Consultation response: Tobacco and vape packaging, appearance and display

Action on Smoking and Health (ASH)

Declaration of interests: ASH receives funding for its full programme of work from the British Heart Foundation and Cancer Research UK. We do not have any links with the tobacco industry or any other commercial organisations.

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Respondent information

In what capacity are you responding to this survey?

- An individual sharing my personal views and experiences
- An individual sharing my professional views
- On behalf of an organisation

Do you have any direct or indirect links to, or receive funding from, the tobacco industry?

- Yes
- No

What is the size of your organisation? (Optional)

- Small (0 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more employees)

Where does your organisation operate or provide services? Select all that apply. (Optional)

- England
- Wales
- Scotland
- Northern Ireland
- The whole of the UK
- Outside the UK

Please provide the name of the organisation you are responding on behalf of. (Optional)

- Action on Smoking and Health (ASH)

What is the main area or focus of your work?

- Healthcare

Do you work for, or are you providing views on behalf of, any of the following? Select all that apply.

- None of the above.

Tobacco packaging

Proposals for further plain packaging requirements

We propose to introduce plain packaging requirements for:

- all tobacco products (including but not limited to cigars, cigarillos, pipe tobacco, waterpipe tobacco, smokeless and heated tobacco)
- heated tobacco devices
- herbal smoking products
- cigarette papers

These requirements would broadly align with existing requirements for cigarettes and hand-rolling tobacco.

An overview of the existing requirements for cigarettes and hand-rolling tobacco is set out below.

Colour

Pantone 448C (drab dark brown) colour with a matt finish.

Branding

Brand name permitted once each on front, top and bottom of pack. It must:

- be in a centred position
- be in Pantone Cool Gray 2 C
- be in Helvetica font size 14 point or less
- have only the first letter capitalised

The variant name must follow the same requirements other than to be size 10 point or less and positioned immediately below the brand name.

No promotional images or logos, additional colours or markings are allowed.

Shape

Specified packaging shapes. For cigarettes this is cuboid only and for hand-rolling tobacco this is cuboid, cylindrical or pouch.

Packaging materials

Specified packaging materials. For cigarettes this is carton or soft material only.

Minimum size

20 pack for cigarettes, 30 grams for hand-rolling tobacco.

Some products may require specific plain packaging requirements, for example hand-rolling tobacco pouches are permitted to have a re-sealable sticker and cigarette packets have a lining. If we proceed with the policy, we will engage further on the details of the plain packaging measures for specific products.

Do you agree or disagree with our proposal to introduce the plain packaging requirements outlined above for all tobacco products? This does not include cigarettes and hand-rolling tobacco which already have strict plain packaging requirements.

- Agree
- Neither agree nor disagree
- Disagree

- Don't know

Do you agree or disagree with our proposal to introduce the plain packaging requirements outlined above for heated tobacco devices?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to introduce the plain packaging requirements outlined above for herbal smoking products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to introduce the plain packaging requirements outlined above for cigarette papers?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing your views on which tobacco products plain packaging requirements should or should not be introduced for, or specific elements of our proposals which you agree or disagree with. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome proposals to extend plain packaging to all tobacco products. This will close the significant loophole in packaging requirements for non-cigarette tobacco products. Tobacco companies have a long track record of exploiting loopholes in regulations to continue marketing their products, for example in relation to mentholated cigarillos.[1] It is therefore necessary to ensure that all tobacco products are covered by standard packaging regulations. This must include cigars and cigarillos which as of 2020 were the most used non-cigarette tobacco product in England.[2] Tobacco companies have taken advantage of the weaker regulation of cigars to market cigarillos which closely resemble cigarettes. This has contributed to increased use of these products among young people. In

2026, 28% of 11-17 olds who regularly smoke (once a week or more) had tried cigarillos and 6% currently used them.[3] Any attempt to exempt specific products within the cigar category would risk reinforcing misperceptions about the harms of cigars, create further loopholes and likely be unenforceable.

Extending standardised packaging to all tobacco products is supported by 63% of adults in Britain, with only 7% opposed. When asked about extending standardised packaging specifically to cigars, 60% of adults in Britain are in favour, compared to 9% opposed.[4] Support is consistent across people of all age groups, socio-economic status and region.

Standardised packaging is effective for reducing the appeal of tobacco products and limiting tobacco manufacturer's ability to market to children and young people. The introduction of standardised tobacco packaging for cigarettes and rolling tobacco in the UK was associated with a significant reduction in smoking prevalence, increased smokers' consideration of quitting and reduced the attractiveness of cigarette packs to young people.[5] [6] [7] [8]

However, over the last decade the use of non-cigarette tobacco products which are not covered by standardised packaging has risen sharply, with 5 times as many people exclusively smoking non-cigarette tobacco products (e.g. cigar/pipe/shisha).[9] As of September-2023, there were around 772,800 adult non-cigarette tobacco smokers in England; around five times more than a decade earlier. The rise in prevalence differed by age, with more pronounced increases among younger age groups.

Due to the strict limits on advertising tobacco products in the UK, packaging is the main source of tobacco promotion. Tobacco companies have acknowledged the importance of packaging as "an important means of differentiating brands and [...] a means of communicating to consumers".[10]

A consistent approach across all tobacco products is also important to address misperceptions that some tobacco products have low health risks, for example smokeless tobacco. [11] Applying the same packaging requirements across all tobacco products would help communicate a clear and consistent public health message that there is no safe way to use tobacco.[12] This would also align the UK with other nations who have expanded packaging regulations to cover all tobacco products.[13]

For product-specific aspects of the packaging, such as the re-sealable stickers for hand-rolling tobacco and the lining of cigarette packets, the UK Government should also require that these be standardised to prevent innovation/differentiation.

Cigarette filters

However, we recommend that standardised packaging is also extended to cigarette filters, which are currently missing from the proposals. Filters are exclusively designed and marketed for the purpose of smoking tobacco and therefore should be regulated along with tobacco and other related products like cigarette

papers. Filters feature colourful, appealing packaging and advertising which clearly promotes smoking.[14 15 16]

Bull Brand *blue ice* capsule slim filter tips:

Advertisements like the one below will not be captured by the tobacco and nicotine product advertising ban coming into force in June 2027, despite clearly promoting a product which is exclusively designed to evade the flavour ban on tobacco.

Text health warnings on the packaging of heated tobacco devices and cigarette papers

We propose to introduce text health warnings on the packaging of heated tobacco devices and cigarette papers. All tobacco products and herbal smoking products already have these warnings. The wording of warnings will reflect the harms of using each product.

Do you agree or disagree with our proposal to introduce text health warnings on the packaging of heated tobacco devices?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to introduce text health warnings on the packaging of cigarette papers?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We strongly support proposals to extend health warnings to all tobacco products. We recommend that warnings are delivered through a combination of text and imagery, rotated regularly, and designed to be accessible, culturally appropriate and understandable to all population groups.

Evidence on health warnings
Evidence shows that health warnings on tobacco packaging can encourage people who smoke to quit and deter young people from starting.[17] Health warnings provide current users with relevant messaging, potentially multiple times a day, and present a deterrent to anyone who might be susceptible to taking up smoking.

Rotating health warnings
Evidence suggests that health warnings that contain both pictures and text are far more effective than those that are text-only[1819]. It will be important that there are both text and pictorial health warnings on herbal tobacco and heated tobacco packaging.

Health warnings should also be rotated frequently, as is recommended by Article 11 of the WHO Framework Convention on Tobacco Control. This can help to maintain the effectiveness of warnings over time. Evidence also suggests that periodically introducing new pictures helps to maintain warning effectiveness over time.[20]

Inequalities
The UK Government should ensure that new health warnings are culturally relevant, representative and accessible. Article 19 of the FCTC highlights that pictorial warnings have the added benefit of potentially reaching people with low levels of

literacy and those who cannot read the language(s) in which the health warning is written.[21]

Picture health warnings on the packaging of more products and devices

All smoked tobacco products currently require picture health warnings, excluding individually wrapped cigars and cigarillos, and packs of large cigars that weigh more than 3 grams each. These products only require text warnings on their packaging.

