

Rt Hon Steve Reed OBE MP
Secretary of State for Environment, Food and Rural Affairs
Seacole Building
2 Marsham Street
London SW1P 4DF

5th August 2024

Dear Secretary of State

Regulation of e-cigarettes (vapes) under the Environment Act 1990 and the Waste Electric and Electronic Equipment (WEEE) Regulations 2013

ASH and the Chartered Trading Standards Institute are writing to you in collaboration with Material Focus, the waste electricals recycling not-for-profit organisation, working together to try to secure regulation of vapes that will reduce their significant negative environmental impact, and helps curb youth vaping. We recognise that you have a wide ranging brief which you need to fulfil, but there are imminent deadlines which need to be met to secure the ban on single use vapes can be implemented on the timeline supported by the Government in Opposition. This letter is being shared with Mary Creagh as the Minister responsible, and we will be seeking a meeting with her after summer recess to discuss the issues further.

Deadline 1st October 2024: Making of the Environmental Protection (Single-use Vapes) (England) Regulations 2024 SI

In Opposition Labour supported the ban on single use disposable vapes to come into force on 1 April 2025. However, in order for this timetable to be achieved the affirmative regulations, under the Environment Act 1990, must be considered by both Houses of Parliament and made by 1 October 2024. The regulations, which have been consulted on, are ready to be laid, but unless they are tabled and debated immediately parliament returns this timetable cannot be met.

Deadline 1st January 2025

Although all vapes (disposable, rechargeable and refillable models) are covered by existing UK WEEE regulations, they are currently reported under Category 7 – toys, leisure and sports equipment. Without a specific category for vapes, which would allow collection of data on the weight of vapes being put on the UK market and being collected and recycled, vape-specific collection and recycling targets cannot be set by government. This is inappropriate for a product which is widely used and significantly more expensive to collect and recycle than other small electricals. Furthermore the current levels of littering and binning of vapes is a fire risk and is resulting in valuable materials being discarded, not least lithium and copper, that are key to the UK's green economic future.

With the current calendar year compliance timetable, it is important that a separate vape category is established in time for 1 January 2025. This would then require vape producers to report vape sales in a new defined category. The risk otherwise is that another calendar year passes, severely limiting action to address the clear and present environmental challenges.

If the regulatory process prevents a 1 January 2025 change, an alternative would be to introduce the new category and reporting requirements from 1 July 2025 and use the six months of sales data after that to simulate full year data. However, should the proposed

disposable vape sales ban from 1 April 2025 be implemented, this would risk losing the Q1 2025 sales data, which could be quite substantial in advance of a ban as the remaining disposable vape stocks are cleared.

We look forward to hearing from you.

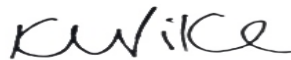
Yours sincerely



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