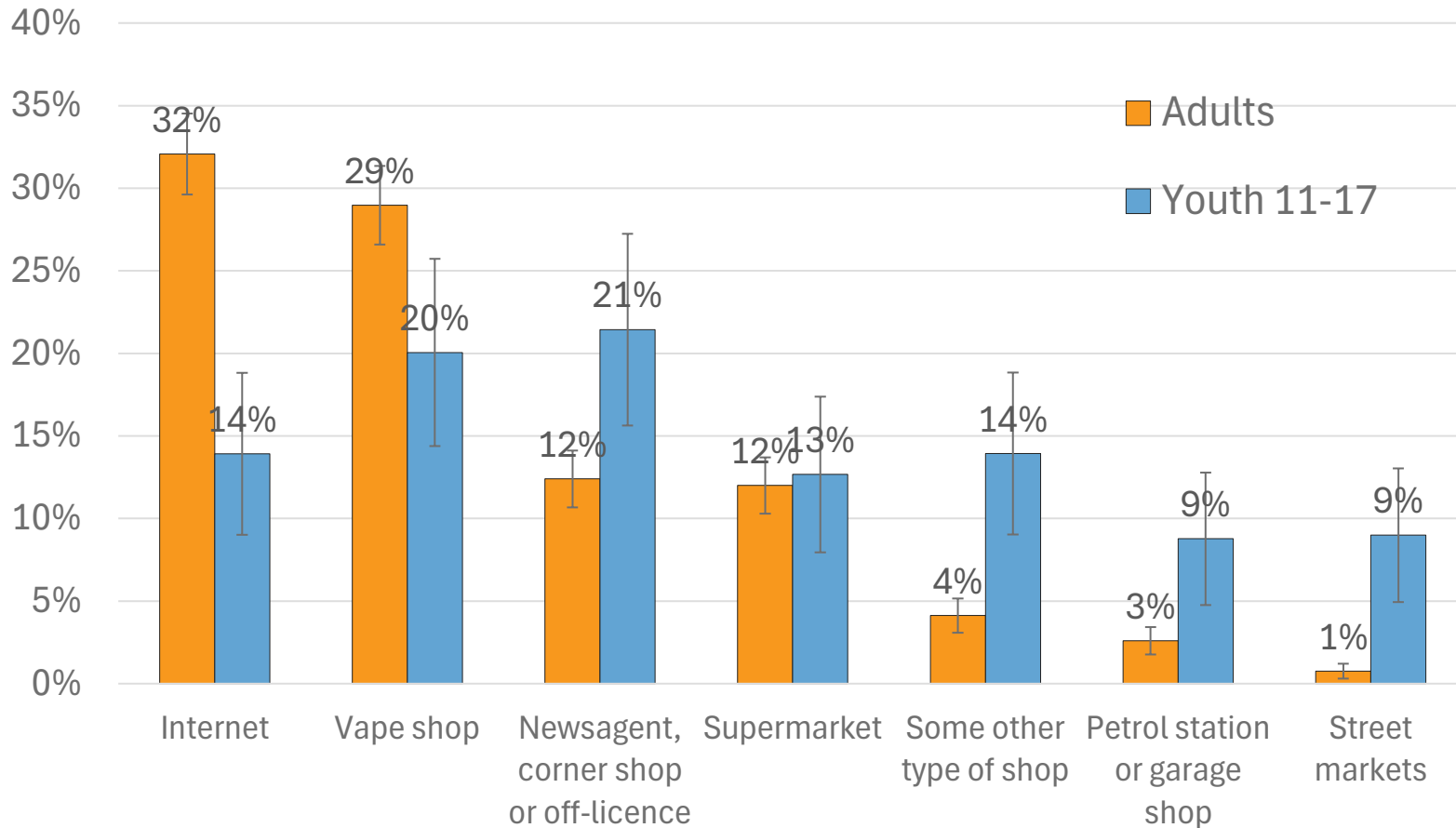
Youth vapers usual sources of vapes  
(multiple selection allowed)



- 71% of 11-17s who currently vape buy their vapes
- Most (58%) buy from a formal source (eg shop, market)
- A quarter (27%) buy from an informal source (eg friend, family member, other)
- 52% are given their vapes by someone else (eg friend, family member, other)
- Better awareness and enforcement of legislation about age of purchase and proxy purchase is required