Smokeless tobacco products, heated tobacco devices and herbal smoking products currently do not have picture health warnings.

We propose to introduce picture warnings on the packaging of:

- all tobacco products (including all cigars and cigarillos, smokeless tobacco and heated tobacco)
- heated tobacco devices
- herbal smoking products

We do not propose including picture warnings for cigarette papers due to the typically smaller size of the packaging.

Do you agree or disagree with our proposal to introduce picture health warnings on the packaging of all tobacco products? This builds on requirements that are already in place for most tobacco products.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to introduce picture health warnings on the packaging of heated tobacco devices?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to introduce picture health warnings on the packaging of herbal smoking products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree that picture health warnings should not be required on the packaging of cigarette papers? We do not propose including picture health warnings on cigarette papers due to the small size of the packaging.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing your views on which tobacco products health warning requirements should or should not be introduced for. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We strongly support proposals to extend health warnings to all tobacco products. We recommend that warnings are delivered through a combination of text and imagery, rotated regularly, and designed to be accessible, culturally appropriate and understandable to all population groups.

Evidence on health warnings
Evidence shows that health warnings on tobacco packaging can encourage people who smoke to quit and deter young people from starting.[22] Health warnings provide current users with relevant messaging, potentially multiple times a day, and present a deterrent to anyone who might be susceptible to taking up smoking.

Rotating health warnings
Evidence suggests that health warnings that contain both pictures and text are far more effective than those that are text-only[2324]. It will be important that there are both text and pictorial health warnings on herbal tobacco and heated tobacco packaging.

Health warnings should also be rotated frequently, as is recommended by Article 11 of the WHO Framework Convention on Tobacco Control. This can help to maintain the effectiveness of warnings over time. Evidence also suggests that periodically introducing new pictures helps to maintain warning effectiveness over time.[25]

Inequalities
The UK Government should ensure that new health warnings are culturally relevant, representative and accessible. Article 19 of the FCTC highlights that pictorial

warnings have the added benefit of potentially reaching people with low levels of literacy and those who cannot read the language(s) in which the health warning is written.[26]

Pack inserts in packaging for all tobacco and herbal smoking products and heated tobacco devices

Quit themed pack inserts will soon be introduced for cigarettes and hand-rolling tobacco following previous consultation. We propose to also include quit themed pack inserts in the packaging of:

- all tobacco products (including products such as such as cigars, cigarillos, pipe tobacco, waterpipe tobacco and smokeless and heated tobacco)
- heated tobacco devices
- herbal smoking products

We do not propose including pack inserts in cigarette papers due to the small size of the packaging.

Do you agree or disagree with our proposal to introduce pack inserts for all tobacco products? This does not include cigarettes and hand-rolling tobacco which we are addressing separately to this consultation.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to introduce pack inserts for heated tobacco devices?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to introduce pack inserts for herbal smoking products?

- Agree
- Neither agree nor disagree

- Disagree
- Don't know

Do you agree or disagree that pack inserts should not be required in the packaging of cigarette papers? We do not propose including pack inserts for cigarette papers due to the small size of the packaging.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on specific tobacco products for which you do or do not think pack inserts should apply. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome proposals to include pack inserts with positive quit-support messages in all tobacco products, a longstanding ASH recommendation. Evidence shows that health-promoting pack inserts can increase quit attempts, positively influence smoking-related attitudes, beliefs and intentions, and support behaviour change when used alongside existing measures such as standardised packaging and pictorial health warnings. By encouraging cessation, inserts also have the potential to reduce exposure to second-hand smoke and its associated harms.[27]

Messaging

We recommend that the messaging on inserts is tailored to the specific type of product to ensure that it is relevant and culturally appropriate. Smokeless tobacco products like heated and oral tobacco have different health harms, different costs and, particularly in the case of oral tobacco, are used by different demographics than smoked tobacco. For example, references to "smoking" on the current proposed pack inserts would be unsuitable for smokeless products.

Messaging on inserts in heated tobacco products should reflect that heated tobacco is likely to be less harmful than combustible tobacco and many users are likely to be using these products to quit smoking. However, heated tobacco users would still benefit from quitting entirely or switching to a less harmful non-tobacco nicotine product.

Regarding the proposed messaging set out in the previous consultation on pack inserts, we welcome the inclusion of vaping on the insert about stop smoking aids, alongside other NICE-recommended products.[28] The evidence is clear that vapes are effective for quitting smoking, and there are many smokers who would benefit from switching to vaping.[29] We hope that the inclusion of this message will help to address

the substantial misperceptions among people who smoke about the relative risks of vaping compared with smoking.[30]

Message renewal
As pack inserts represent a novel intervention in the UK, it is important that the messages on the inserts are periodically reviewed and refreshed. Without renewal, there is a risk of message fatigue and reduced effectiveness over time. This is also the case for graphic health warnings on tobacco packaging.[31] Regular review would allow messaging to be updated to reflect emerging evidence, changes in the tobacco and nicotine landscape, and persistent or new misconceptions among people who smoke.

Evaluation
We encourage DHSC to provide further information, where possible, on its intended approach to evaluating the impact of pack inserts and reviewing message content over time.

Time allowed to implement new packaging requirements

If and when new requirements are introduced, manufacturers will need time to update their packaging to comply. Retailers may also need time to sell old stock that does not comply with new law.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose that a minimum notice period of 12 months would be enough. This would mean all products covered by our tobacco packaging proposals would need to comply with any new requirements by the end of a 12-month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

Do you agree or disagree with our proposed implementation period of no less than 12 months (from when the detail of any new requirements is clear)?

- Agree
- Neither agree nor disagree
- Disagree
- Don’t know

Please explain your answer. This could include, for example, sharing comments on whether the proposed implementation period should be shorter or longer, or on implications that the proposed implementation period could have for manufacturers, retailers or other groups. Please reference any evidence that you have considered to support your response. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome the proposed implementation period and urge the Government to reject efforts by the tobacco industry to delay the regulations, as they did with standardised tobacco packaging and tobacco point-of-sale laws.[32] Tobacco manufacturers have demonstrated that they can rapidly adapt to regulatory changes so the proposed timeline should be sufficient. Evidence from previous tobacco control regulations shows that lengthy implementation periods enable the industry to adapt to regulations and continue marketing their products for longer.

Evidence and examples from previous standardised packaging regulations
Evidence from UK standardised packaging regulations suggest that tobacco companies used the implementation period to: (1) delay the removal of fully branded products; (2) delay the introduction of products in standardised packaging and to make the introduction gradual; (3) inform customers and retailers about changes; and (4) introduce new product innovations such as changes to the structure of the pack or filter innovation and (5) continue selling branded products for as long as possible. [33]

This study also demonstrated that it is possible to have a shorter transition period than the proposed 12-months; in Australia, there was a 2-month implementation period, and in France, there was a 9-month period. There were no evidence of negative consequences from this.

Heated tobacco device appearance

Restricting the colour and finish of heated tobacco devices

We propose to restrict the colour of heated tobacco devices to Pantone 448C (drab dark brown) with an opaque matt finish. Pantone 448C is the same colour as cigarette and hand-rolling tobacco packaging.

Restricting the colour of the device in this way would also prevent certain aesthetic features on the device, such as the presence of cosmetic lights.

Do you agree or disagree with our proposal to restrict the colour of heated tobacco devices to Pantone 448C (drab dark brown) with an opaque matt finish?

