

# Citizen Participation and Public Petitions Committee

14th Meeting, 2023 (Session 6), Wednesday  
4 October 2023

## PE2033: Introduce a full ban on disposable vapes

<b>Petitioner</b>	Jordon Anderson
<b>Petition summary</b>	Calling on the Scottish Parliament to urge the Scottish Government to legislate for a full or partial ban on disposable vapes in Scotland and recognise the dangers that these devices pose to both the environment and the health of young people.
<b>Webpage</b>	<a href="https://petitions.parliament.scot/petitions/PE2033">https://petitions.parliament.scot/petitions/PE2033</a>

### Introduction

1. This is a new petition that was lodged on 20 June 2023.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition can collect signatures while it remains under consideration. At the time of writing, 197 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe C** of this paper.
6. The Petitioner has provided two submissions, which are included at **Annexe D**.
7. Committee Members will also be aware that the 2023-24 [Programme for Government](#) includes a commitment from the Scottish Government to consult on a proposal to ban the sale of single-use vapes, and other appropriate measures

to tackle their environmental impact and reduce vaping among non-smokers and young people.

## **Action**

The Committee is invited to consider what action it wishes to take on this petition.

**Clerk to the Committee**

# Annexe A

## PE2033: Introduce a full ban on disposable vapes

### Petitioner

Jordon Anderson

### Date lodged

20 June 2023

### Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to legislate for a full or partial ban on disposable vapes in Scotland and recognise the dangers that these devices pose to both the environment and the health of young people.

### Previous action

I have written to all of my MSPs, with Douglas Lumsden and Maggie Chapman responding in support of the concerns I raised around disposable vapes.

I have also written to my ward councillors; they didn't want to take action at a local level and instead urged me to write to my MSP.

### Background information

Research suggests [1.3 million disposable vapes are thrown away every week in the UK](#). That is 62.4 million vapes every year going to UK landfill, or being washed up in our oceans, rivers and canals. These vapes and their lithium batteries are extremely dangerous to our wildlife and environment. They are a fire hazard and can explode.

There is not enough health research being done to know how dangerous these devices really are. However according to [Edge Vaping](#), they can cause bleeding from the throat or nose, inflammation of the airways, shortness of breath and possibly Chronic Obstructive Pulmonary Disease (COPD). Manufacturers suggest the nicotine content of vapes is similar to 20 cigarettes; with some young people getting through 3-4 vapes a week, that could be like smoking 60 cigarettes a week.

I believe that vapes have no place in supermarkets or any retailer. They are intended only to be a mechanism to stop smoking, not an alternative to cigarettes. We need a ban, and we need it quickly!

## Annexe B

The logo for SPICe, featuring the text 'SPICe' in white on a dark blue background.

The Information Centre  
An t-Ionad Fiosrachaidh

## Briefing for the Citizen Participation and Public Petitions Committee on petition [PE2033](#): ‘Introduce a full ban on disposable vapes’, lodged by Jordon Anderson

### Brief overview of issues raised by the petition

[PE2033](#) calls on the Scottish Parliament to urge the Scottish Government to legislate for a full or partial ban on disposable vapes in Scotland, and recognise the dangers that these devices pose to both the environment and the health of young people.

### **Prevalence of disposable vapes in Scotland**

Zero Waste Scotland was commissioned by the Scottish Government in early 2023 to conduct a review of the environmental impact of single-use e-cigarettes (also known as disposable vapes), and potential policy options for improving management of the devices. The [report, published in June 2023](#), found that an estimated 10.8% of Scotland’s adult population were regular users of e-cigarettes in 2022, twenty-seven percent of whom were users of single-use e-cigarettes, as opposed to their refillable or rechargeable equivalents. Twenty-two percent of under-18s were estimated to be users of e-cigarettes, with fifty-nine percent of those primarily using single-use e-cigarettes. Between April 2022 and April 2023 the estimated number of single-use e-cigarettes consumed in Scotland was between 21 million and 26 million units. The report further noted that the popularity of single-use e-cigarettes has increased rapidly in recent years, with sales almost doubling between October 2022 and March 2023.