# Adults and children purchase vapes differently

## Adult and youth comparison of formal sources of vapes



- Buying online is most frequently used source for adult vapers (32%) – but not under 18s (14%)
- Buying from small shops such as a newsagent, corner shop or off-licence most frequent source for 11-17s (21%) followed by vape shops (20%)

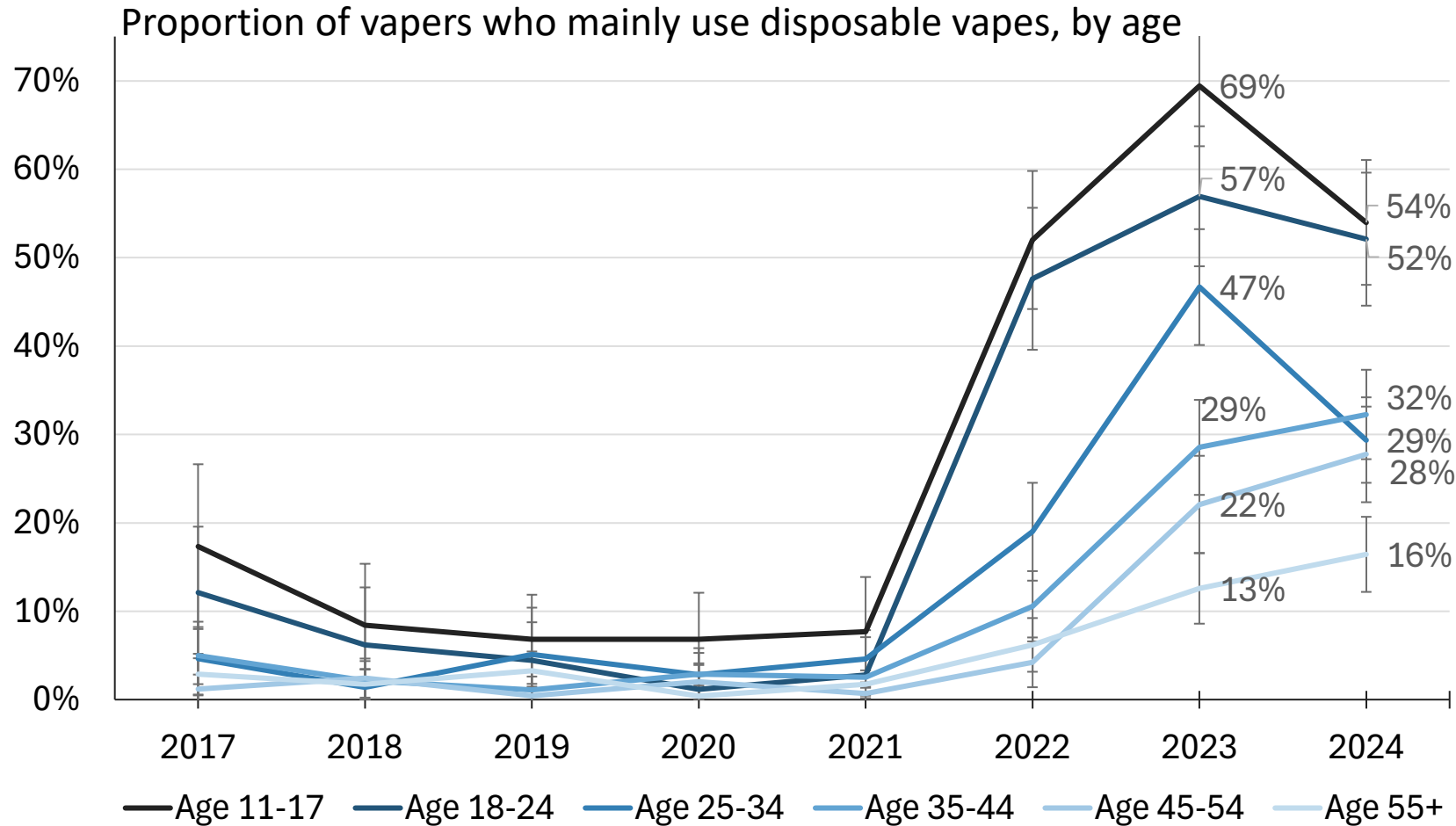
ASH Smokefree GB Adult & Youth Surveys, 2024. Unweighted base: adults who currently use vapes (excluding vaped once or twice or DK frequency of vaping): 1,374, 11-17 year olds who currently use e-cigarettes: 225. Respondents allowed to tick more than one box if more than one usual source. Those who don't purchase their vapes from commercial sources are included in the base but not represented in the bar totals