- Agree
- Neither agree nor disagree

- Disagree
- Don't know

Do you agree or disagree that heated tobacco devices should be banned from having cosmetic lights? This will not apply to functional lights, like those that indicate charge level.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on whether restricting heated tobacco devices to an alternative colour may be more effective, or whether technical exemptions are required. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support the proposed cosmetic changes to heated tobacco devices, including features like a standardised colour, matte finish, removal of branding, imagery and digital screens, and preventing product imitation. We also recommend that the UK Government takes steps to differentiate vapes from heated tobacco, as there is often a deliberate conflation by industry.[34]

Evidence on heated tobacco

Heated tobacco products (HTPs) are not risk-free and are not currently recommended for smoking cessation by NICE. While it is possible that they expose users to fewer toxins than cigarettes, all tobacco products are harmful to health and heated tobacco products contain many of the same harmful chemicals as combustible tobacco. While current use of HTPs is low among children in Britain (0.5%), awareness has increased substantially from 7.1% in 2022 to 19% in 2026.[35] This has likely been partly driven by the aggressive promotion of HTPs by tobacco manufacturers.[36] Given the potential risks from these products it is right that the government takes action to reduce their appeal to young people.

HTPs are relatively new to the market, and as a result, there is limited independent research on their long-term health impacts.[37] A recent large independent analysis of the health impacts of heated tobacco products focused on biomarkers of potential harm - biological indicators that signal physical changes or effects within the body.[38] The findings revealed a complex picture: while heated tobacco products showed both potentially harmful and beneficial effects compared to traditional cigarettes, the observed benefits among smokers were inconsistent. The researchers also raised concerns about the methodological rigour of the evidence base. Many of the trials were of short duration and conducted in conditions that do not reflect real-world use. Notably, 29 of the 40 studies included in the review

were sponsored or conducted by tobacco companies - organisations with a clear vested interest in demonstrating reduced harm.

Current heated tobacco devices
Heated tobacco devices are often sleek[39], modern[40] and stylish [41] – designed to appeal to consumers in a way that is not possible with cigarettes given the restrictions on marketing. Research looking at the use of PMI's IQOS device among people who smoke or used to smoke, found that initiation was encouraged by the novelty of the product and by its sleek appearance.[42] Similarly, Ploom, JTI's heated tobacco device, offers users the ability to further customise their devices with "Build-Your-Own Front Panel Bundles" which are "designed for self-expression, season to season".[43]

We also recommend that the UK Government considers regulating/restricting heated tobacco device accessories, for example a sleeve/case for a device that could be brightly coloured, a pack of stickers to personalise devices, or a branded bag. This could reduce the appeal of devices and prevent manufacturers from introducing 'indirect' branding that could circumvent/undermine regulation.

Restricting branding, imagery and artwork on heated tobacco devices

We propose to ban heated tobacco devices from having images or artwork on them, except for any image that is a regulatory requirement, such as required warnings.

We also propose to limit branding to a single brand name, which would be subject to a set font, size and colour on the device.

Do you agree or disagree with our proposal to restrict all branding, imagery and artwork on heated tobacco devices?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments on which of the proposed restrictions you do or do not think should apply. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support the proposed restrictions on branding, imagery and artwork on heated tobacco devices. Heated tobacco products (HTPs) are not risk-free and are not currently recommended for smoking cessation by NICE. While it is possible that they expose users to fewer toxins than cigarettes, all tobacco products are harmful to

health and heated tobacco products contain many of the same harmful chemicals as combustible tobacco. While current use of HTPs is low among children in Britain (0.5%), awareness has increased substantially from 7.1% in 2022 to 19% in 2026.[44] This has likely been partly driven by the aggressive promotion of HTPs by tobacco manufacturers.[45] Given the potential risks from these products it is right that the government takes action to reduce their appeal to young people.

Restricting digital screens on heated tobacco devices

We propose that digital screens on heated tobacco devices are restricted to only display safety and status information, such as battery levels.

Do you agree or disagree that digital screens on heated tobacco devices should be restricted to only the display of safety and status information such as battery level, and be greyscale in colour (black, white and grey only)?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments if you think there should be any exemptions to this proposal. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support proposals to restrict digital screens on heated tobacco devices to only display safety and status information, such as battery levels. Many of these features do not contribute to the core functionality of heated tobacco devices and primarily serve to increase product appeal.

Stopping heated tobacco devices imitating other products

We propose to limit the potential appeal of heated tobacco devices by stopping them from looking like other products, such as drink bottles and game devices.

This proposal aligns with the restrictions we are proposing for vape devices. It will ensure that heated tobacco devices do not appear more attractive than vapes.

Do you agree or disagree that heated tobacco devices should not be permitted to mimic the design of other products and items? The objective of this proposal is to limit the appeal or attractiveness of heated tobacco devices.

- Agree

- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments if you think there should be any exemptions to this proposal. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support proposals to prohibit heated tobacco devices which imitate other products.

Time allowed to implement new device requirements

If and when new requirements are introduced, manufacturers will need time to ensure their devices are compliant. Retailers may also need time to sell old stock that does not comply with new law.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose that a minimum notice period of 12 months would be enough. This would mean heated tobacco devices would need to comply with any new requirements by the end of a 12-month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

Do you agree or disagree with our proposed implementation period of no less than 12 months (from when the detail of any new requirements is clear)?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments on whether the proposed implementation period should be shorter or longer, or on implications that the proposed implementation period could have for manufacturers, retailers or other groups. Please reference any evidence that you have considered to support your response. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome the proposed implementation period and urge the Government to reject efforts by the tobacco industry to delay the regulations, as they did with standardised tobacco packaging and tobacco point-of-sale laws.[46] Tobacco manufacturers have demonstrated that they can rapidly adapt to regulatory changes so the proposed timeline should be sufficient. Evidence from previous tobacco control regulations shows that lengthy implementation periods enable the industry to adapt to regulations and continue marketing their products for longer.

Vaping and nicotine product packaging and flavour descriptors

Definition of vaping products

Throughout this section, we refer to 'vaping products'. This includes vapes, as well as other vape components and refill containers sold separately from the device.

Restricting the colour on packaging for all vaping and nicotine products

We propose that the packaging for vaping and nicotine products should be white.

Do you agree or disagree with our proposal to restrict the colour of packaging of all vaping products to white?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the colour of packaging of all nicotine products to white?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome proposals to introduce plain white packaging with standardised shapes/materials for vapes, pouches and other consumer nicotine products. The

consultation rightly acknowledges that vaping is less harmful than smoking and can be effective in helping adult smokers quit. However, there is a clear need to reduce the appeal of vaping and other nicotine products to address youth use. The proposals strike the right balance between reducing the appeal of these products, while ensuring that they do not deter adults from using them as a stop smoking aid.

Both vapes and nicotine pouches are often packaged and marketed in a way that appeals to children and young people, with brightly coloured packaging, branding and logos. This can influence consumers' beliefs about products and can be used to appeal to certain populations, particularly young people.[47] [48] [49] [50] [51] Other countries like Finland have introduced mandatory standardised packaging for nicotine pouches, removing bright colours, brand logos, and promotional imagery.[52]

Impact of plain white packaging

Evidence suggests that plain white packaging can be effective for reducing the appeal of vapes to young people without significantly impacting interest or harm perceptions among adults. [53] [54] The evidence on the impact of standardised packaging on harm misperceptions is mixed, so it will be important for the Government to monitor this following implementation and consider any mitigations.[55]

Quite rightly, the packaging proposed for nicotine products is neutral, rather than actively dissuasive like 'plain' or standardised packaging for tobacco products. This maintains an important point of differentiation between tobacco and much less harmful nicotine products. It's particularly important that vapes remain appealing smoking cessation tools for people trying to quit smoking.

Standardising packaging could also help enforcement agencies like Trading Standards to identify illicit products more easily by providing a visual differentiation between illicit and compliant products.

The UK Government should consider whether in addition to the 'nicotine is addictive' warning, there could be a textbox that states that vapes are an effective smoking cessation tool for adults, which could help correct harm misperceptions.

We also recommend that the UK Government considers regulating/restricting vape accessories, for example a sleeve/case for a vape that could be brightly coloured, a pack of stickers to personalise devices, or a branded bag. This could further reduce the appeal of vapes to young people and prevent manufacturers from introducing 'indirect' branding that could circumvent/undermine regulation.

Restricting imagery, branding, text and other promotional features

We propose that the packaging for all vaping and nicotine products should not include imagery, and that all text on the packaging, including any branding or brand names, should be in a standard colour, font and typeface.

