

Advice for retailers of e-cigarettes (vapes) and nicotine-containing e-liquids

This advice is issued by the Public Protection Partnership to help retailers to check e-cigarettes (vapes) and e-liquid products for compliance with the Tobacco and Related Products Regulations 2016.

Product requirements

These apply to e-cigarettes (including rebuildable devices, those sold without nicotine content and components and replacement parts) and to e-liquids (refill containers for e-cigarettes):

- Maximum tank size of an e-cigarette, 2ml (when assembled if necessary)
- Maximum strength of nicotine-containing liquid if present, 20mg/ml nicotine
- Maximum volume of a nicotine-containing refill container, 10ml
- Tamper-evident and child-resistant packaging

Labelling requirements

On pack as sold (must be on bottle or device if no outer packaging):

- List of ingredients in nicotine-containing liquid, if present
- Indication of nicotine content and delivery per dose
- Batch number
- Recommendation to keep the product out of the reach of children
- Prominent health warning in black text on a white background on front and back - "This product contains nicotine which is a highly addictive substance"
- Prohibited on packs – offers and discounts, product safety / health claims

Unless all these details are included on the pack, an accompanying leaflet must include:

- Instructions for use and storage, including instructions for refilling where appropriate
- Contra-indications, warnings for specific risk groups and possible adverse effects, addictiveness and toxicity
- Contact details of the producer; also a contact within the UK if the producer is based outside the UK (this may be an EU contact for products supplied in Northern Ireland)

Exceptions where these are not required

- Identical replacement parts where you and the consumer can clearly identify from the labelling the notified e-cigarette product for which the part is a replacement
- Parts such as battery units that do not come into contact with nicotine-containing liquid when in use
- A disposable e-cigarette or e-liquid product containing 0mg nicotine when sold

Notification requirements

Always check with your supplier that the products you are offered have been notified to MHRA. You can verify this by checking the MHRA (Medicines & Healthcare Products Regulatory Agency) published lists of notified products, updated weekly. If a product has not been notified the manufacturer or importer may not supply it to you.

Product safety issues

Side effects and safety concerns with e-cigarettes or e-liquids (refill containers) can be reported to the MHRA through the Yellow Card reporting system.

Products suspected to be non-compliant should be reported to your local Trading Standards – (Public Protection Partnership)

Single use, disposable vapes are increasingly popular with children, largely due to their bright colours, appealing flavours and price. You and your staff should be alert to attempts by children to buy these products and take extra care to avoid underage sales.

It is illegal to sell E-cigarettes including vaping liquids containing nicotine to any person below the age of 18.

The Public Protection Partnership will be carrying out retail inspections to ensure compliance with the Regulations.

Further advice:

For more information please contact The Public Protection Partnership on 01635 519930 or email at tsadvice@westberks.gov.uk