# Appeal to Children

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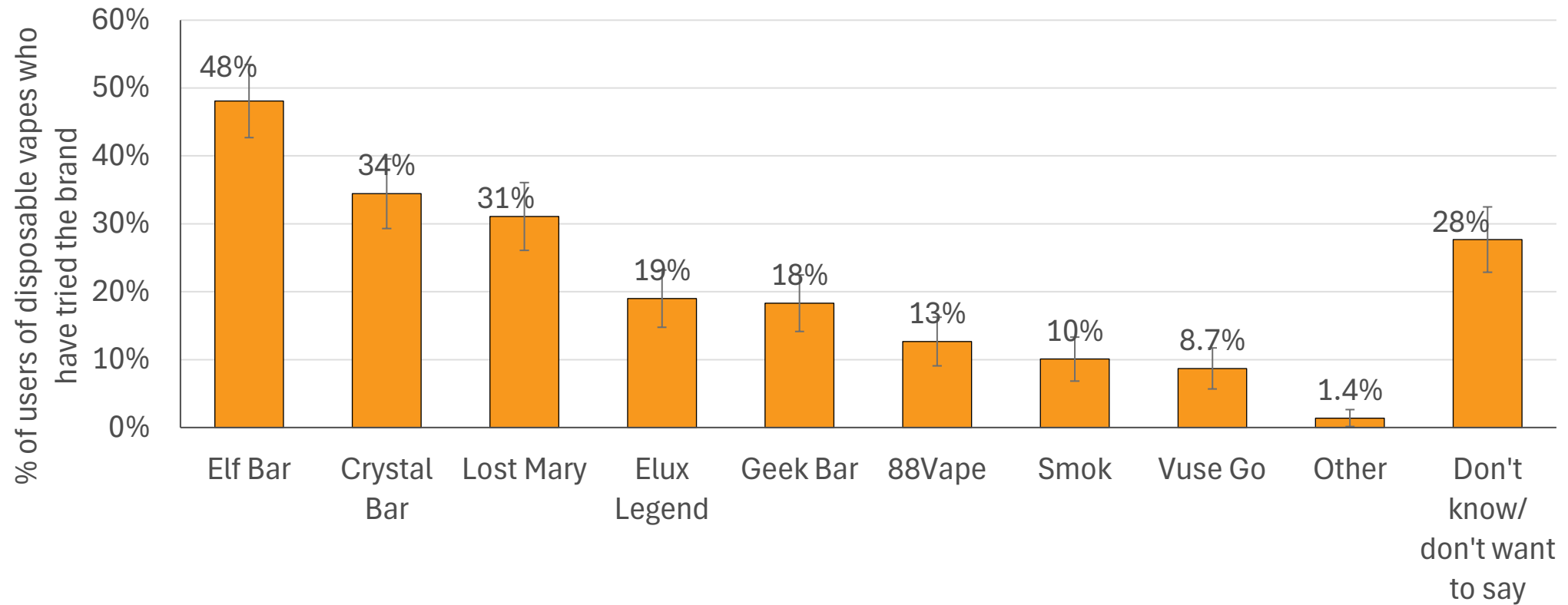
# Rapid rise in youth vaping 2021-23 associated with growth in use of disposable vapes



- Disposable vapes are most popular with young adult vapers 18-24 (52%) and youth vapers 11-17 (54%)
- Age gradient so only 16% of 55+ vapers mainly use disposable vapes
- All age groups show a significant increase in disposable use from 2021 to 2023
- That rise seems to have peaked