There should be no other promotional features on the outside or inside of packs or attached to the packaging, such as links to social media accounts or any feature that suggests a financial benefit, such as vouchers or discounts.

We recognise that there may be a case to allow packaging of vaping products to display a picture of the product contained inside (for example, a mouthpiece). We welcome views on whether any limited exemptions may be appropriate in the free text box.

Do you agree or disagree with our proposal to introduce the restrictions to imagery, branding, text and promotional features outlined above for the packaging of all vaping products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to introduce the restrictions to imagery, branding, text and promotional features outlined above for the packaging of all nicotine products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, your views on whether there should be any exemptions or further restrictions. You may also indicate any elements of the proposal you disagree with and why, or elements you feel could be further strengthened. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome proposals to restrict imagery, branding, text and promotional features for the packaging of vapes, pouches and other consumer nicotine products. The consultation rightly acknowledges that vaping is less harmful than smoking and can be effective in helping adult smokers quit. However, there is a clear need to reduce the appeal of vaping and other nicotine products to address youth use. The proposals strike the right balance between reducing the appeal of

these products, while ensuring that they do not deter adults from using them as a stop smoking aid.

Both vapes and nicotine pouches are often packaged and marketed in a way that appeals to children and young people, with brightly coloured packaging, branding and logos. This can influence consumers' beliefs about products and can be used to appeal to certain populations, particularly young people.[56] [57] [58] [59] [60] Other countries like Finland have introduced mandatory standardised packaging for nicotine pouches, removing bright colours, brand logos, and promotional imagery.[61]

This proposal has overwhelming public support. Over three quarters (79%) of adults in Great Britain think that vape packaging should not be allowed to use designs that appeal specifically to children. Only 5% are opposed.[62]

Restricting the shape, materials and safety features of packaging for all vaping and nicotine products

We propose that packaging used for vaping and nicotine products should use uniform shapes. For example, the packaging for devices or coils should use a similar shape, such as a rectangular cuboid, depending on their dimensions.

We also propose that manufacturers should not use materials that enhance a product's appeal, such as:

- glossy plastics
- holographic foils
- other tactile features, for example fuzzy or velvety materials

Do you agree or disagree with our proposal that packaging for all vaping products should have uniform shapes, and that there should be restrictions on materials and finishes that can enhance appeal?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal that packaging for all nicotine products should have uniform shapes, and that there should be restrictions on materials and finishes that can enhance appeal?

- Agree
- Neither agree nor disagree

- Disagree
- Don't know

Vapes are already required to have child-resistant and tamper-evident packaging. We propose to introduce this requirement for all vaping and nicotine products.

Do you agree or disagree with our proposal that packaging for all vaping products should be both child-resistant and tamper-evident?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal that packaging for all nicotine products should be both child-resistant and tamper-evident?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, indicating any elements of the proposal that you disagree with and why, if there are elements that you feel could be further strengthened or other features that should be included. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support proposals to make all vape and nicotine product packaging child resistant and tamper-evident. This will reduce the risk of children picking up and using a nicotine product (for example, if it has been left on a table at home). Tamper-evident packaging could help with product safety and support enforcement officers to recognise if a product is illicit. It is important that the tamper-evident features are visible and irreversible.

The regulations should also allow manufacturers to include age-gating technology in vapes to prevent their use by under-18s.

Restricting flavour descriptions on vaping and nicotine products packaging

Single lead flavour

We propose to restrict flavour descriptors on the packaging for vaping and nicotine products to a single, recognised flavour name, like apple or strawberry. This would include restricting hyphenated or combined flavour names, such as blueberry-apple.

Do you agree or disagree with our proposal to restrict flavour descriptors on the packaging of all vaping products to a single lead flavour?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict flavour descriptors on the packaging of all nicotine products to a single lead flavour?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Concept, sensory, food and drink categories

We also propose restricting any concept or sensory words from being used to describe a flavour.

A concept name refers to any flavour name that does not directly describe a recognisable food, drink or natural flavour. Instead, the word conveys a mood, an idea, a brand or even a number or codename, rather than describing an actual flavour. This could include flavour names such as:

- 'Unicorn Dream'
- 'DC100'

A sensory name refers to a recognisable taste, smell or sensation experienced when using a vape or nicotine product, such as 'Mint Blast'.

Do you agree or disagree with our proposal that concept and sensory flavour descriptors should be restricted on the packaging of all vaping products?

- Agree
- Neither agree nor disagree
- Disagree

- Don't know

Do you agree or disagree with our proposal that concept and sensory flavour descriptors should be restricted on the packaging of all nicotine products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

We also propose restricting descriptor names of certain food and drink categories that appeal to children and young people. This includes flavours like:

- confectionery and sweets (such as 'Chocolate', 'Candy' and 'Bubblegum')
- desserts and cakes (such as 'Brownie' and 'Cheesecake')
- alcohol and other drinks (such as 'Cola')

Do you agree or disagree with our proposal that confectionery, sweets, dessert and cake name descriptors should be restricted on the packaging of all vaping products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal that confectionery, sweets, dessert and cake name descriptors should be restricted on the packaging of all nicotine products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal that alcohol and drink name descriptors should be restricted on the packaging of all vaping products?

- Agree
- Neither agree nor disagree

- Disagree
- Don't know

Do you agree or disagree with our proposal that alcohol and drink name descriptors should be restricted on the packaging of all nicotine products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, your views on any elements of the proposal that you disagree with and why, or any flavour names that you believe should or should not be restricted. You may also wish to comment on whether there should be any differences in how these restrictions apply to vaping and nicotine products. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome proposals to remove child-appealing flavours and reduce the role of flavours as a marketing tool. This will prevent manufacturers using names like 'gummy bears' and 'unicorn shake' which are obviously designed to appeal to children. Young people are around three times more likely than adults to use chocolate/dessert/candy/energy/soft drink flavours in vapes (12% vs 4%).[63] Nearly three quarters (71%) of adults in Britain support restricting how flavours can be described, with only 6% opposed.[62]

Single-word descriptors
However, we are concerned that only allowing single-word descriptors will create confusion among consumers about which flavour they are buying which could undermine their role as smoking cessation tools.

Manufacturers could respond by marketing products with mixed flavours under a single descriptor name (based on what is the most popular flavour). This could include combined fruit flavours or could also include 'ice flavours', which would either be removed or become the default (so 'strawberry menthol' becomes 'strawberry' but still contains menthol). This could result in flavour descriptions that do not reflect the product's taste, reducing the accuracy of the information provided to consumers. Allowing two-word descriptors would address this issue while still prohibiting youth-appealing descriptors.

This measure is likely to significantly reduce the range of flavours of the market. However, if flavour descriptors were limited to one or two names from a specified list (as suggested below), it could achieve a similar effect while providing consumers with greater clarity about the flavours they are choosing.