# Most popular disposable brands in 2024

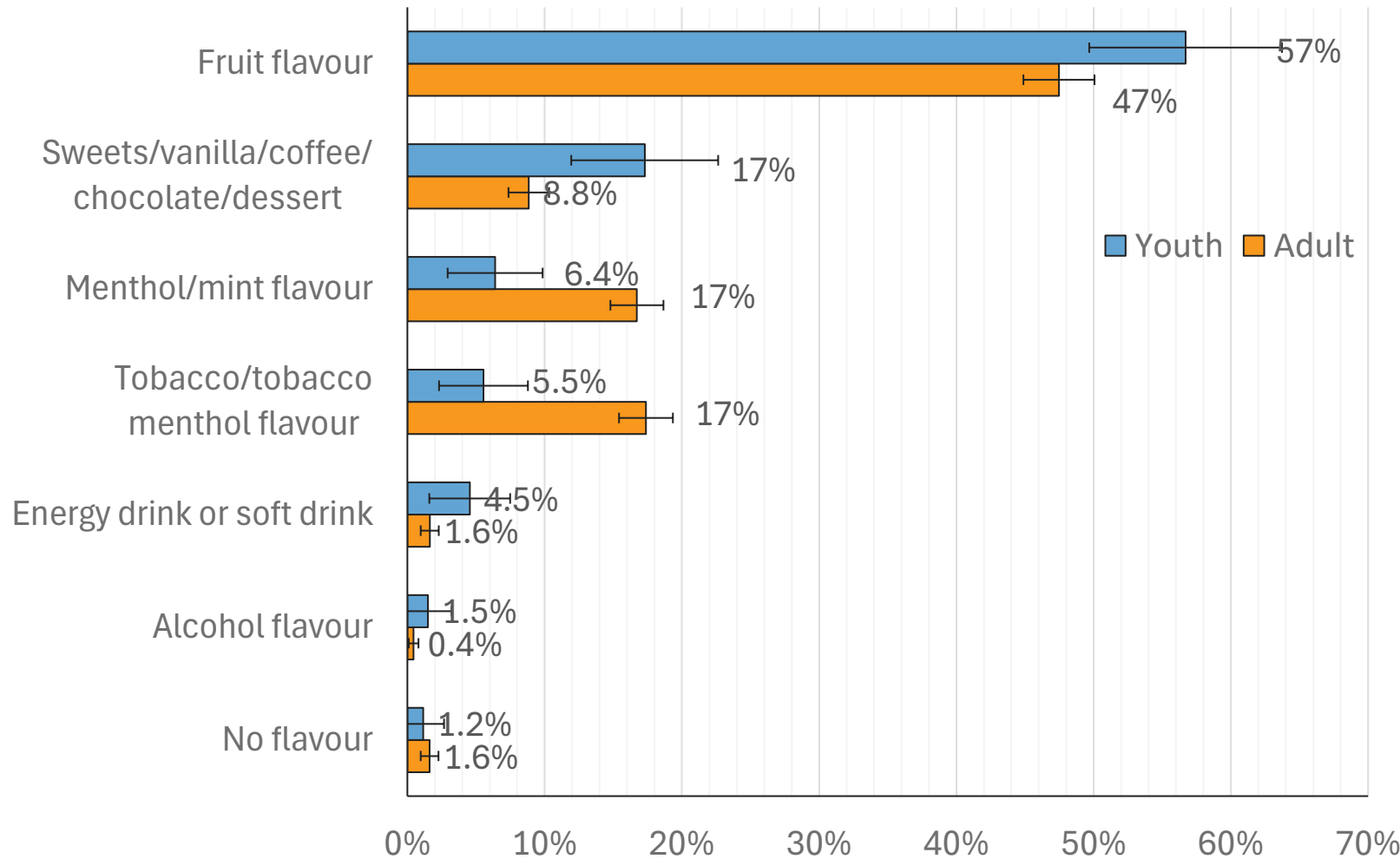
Brands of disposable vapes tried, GB youth (11-17) ever disposable vapers, 2024



ASH Smokefree GB Youth Survey, 2024. Unweighted base: 11-17 year old respondents who had ever used disposable vapes; 394. Respondents asked to select every brand they have used.

# Fruit flavours are the most popular for adults and children

Main choice of vape flavour, GB current vapers 2024

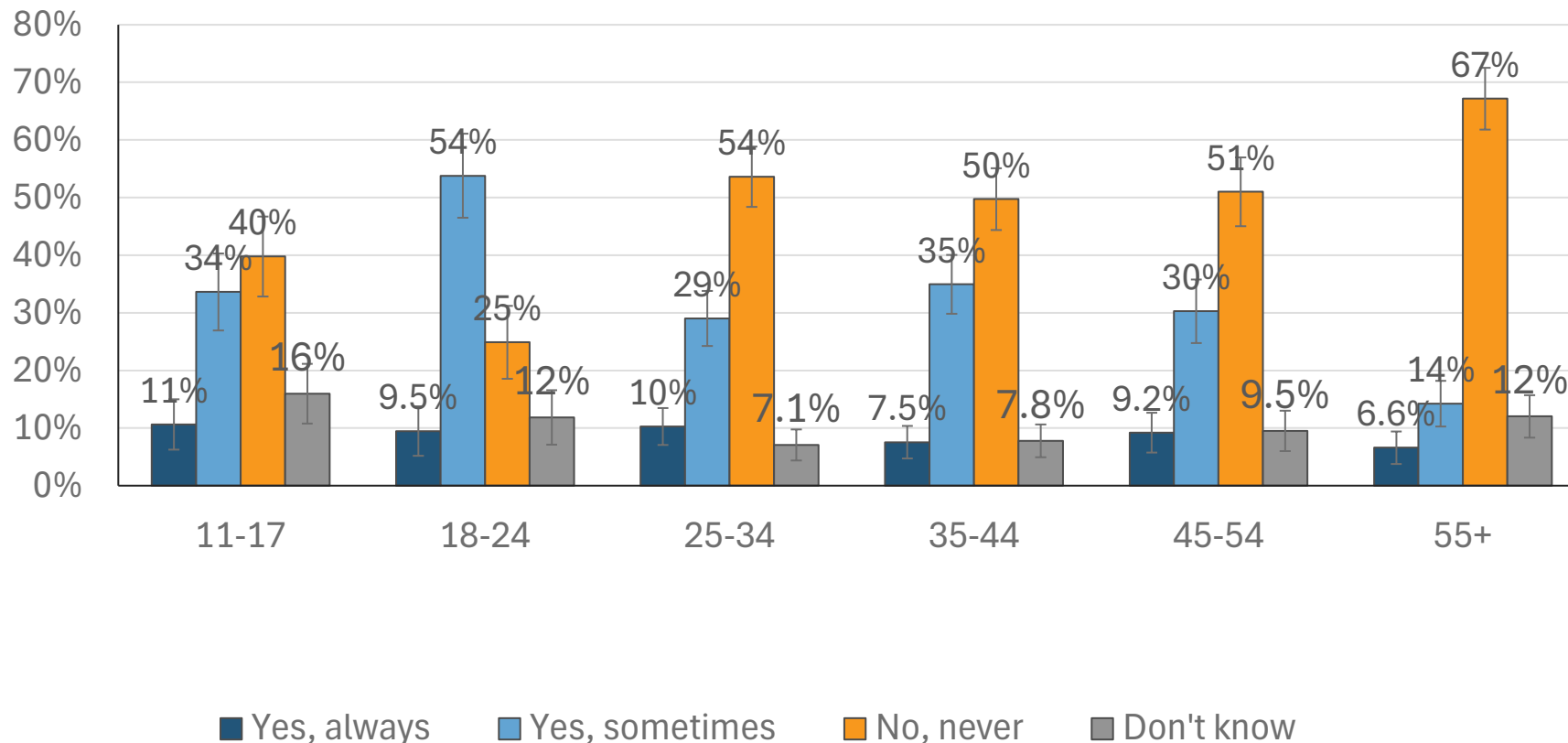


- 57% of youth and 47% of adults prefer fruit flavour vapes
- Vapes with sweet flavours are more popular with children (17%) than adults (8.8%)
- Tobacco/tobacco menthol and menthol flavours are more popular with adults (17% and 17%) than children (5.5% and 6.4%)



# Use of 'Ice' vapes by age

Level of use of ice vaper, GB current vapers, 2024



- Most popular with underage and young adult vapers
- Used by 45% of underage vapers
- Used by 65% of 18-24 yr old vapers
- Underage vapers more likely to always use ice vapes (a third compared to a fifth of 18-24 yr olds)