Role of flavours in smoking cessation
Flavours appear to play a positive role in helping people switch from smoking to vaping, so it's important that a range of flavours continues to be available.[64] Fruit flavours are by far the most popular flavour, used by 60% of adults in Britain, followed by menthol/mint (15%), tobacco (9%) and chocolate/dessert/candy/energy/soft drink (4%).[65] Evidence from jurisdictions that have introduced bans on all vape flavours other than tobacco (and in some cases menthol) shows that flavour bans can be effective for reducing vaping, but can also lead to increased smoking, potentially leading to worse net outcomes for public health.[66] When asked about the impact that limiting vape flavours to tobacco, mint and menthol would have on their behaviour, 15% of adult vapers in Britain said that it would cause an increase in their smoking (including starting or restarting), compared to 6% who said it would cause them to decrease/stop smoking. [67]

Closing loopholes
The Government should publish an approved list of descriptors (rather than simply having a list of prohibited descriptors) to prevent manufacturers from trying to game the system. The Government should also ensure there are no loopholes which would enable manufacturers/retailers to describe flavours in a more appealing way online, instore (e.g. on price lists/labels), or through brand names. For example, in New Zealand where flavour descriptors are limited to an approved list, manufacturers exploit a loophole which allows them to include prohibited flavour descriptors in the product name e.g. '*Blackberry Lemon | Vapetasia Iced Lemonade E-Liquid*'.[68] The flavour descriptor 'blackberry lemon' is allowed but the product name includes the descriptors 'iced lemonade' which are prohibited. The current UK proposals only apply to packaging, meaning that product descriptions/information displayed online and instore are not covered and could include prohibited flavour descriptors. This would risk leaving a substantial loophole in the regulations. 38% of adult vapers in Britain buy vapes online, along with 9% of underage vapers, so it's important that the same rules apply in online settings.[69] [70]

Products which are designed to impart flavours to tobacco
The Government should also prohibit the inclusion of flavours and flavour descriptors in tobacco related products like filters and rolling papers. Following the ban on menthol cigarettes, manufacturers introduced a range of filters and rolling papers which are explicitly designed to impart prohibited flavours to tobacco.[71] [72] Evidence shows that flavoured tobacco increases the appeal of smoking, particularly to young people.[73]

Product information on and inside vaping and nicotine products packaging

We propose that the packaging of all vaping and nicotine products should have:

- a full list of ingredients, including flavour agents

- expiration details
- an age restriction symbol, for example a crossed-out 18 symbol
- a standardised display of nicotine strength, for example in milligrams, millilitres or as a percentage
- nicotine delivery per puff or pouch, where relevant

We also propose that relevant products should have a nicotine warning label on the front and back of the packaging. For example, this warning could say 'This product contains nicotine which is a highly addictive substance'. Packaging should also have clear instructions on appropriate waste disposal.

Where applicable, we propose that certain products have an instruction leaflet to inform users of any appropriate warnings and the adverse effects of nicotine.

Do you agree or disagree with our proposal to require the consumer information listed above on and inside the packaging of all vaping products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to require the consumer information listed above on and inside the packaging of all nicotine products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on any elements of the proposal that you disagree with and why, if there are areas that you feel could be further strengthened or areas that have been missed and should be included. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support proposals to standardise and make clearer the type of information included on vape and nicotine product packaging, including the ingredients, expiration details, nicotine strength, and inclusion of an age-restricted symbol (of 18-years-old).

Nicotine strength
Vapes are currently labelled with '2% nicotine strength' or '20mg/ml', and there is some evidence which suggests this can be confusing for consumers. [74] [75] In one study, participants using disposables incorrectly believed that products labelled with '2%' had a low nicotine content, despite this being the maximum nicotine strength.[76] A US study suggested that the format of nicotine labelling influences harm perceptions[77], which could deter people who smoke from using vapes as a smoking cessation tool.

We support standardising the way that nicotine content is described on vape packaging. We recommend that the UK Government carries out user testing to gauge people's understanding of nicotine labels, in particular whether they are buying products with low or high nicotine content.

Nicotine delivery per puff
There is no independent mechanism of calculating nicotine delivery per puff or the overall number of puffs in a vape, meaning that it is entirely down to manufacturers. The exact amount of nicotine absorbed per puff will vary from person-to-person and is affected by other factors in addition to the nicotine strength of the e-liquid, including puffing technique, e-liquid composition and device settings.[78] Any information about nicotine delivery per puff will require a clear standard for calculating and reporting nicotine delivery, in addition to informing consumers that actual nicotine delivery may vary.

If such a standard can be developed and applied consistently, information on nicotine per puff may be a more intuitive way of communicating nicotine strength to consumers.

However, there are widespread misunderstandings about the nicotine content of vapes and the health impacts of nicotine, with many people incorrectly thinking that nicotine is the carcinogenic agent in cigarettes (as opposed to the other chemicals in tobacco smoke).[79] The Government should take steps to correct these misperceptions to ensure that they do not undermine the use of vapes and licenced NRT products for smoking cessation.

Recommendations
We recommend that the UK Government considers requiring an additional, standardised text box on vape packaging that states that nicotine vapes are an effective tool to quit smoking for adults. This could help to reinforce that vapes are stop smoking aids, not recreational products. Any additional messaging requires further standard setting and should be user-tested to understand its effectiveness and behavioural impacts.

Time allowed to implement new packaging requirements

If and when new requirements are introduced, manufacturers will need time to update their packaging to be compliant. Retailers may also need time to sell old stock that does not comply with the new law.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose a minimum notice period of 12 months would be enough. This would mean all products in scope of our vaping and nicotine product packaging proposals would need to comply with any new regulatory requirements by the end of a 12 month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

Do you agree or disagree with our proposed implementation period of no less than 12 months (from when the detail of any new requirements is clear)?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments on whether the proposed implementation period should be shorter or longer, or on implications that the proposed implementation period could have for manufacturers, retailers or other groups. Please reference any evidence that you have considered to support your response. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome the proposed implementation period and urge the Government to reject efforts by manufacturers to delay the regulations. Packaging for vapes and nicotine pouches is highly varied, with new designs and branding introduced on a regular basis. As such, 12 months should be more than sufficient for manufacturers to adapt to the regulations.

There is some evidence that tobacco companies behind popular nicotine pouch brands have significantly increased their marketing activity ahead of the ban on marketing and sponsorship coming into force next summer.[80] This includes sponsorships at popular music festivals, advertising at transport hubs and a partnership with the McLaren Formula 1 Team. This mirrors the strategy adopted by tobacco companies before the introduction of previous tobacco regulations, when

they used lengthy implementation periods to continue marketing their products for as long as possible. [81]

Vape device appearance

Restricting the colour and finish of vapes

We propose restricting the colour of vape devices, including all visible parts, to:

- white, black or grey, with only one of those colours per device
- a matt finish
- no variation in shades or opacity

Do you agree or disagree with our proposal to limit the colour of a vaping device (including all visible parts) to white, black or grey with a matt finish?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree that vape devices should be banned from having cosmetic lights? This would not apply to functional lights, such as those that indicate charge level.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments on whether you think no restrictions should apply, if you think only a subset of the proposed colours should be allowed or if you think alternative colours should be allowed. Equally, you may want to highlight technical exemptions that should be considered. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome proposals to standardise the appearance of vapes and prohibit design features that could appeal to children. The proposals allow a small range of

neutral colour options which should help to ensure that adult smokers have some choice, while prohibiting colours that could appeal to children. We welcome the differentiation between vapes and heated tobacco devices, reflecting the reduced risk from vapes compared to tobacco products.

We also believe it's important that any regulation of vape devices is also applicable to the e-liquid bottles. Otherwise, there is a risk that a loophole would be created which could be exploited by industry to continue marketing their products.

Restricting branding, imagery, and artwork on vapes

We propose that vapes are banned from having images or artwork, except for where these may be a legal requirement, such as warnings.

We also propose that branding should be limited to a single brand name, which would be subject to a set font, size and colour on the device. This aligns with the restrictions we are proposing for heated tobacco devices.

Do you agree or disagree with our proposal to restrict all branding, imagery and artwork on vapes?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments on whether you think none or only some of the proposed restrictions should apply. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome proposals to standardise the appearance of vapes and prohibit design features that could appeal to children. The proposals allow a small range of neutral colour options which should help to ensure that adult smokers have some choice, while prohibiting colours that could appeal to children. We welcome the differentiation between vapes and heated tobacco devices, reflecting the reduced risk from vapes compared to tobacco products.

We also believe it's important that any regulation of vape devices is also applicable to the e-liquid bottles. Otherwise, there is a risk that a loophole would be created which could be exploited by industry to continue marketing their products.

Restricting the digital screens on vapes

We propose that digital screens on vapes are prohibited, except for screens which display safety and status information such as battery and liquid levels.

Do you agree or disagree that digital screens on vapes should be restricted to only the display of safety and status information such as battery level, and be greyscale in colour (black, white and grey only)? This would not include lights that indicate status information, such as when the device is being recharged.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments if you think there should be any exemptions to this proposal. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support proposals to prohibit digital screens on vapes. Many of these features do not contribute to the core functionality of vapes and primarily serve to increase product appeal, with evidence of viral TikTok posts featuring smart vapes.[82] We support the limited exemption for screens displaying safety information like battery level or heat/wattage.