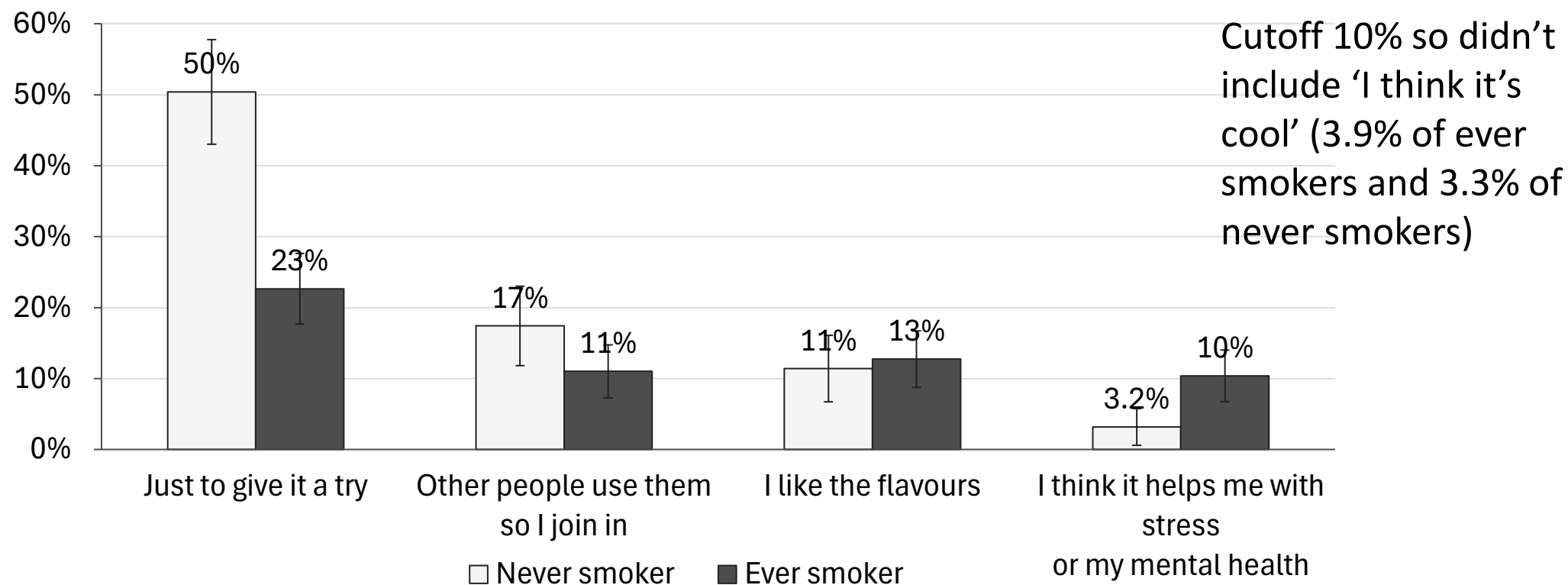


# Why children vape

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# Main reasons: experimentation and peer pressure

Main reason for vaping, GB youth (11-17) who have ever tried vapes, 2024



# Legislative framework

## Three legislative strands in order of implementation

1. Ban on disposable vapes: regulations under existing Environment Laws from 1 April 2025 (draft regulations laid)
2. National tax on e-liquids from 1 October 2026 (currently being consulted on)
3. Tobacco and Vapes Bill 2024
  - Raise the age of sale one year every year from 1 Jan 2027
  - Powers to regulate vaping and nicotine products

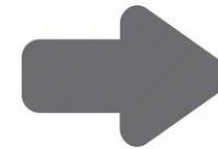
# Policy content

## A x 4 :

- 1) **Access:** key measure effective enforcement of age of sale and reduce access to illicit – key function of e-liquid tax
- 2) **Affordability:** increasing price while making sure vaping remains cheaper than smoking
- 3) **Appeal:** reducing attractiveness of products to children while not undermining appeal to adult smokers
- 4) **Advertising and promotion:** addressing instore and online promotion; do more to promote vaping to adult smokers (e.g. pack inserts) while reducing appeal to children

# Disposable vape ban

- Why do children vape? **Not** because they're disposable
- Children are attracted to disposable vapes because they're cheap, appealing and easy to use
- Reusable replacements already on the market: same name, same price, hard to tell the difference
- Bought both these products online for £2.99/\$3.74
- **May reduce the environmental impact but makes no difference to child appeal**



# New tax on e-liquid

## Positives

- 1) Commitment to increase tobacco tax at the same time to ensure vaping remains cheaper than smoking to encourage smoking cessation using vapes as a quit aid
- 2) Gives enhanced enforcement powers to HMRC and Border Force
- 3) Includes non-nicotine as well as nicotine-containing e-liquids, which if they had been excluded would have made enforcement much more difficult.
- 4) Raises revenue to fund “vital public services such as the NHS and smoking initiatives supporting a smokefree generation. “ (vapes £445mn/\$560mn; tobacco £170 mn/\$215mn in 2028-9)

# New tax on e-liquid

## Issues with structure

- Designed to encourage reformulation along same lines as sugary drinks levy
- Assumes nicotine content = addictiveness potential
- Risks encouraging greater use of vaping e-liquid without reducing addictiveness potential
- Consultation closes 29 May 2024
- Implementation 1 October 2026
- ASH recommendation: flat rate

**Table 3.B Potential price impact of the proposed rate structure**

	<b>Refillable liquid (10ml)</b>	<b>Percentage increase in price</b>
Pre-duty	£2.50	N/A
Post-duty (excise duty and VAT):		
Nicotine-free liquid (£1 per 10ml)	£3.70	48%
Nicotine liquid (up to 11mg/ml) (£2 per 10ml)	£4.90	95%
Higher nicotine (at least 11mg/ml) (£3 per 10ml)	£6.10	143%

Source: HMT/HMRC



# Tobacco and Vapes Bill

**Powers to reduce the appeal of vaping to children BUT**

Adults must continue to have access to vapes which can help them quit and stay quit

**Legislation includes powers to regulate:**

- **vape packaging and product presentation**
- **point of sale displays and promotion**
- **restrict vape flavours**

# T&V Bill regulations will

## 2. Reduce the appeal of e-cigarettes:

Remove branding appealing to children:

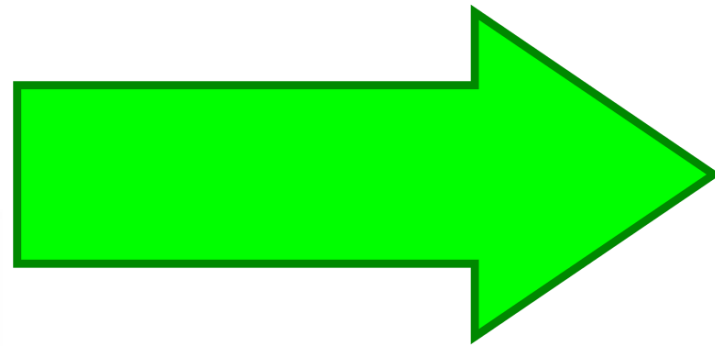
- Prohibiting the use of bright colours
- Ban flavour descriptors appealing to children e.g. 'gummi bears', 'unicorn shake'
- Prohibiting cartoon characters
- Prohibiting toy-like features



# Reducing product appeal: Tobacco model



# Vape plain packaging: already in use



## Specifications

- RY6 flavours: Tobacco, Vanilla, and Caramel
- NicotineType: Freebase
- Bottle Size: 10ml
- Nicotine Strength:3mg, 6mg, 12mg, and 18mg
- VG/PG Ratio: 50/50
- Easy Fill Nozzle
- Childproof Cap

Alphanumeric codes in place of flavour names and descriptors on front of pack



# Tobacco and vape displays: market evolution

2008



2015



2023



# Tobacco and Vapes Bill

## ASH recommendations

### Reduce the appeal of vaping to children BUT

Adults must continue to have access to vapes which can help them quit and stay quit

- **vape packaging and product presentation** plain products in plain packaging but clinical rather than cigarette-style, alphanumeric codes rather than flavour or other descriptors
- **point of sale displays and promotion**
  - All instore promotion banned
  - With plain packaging product displays could be allowed – but only behind the counter
- **restricting vape flavours** taking powers to be able to restrict flavours BUT step 1 should be using alphanumeric codes in place of flavour names or other descriptors that risk making products appealing to children rather than banning flavours themselves

# Tobacco and Vapes Bill timeline

- 2 Houses (Commons and Lords) have to pass the legislation but majority support in both
- Likely to reach the Lords by June and pass before parliament breaks for the summer
- Election due this year (date not fixed but most likely Autumn)
- Bill has to pass into law before an election is called or it falls and an incoming government has to start the process again
- Vape regulations won't be finalised and come into force until 2025 earliest

# Sources of information

- ASH. [Addressing common myths about vaping.](#)
- Cochrane review [Pharmacological and electronic cigarette interventions for smoking cessation in adults: component network meta-analyses](#)
- [DHSC Tobacco and Vapes Bill publications](#)
- [Defra Regulations to ban the sale and supply of disposable vapes](#)
- [HM Treasury Vaping Products Duty consultation](#) closes
- [HMT Spring Budget 2024](#)