Stopping vapes imitating other products

Currently vapes can and do copy the design of other products, such as highlighter pens, refillable water bottles and game devices.

We propose to limit the potential appeal of vapes by stopping them from looking like other products.

Do you agree or disagree that vapes should not be permitted to mimic the design of other products and items? The objective of this proposal is to limit the appeal or attractiveness of vapes.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments if you think there should be any exemptions to this proposal. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support proposals to prohibit vapes which imitate other products. While these products do not appear to be widespread in the UK, there are examples of enforcement agencies seizing vapes designed to resemble products which have youth appeal, such as milkshakes.[83] These products do not have any role for adult smoking cessation and should be removed.

Time allowed to implement new device requirements

If and when new requirements are introduced, manufacturers will need time to ensure their devices are compliant. Retailers may also need time to sell old stock that does not comply with new law.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose that a minimum notice period of 12 months would be enough. This would mean all vapes would need to comply with any new regulatory requirements by the end of a 12 month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

Do you agree or disagree with our proposed implementation period of no less than 12 months (from when the detail of any new requirements is clear)?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments on whether the proposed implementation period should be shorter or longer, or on implications that the proposed implementation period could have for manufacturers, retailers or other groups. Please reference any evidence that you have considered to support your response. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome the proposed implementation period and urge the Government to reject efforts by manufacturers to delay the regulations. 12 months should be more than sufficient for manufacturers to adapt to the regulations.

Vape manufacturers have demonstrated that they can rapidly adapt to regulatory changes.[84] [85] The vast majority of vapes consumed in the UK are manufactured in China using a streamlined R&D process where clients can select from a range of product and design features. Some manufacturers specifically market their ability to design and produce a new vaping product which is compliant with regulations within 30 days.[86] This is illustrated by how quickly manufacturers adapted to the UK ban on single-use vapes, releasing compliant versions of disposable products before the ban had come into force.

Retail display: tobacco and related products

Requested temporary and incidental displays in England, Wales and Northern Ireland

Under existing legislation, tobacco products cannot be displayed inside or outside most shops across the UK. However, tobacco products can be shown to a customer following a request. The request must be by a person who is of the legal age of sale in England, Wales and Northern Ireland. We call this a 'requested temporary display' in this consultation.

Requested temporary displays enable informed purchasing decisions. As a result of a requested temporary display, other people nearby may also incidentally see these products. Current legislation in England, Wales and Northern Ireland also makes allowances for:

- restocking
- staff training
- pricing
- display unit maintenance

We call this 'incidental display' in this consultation.

Restricting the retail display of cigarette papers, heated and other tobacco-related devices and herbal smoking products in England, Wales and Northern Ireland

Tobacco products

We propose that the requested temporary display of all tobacco products should only be allowed from behind a sales counter, and not another location within a retail setting.

Do you agree or disagree with our proposal to introduce a legal requirement that the requested temporary display of all tobacco products must take place from behind a sales counter?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Cigarette papers, heated and other tobacco-related devices and herbal smoking products

We propose that most of the restrictions and allowances that apply to the display of tobacco products should apply to cigarette papers, heated and other tobacco-related devices and herbal smoking products too.

This includes:

- restricting the display of these products outside of all retail settings and inside the majority of retail settings
- providing allowances enabling display unit restocking, maintenance, pricing, staff training and requested temporary displays
- permitting the same maximum visible areas (1.5 square meters)

We also propose that the requested temporary display of these products should only be allowed from behind a sales counter, and not another location within a retail setting in the same way as we are proposing to make this a legal requirement for tobacco products.

Do you agree or disagree with our proposal to restrict the display of cigarette papers? This would include the requirement that their requested temporary display must take place from behind a sales counter.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the display of heated and other tobacco-related devices? This would include the requirement that their requested temporary display must take place from behind a sales counter.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the display of herbal smoking products? This would include the requirement that their requested temporary display must take place from behind a sales counter.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on why you think our proposed restrictions should or should not apply to certain types of products. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome proposals to extend existing display restrictions to all tobacco related products, closing a longstanding loophole in the regulations. This must include cigars and cigarillos which as of 2020 were the most used non-cigarette tobacco product in England.[87] Tobacco companies have taken advantage of the weaker regulation of cigars to market cigarillos which closely resemble cigarettes. This has contributed to increased use of these products among young people. In 2024, 33% of 11-18 year olds who had tried smoking had used cigarillos, along with 43% of those who were regular smokers.[88]

Cigarette filters
However, we recommend that cigarette filters are also included in this retail display restrictions. Filters are exclusively designed and marketed for the purpose of smoking tobacco and therefore should be regulated along with tobacco and other related products like cigarette papers. Filters are highly visible at the point of sale, featuring colourful, appealing packaging and advertising which clearly promotes smoking (see below).[89]

Advertisements like the one below will not be captured by the tobacco and nicotine product advertising ban coming into force in June 2027, despite clearly promoting a product which is exclusively designed to evade the menthol flavour ban on tobacco.

In Scotland, cigarette filters are already covered under existing retail display legislation, meaning they cannot be openly displayed in store. This should also be applied in England, Wales and Northern Ireland to ensure that people across the UK are protected from tobacco promotion.

Retail display of prices for cigarette papers, heated and other tobacco-related devices and herbal smoking products in England, Wales and Northern Ireland

Retailers can display prices for tobacco products in 3 formats:

- a single price list that can be permanently on display at each point of sale, but must be text-only and subject to size and font requirements
- a picture price list that can include product images and can only be shown in response to a request by a person who is of the legal age of sale
- small price labels that can be placed on the covered shelf or on the display unit where the product is kept, pending sale

We propose to apply the same price display principles to:

- cigarette papers
- all tobacco-related devices, including heated tobacco devices
- herbal smoking products

Do you agree or disagree with our proposal to restrict the display of prices for cigarette papers?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the display of prices for all tobacco-related devices including heated tobacco devices?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the display of prices for herbal smoking products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on why you think our proposed restrictions should or should not apply to certain

types of products. (Optional, maximum 600 words. Please do not include any personal information in your response.)

n/a

Exemptions to display restrictions for tobacco products, cigarette papers, tobacco-related devices and herbal smoking products in England, Wales and Northern Ireland

Across the UK, there are exemptions that allow for tobacco products and their prices to be on display inside certain premises. These premises include:

- relevant trade premises (those that are only accessible to people that work in the tobacco trade)
- specialist tobacconists
- bulk tobacconists (including duty-free tobacco areas)

In England, Wales and Northern Ireland, we propose to maintain current exemptions for tobacco products for relevant trade premises and specialist tobacconists.

If and when additional retail display restrictions are brought in, we also propose that relevant trade premises and specialist tobacconists will continue to be allowed to display the following products, and their prices:

- cigarette papers
- heated and other tobacco-related devices
- herbal smoking products

We propose to remove the bulk tobacconist exemption for tobacco products and to not replicate it for any other products in scope of this consultation, since it presents a situation where products may be visibly accessible to the public, including children and young people.

Display exemptions for trade premises

Do you agree or disagree with our proposal to allow for the display of cigarette papers and their prices in relevant trade premises?

- Agree
- Neither agree nor disagree
- Disagree
- Don’t know

Do you agree or disagree with our proposal to allow for the display of tobacco-related devices, including heated tobacco devices, and their prices in relevant trade premises?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to allow for the display of herbal smoking products and their prices in relevant trade premises?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, why you think certain exemptions should or should not be considered as well as any additional exemptions you think are necessary. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support the proposal to allow tobacco and related products to be displayed in relevant trade premises, so long as this is not visible or accessible to members of the public.

Display exemptions for specialist tobacconists

Do you agree or disagree with our proposal to allow for the display of cigarette papers and their prices inside specialist tobacconists?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to allow for the display of tobacco-related devices, including heated tobacco devices, and their prices inside specialist tobacconists?

- Agree

- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to allow for the display of herbal smoking products and their prices inside specialist tobacconists?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on why you think proposed exemptions should or should not be considered as well as any additional exemptions you think are necessary. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We disagree with the proposal to maintain the existing display exemption for specialist tobacconists. This would mean that premises selling lethal tobacco products are subject to weaker restrictions than those selling vapes, which are much less harmful. Tobacconists have a track record of exploiting loopholes in the regulations, with several taking advantage of the 'sampling' exemption to indoor smokefree laws to operate full-time cigar lounges. We recommend that the proposed display exemption for specialist tobacconists is removed.

Display exemptions for bulk tobacconists

We propose to remove the bulk tobacconist exemption for tobacco products and their prices and to not replicate it for any other products in scope of this consultation. Keeping the exemption would mean children and young people may still be able to see these products.

Do you agree or disagree with our proposal to remove and not replicate this exemption for all products in scope of this consultation?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. Where possible please include any information on any costs to bulk tobacconists associated with removing this exemption for tobacco products, including the number of businesses likely to be affected. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome plans to remove the display exemption for bulk tobacconists, duty free shops and airports. This exemption has allowed cheap tobacco to be promoted in duty-free shops, undermining the impact of the tobacco display ban. The Government should go further and prohibit the sale of duty-free tobacco altogether to maximise the impact of tobacco taxation on quitting behaviour.

Requested temporary and incidental display in Scotland

Tobacco products and smoking-related products can be shown to a customer following a request, we call this a requested temporary display. Requested temporary displays enable informed purchasing decisions.

As a result of a requested temporary display, other people nearby may also incidentally see these products. Current legislation in Scotland also makes allowances to enable restocking, staff training, pricing and display unit maintenance where necessary. We call this an incidental display.

Retail display of tobacco products, smoking-related products, heated tobacco devices and herbal smoking products in Scotland

Tobacco products and smoking-related products

We propose that the requested temporary display of tobacco products and smoking-related products should only be allowed from behind a sales counter, and not another location within a retail setting.

Do you agree or disagree with our proposal to introduce a legal requirement that the requested temporary display of tobacco products and smoking-related products must take place from behind a sales counter?

- Agree
- Neither agree nor disagree
- Disagree
- Don’t know

Heated tobacco devices and herbal smoking products

We propose to ban the retail display of heated tobacco devices and herbal smoking products in Scotland. As part of this, we propose that the existing restrictions and allowances that apply to the retail display of tobacco products and smoking-related products should apply to these products too.

This includes:

- restricting the display of products in places where they are offered for sale
- allowances for incidental displays and requested temporary displays
- permitting the same maximum visible areas (0.1 square metres)

We also propose that the requested temporary display of these products should only be allowed from behind a sales counter, and not another location within a retail setting. This is the same way as we are proposing to make this a legal requirement for tobacco products and smoking-related products.

To make it more practical for the retailers of waterpipes like shisha to comply with regulations due to their size, we are also proposing an expansion of the maximum permitted area of display as a result of a requested temporary display or incidental display for waterpipes.

Do you agree or disagree with our proposal to restrict the display of heated tobacco devices? This would include the requirement that their requested temporary display must take place from behind a sales counter.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the display of herbal smoking products? This would include the requirement that their requested temporary display must take place from behind a sales counter.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree that the maximum visible area of display unit permitted as a result of a requested or incidental display of herbal smoking products or heated tobacco devices in Scotland should be 0.1 square metres?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Waterpipes

We propose to expand the maximum visible area of display unit permitted as result of a requested or incidental display for waterpipes like shisha, due to their size.

If we expand the area of display, what size do you think it should be increased to?

- 0.5 square metres
- 1 square metre
- 1.5 square metres
- Don't know
- Other (please specify)

Smoking-related products

The current list of 'smoking-related products', as defined by the Tobacco and Primary Medical Services (Scotland) Act 2010, includes:

- cigarette papers
- cigarette tubes
- filters that do not form part of a tobacco product or smoking-related product
- apparatus for making cigarettes
- cigarette holders
- pipes for smoking tobacco products (which would include waterpipes like shisha)

Do you agree or disagree that the current list of smoking-related products reflects all tobacco-related devices used for smoking currently available to purchase?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on why you think our proposed restrictions should or should not apply to certain types of products, or comments in relation to the proposed maximum visible area of display unit permitted as a result of a requested or incidental display for waterpipes, like shisha. (Optional, maximum 600 words. Please do not include any personal information in your response.)

n/a

Display of prices for heated tobacco devices and herbal smoking products in Scotland

Current regulations in Scotland restrict the display of prices for tobacco products and smoking-related products in places where tobacco products are offered for sale. Prices must be presented in a consistent format using specific fonts and can only include the:

- brand name of the product
- number of units in the package or the net weight of the product
- price of the product

For cigars, the information displayed can also include the country of origin and dimensions. For pipe tobacco, it can include the cut and type of tobacco used.

Retailers can display prices for tobacco products and smoking-related products in 3 formats:

- a single price list, which can be permanently displayed at each point of sale but must be text-only and meet size and font requirements
- a picture price list, which can include product images and can only be shown in response to a request by a customer
- small price labels, which can be placed on the covered shelf or display unit where the product is kept, pending sale

We propose to apply the same principles for the display of prices to:

- heated tobacco devices
- herbal smoking products

Do you agree or disagree with our proposal to restrict the display of prices of heated tobacco devices?

- Agree
- Neither agree nor disagree

- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the display of prices for herbal smoking products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on why you think our proposed restrictions should or should not apply to certain types of products. (Optional, maximum 600 words. Please do not include any personal information in your response.)

n/a

Exemptions to display regulations for tobacco products, smoking-related products, heated tobacco devices and herbal smoking products in Scotland

In Scotland, there are exemptions that allow tobacco products, smoking-related products and their respective prices to be on display inside certain premises. These premises include:

- trade tobacconists
- specialist tobacconists
- bulk tobacconists and duty-free tobacco areas

We propose to maintain current exemptions for tobacco products and smoking-related products for relevant trade premises and specialist tobacconists. If and when additional retail display restrictions are brought in, we also propose that relevant trade premises and specialist tobacconists will continue to be allowed to display the following products, and their prices:

- heated tobacco devices
- herbal smoking products

We propose to remove the bulk tobacconist exemption for tobacco products and smoking-related products and to not replicate it for any other products in scope of this consultation, because these products may be visibly accessible to the public, including children and young people.

Display exemptions for trade premises

Do you agree or disagree with our proposal to allow for the display of heated tobacco devices and prices in relevant trade premises in Scotland?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to allow for the display of herbal smoking products and prices in relevant trade premises in Scotland?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. If you have comments on business exemptions to our display proposals, please include them here. This could include, for example, why you think certain exemptions should or should not be considered as well as any additional exemptions you think are necessary. (Optional, maximum 600 words. Please do not include any personal information in your response.)

n/a

Display exemptions for specialist tobacconists

Do you agree or disagree with our proposal to allow for the display of heated tobacco devices and prices in specialist tobacconists in Scotland?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to allow for the display of herbal smoking products and prices inside specialist tobacconists in Scotland?

- Agree
- Neither agree nor disagree

- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on why you think proposed exemptions should or should not be considered as well as any additional exemptions you think are necessary. (Optional, maximum 600 words. Please do not include any personal information in your response.)

n/a

Display exemptions for bulk tobacconists

Do you agree or disagree with our proposal to remove and not replicate the bulk tobacconist exemption for all products in scope of this consultation?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. Where possible please include any information on any costs to bulk tobacconists associated with removing this exemption for tobacco products. (Optional, maximum 600 words. Please do not include any personal information in your response.)

n/a

Definition of vaping products

Throughout this section, we refer to 'vaping products'. This includes vapes, as well as other vape components and refill containers sold separately from the device.

Retail display: vaping and nicotine products

We propose that the display of vaping products and nicotine products is restricted.

We propose that the same allowances for temporary and incidental displays as we have proposed for most other products within scope of this consultation are applied across the UK. This includes a temporary requested display taking place behind a sales counter. This would make the maximum visible area permitted for a requested temporary display or incidental display:

- 1.5 square metres in England, Wales and Northern Ireland

- 0.1 square metres in Scotland

We also propose that a requested temporary or incidental display of vaping or nicotine products must not result in the display of:

- tobacco products (and smoking-related products in Scotland)
- cigarette papers
- heated and other tobacco-related devices
- herbal smoking products

Do you agree or disagree with our proposal to restrict the display of vaping products? This would include the requirement that their requested temporary display must take place from behind a sales counter.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the display of nicotine products? This would include the requirement that their requested temporary display must take place from behind a sales counter.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree that the requested temporary or incidental display of vaping and nicotine products should not result in the display of tobacco products (and smoking-related products in Scotland), cigarette papers, heated and other tobacco devices or herbal smoking products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on why you think our proposed restrictions should or should not apply to certain

types of products. (Optional, maximum 600 words. Please do not include any personal information in your response.)

While we agree that the display of vapes and nicotine products should be restricted, we are concerned that a total display ban would treat nicotine products in the same way as tobacco products. This risks undermining the role of vapes for smoking cessation and is inconsistent with other proposed regulations which allow for differentiation between tobacco and nicotine products. It could also reduce opportunities for spontaneous purchases that support quit attempts and make it harder for adult smokers to make informed choices about the product that will work best for them. 78% of adults in Britain support banning advertising and promotion of vapes at the point of sale, compared to 5% who are opposed.[90]

As an alternative, we recommend maintaining some limited display of vapes and any other consumer nicotine products behind the counter. This will allow time to assess the cumulative impact of plain packaging, flavour descriptor restrictions, the advertising ban and the vaping products duty. The government should reserve the option of introducing a full display ban if these measures prove insufficient. Another mitigation would be mandatory signage on vape gantries highlighting the role of vapes for smoking cessation e.g. 'vapes sold here for smoking cessation'.

Evidence from King's College London suggests that a total display ban could exacerbate misperceptions about the harm of vapes compared to tobacco among adult smokers, potentially deterring them from switching to vaping or increasing the risk that existing vapers will relapse to smoking.[91] Evidence from the annual ASH Smokefree GB survey shows that adults who think that vaping is as or more harmful than smoking are significantly more likely to report trying smoking as a way to quit vaping, and are much less likely to be interested in trying a vape provided for free by a health professional for smoking cessation.[67]

Current Government proposal: Full display ban plus example vape signage with cessation messaging

ASH proposal: Limited display behind the counter plus example vape signage with cessation messaging

Display of prices of vaping and nicotine products across the UK

Across the UK, we propose to apply the same principles for the display of prices of tobacco products to:

- vaping products
- nicotine products

We propose that the price lists for vaping and nicotine products are permitted to also include nicotine strength and ingredients. This will help consumers make informed purchases.

We propose that separate price lists must be used for vaping and nicotine products and for tobacco products, for both permanently displayed price lists and picture prices lists, given vaping and nicotine products carry lower levels of harm than tobacco products.

Do you agree or disagree with our proposal to restrict the display of prices for vaping products, and allow for additional information on nicotine strength and ingredients?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to restrict the display of prices for nicotine products and allow for additional information on nicotine strength and ingredients?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. This could include, for example, sharing comments on why you think our proposed restrictions should or should not apply to certain types of products. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support the proposal to restrict the display of prices for vapes and nicotine products and allow for additional information on nicotine strength and ingredients. This will ensure that consumers have access to relevant information about the product they are buying at the point of sale.

The Government should also ensure that restrictions on flavour descriptors also apply to price lists. The current proposals only apply to packaging, meaning that in-store price lists could include prohibited flavour descriptors. This would leave a loophole in the regulations which manufacturers could exploit to continue marketing flavours.

Exemptions to display restrictions of vaping and nicotine products across the UK

Across the UK, it is permitted to display tobacco products inside premises that are only accessible to people working in the tobacco trade as long as this is not visible to the public from the outside. We propose to have this exemption to allow for relevant trade premises to display vaping products and nicotine products.

Do you agree or disagree with our proposal to allow for the display of vaping products in relevant trade premises?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Do you agree or disagree with our proposal to allow for the display of nicotine products in relevant trade premises?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answers. If you have comments on business exemptions to our display proposals, please include them here. This could include, for example, why you think certain exemptions should or should not be considered as well as any additional exemptions you think are necessary. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We support the proposal to allow nicotine and vaping products to be displayed in relevant trade premises, so long as this is not visible or accessible to members of the public.

Exemptions to display restrictions for vaping and nicotine products in pharmacies in England, Wales and Scotland

We welcome views on exemptions that allow a limited display of vaping and nicotine products inside community pharmacies in England, Wales and Scotland. For example, this could include locked transparent display units. This could help people to try to quit smoking, while restricting accessibility to young people.

However, we do not propose that the same exemption applies to vape shops, since they are not clinical settings.

Do you agree or disagree that community pharmacies in England, Wales and Scotland should be permitted an exemption to allow for the limited display of vaping and nicotine products?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, why you think certain exemptions should or should not be considered as well as any additional exemptions you think are necessary. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome the proposed exemption to the vape display ban for community pharmacies. However, we are concerned that this will be insufficient as a

mitigation, given the tiny proportion of vape sales that take place in pharmacies. Instead, we recommend that some limited display of vapes and other consumer nicotine products behind the counter is allowed in all retail premises (see our response to the retail display questions above).

The impact assessment acknowledges that an "unintended consequence of the regulations could be that fewer adults use vapes as smoking cessation tools and hence continue to smoke."[92] It highlights several mitigations including ongoing investment in smoking cessation activity and a proposed partial exemption to allow community pharmacies to have limited displays of vapes and other consumer nicotine products (e.g. in a locked transparent display unit). This is to "further support people in these settings to make informed decisions to swap from tobacco products to vaping or nicotine products."

While we welcome this exemption, we do not think it will be sufficient to mitigate the negative impact of a total ban on harm misperceptions. Our view is that all retail settings should support adult smokers to "make informed decisions to swap from tobacco products to vaping or nicotine products", not just pharmacies. Pharmacies make up a very small proportion of vape sales so limiting display to these settings is unlikely to reach many adult vapers. Not all pharmacies currently sell vapes, and it is possible that the requirement to purchase locked transparent display units may deter pharmacies from selling these products. The ASH Smokefree GB survey found that the majority (64%) of adult vapers purchase their vapes from shops, including vape shops, supermarkets, newsagents, corner-shops and petrol stations. Only 4% reported buying them from another source, which could include pharmacies although this is not specified in the survey. [67]

One qualitative study in the UK found that adults participants were mostly unaware, surprised, or concerned about chemists or pharmacies selling vapes. Many were worried about the unknown future risks of vaping and felt that selling vapes in these places was sending out a mixed message that vaping was 'healthy'. Negative views on chemists and pharmacies selling vapes were closely associated with participants' perceptions of harm.[93]

While we welcome the proposed exemption for vaping products, we are not convinced that nicotine pouches and other novel nicotine products should be displayed in pharmacies, given that they are not yet proven to be an effective smoking cessation tool.

Time allowed to implement all new display restrictions

If and when new requirements are introduced, retailers will need time to update their shops to comply with the necessary changes.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear.

We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose that a minimum notice period of 6 months would be enough. This would mean the display of products in scope would need to comply with any new requirements by the end of a 6-month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

Do you agree with our proposal that there should be a minimum of 6 months' notice (from when the detail of any new requirements is clear)?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please explain your answer. This could include, for example, sharing comments on whether the proposed implementation period should be shorter or longer, or on implications that the proposed implementation period could have for manufacturers, retailers or other groups. Please reference any evidence that you have taken into account to support your response. (Optional, maximum 600 words. Please do not include any personal information in your response.)

We welcome the proposed implementation period and urge the Government to reject efforts by manufacturers to delay the regulations.

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