### **Environmental impact of disposable vapes**

Single-use e-cigarettes are associated with a range of environmental issues, from their manufacture to disposal. [An estimated 4,292 tonnes](#) of

carbon dioxide equivalent (CO<sub>2</sub>e) were created during the manufacture of the single-use e-cigarettes consumed in Scotland in 2022. These emissions are equivalent to [2,100 cars on Scotland's roads](#).

In the absence of available data on the number of single-use e-cigarette units littered, the Zero Waste Scotland report offered an estimate informed by the findings of a survey conducted in June 2022, which explored the discarding habits of single-use e-cigarette users. Using the survey data, the research team calculated low and high estimates of littered single-use e-cigarettes as a percentage of Scotland's total sales. Through these calculations, Zero Waste Scotland estimated that [between 721,000 and 2,787,800 e-cigarette units](#) were littered in Scotland in 2022.

Single-use e-cigarettes are often made of plastic, which could potentially be recycled if properly discarded. The devices contain lithium batteries, which [could be recharged up to 500 times](#) if the product design allowed. However, in practice, the design of single-use e-cigarettes does not facilitate easy recycling of the battery and other components. Zero Waste Scotland's [list of suggested policy options](#) includes setting design criteria for single use e-cigarettes, to ensure that batteries can be removed and the devices can be recycled.

### **Health implications of vaping**

E-cigarettes offer a less harmful alternative to smoking tobacco, and can be a useful tool in smoking cessation. However, e-cigarettes are increasingly [marketed towards children and non-smokers](#), and may create a new route into tobacco smoking. Younger people who experiment with e-cigarettes are [three times more likely](#) to start smoking cigarettes. In June 2023, ASH Scotland [called on the Scottish Government](#) to consider [following Australia's policy](#) of making e-cigarettes available only on prescription, for people who wish to use them as a smoking cessation aid.

The long-term health impacts of vaping are not yet clear. There is [currently no robust evidence](#) to suggest that vaping causes cancer. However, e-cigarettes carry some health risks, including mouth and throat irritation, nausea, and [chronic coughing](#). E-cigarettes contain nicotine, an addictive substance that can [inhibit brain development](#) in young people. Children and young people are more susceptible to nicotine addiction than adults.

The [World Health Organisation cautioned](#) that the aerosols generated by e-cigarettes raise the concentration of particulate matter in indoor environments, and may therefore pose potential risks to those in the vicinity of a person using an e-cigarette.

[Positive portrayals of vaping](#) on social media platforms such as TikTok have contributed to the popularity of e-cigarettes among young people. The UK Advertising Standards Authority has made a series of recent rulings prohibiting the promotion of e-cigarettes on TikTok, including the [promotion of Elf Bars](#) and [unlicensed vaping products](#).

## Scottish Government actions

The Scottish Government is considering the [nine shortlisted policy options](#) recommended by the Zero Waste Scotland report. Among the options suggested in the report were a ban on the sale of single-use e-cigarettes, tightening existing laws to restrict sales of e-cigarettes to under-18s, and requiring that batteries can be removed and replaced to enable devices to be re-used.

In early 2022, the Scottish Government [held a public consultation on vaping products](#). The findings of the consultation will inform the Scottish Government's refreshed [Tobacco Action Plan](#), which is due to be published later in 2023.

## Scottish Parliament actions

In response to [written question S6W-14530](#) on 9 February 2023, the Minister for Minister for Green Skills, Circular Economy and Biodiversity, Lorna Slater MSP confirmed that she had commissioned an urgent review of the environmental impacts and management of single-use e-cigarettes. The outcome of this review was the Zero Waste Scotland report referenced throughout this briefing.

The [Circular Economy \(Scotland\) Bill](#) was introduced in the Scottish Parliament on 13 June 2023, and the [Net Zero, Energy and Transport Committee](#) will begin its scrutiny of the Bill following summer recess. Though the Bill does not explicitly reference single-use e-cigarettes, it proposes giving powers to Scottish Ministers to make regulations "requiring suppliers of single-use items to charge a minimum amount for such items, with the policy aim of reducing the consumption of such items, and therefore reducing the environmental harm caused." The [policy memorandum](#) notes that "A regulation-making power allows other single-use items likely to have a harmful impact upon the environment,

for which there may not yet be a sufficient evidence base, to be addressed in the future”.

**Sarah Swift**  
**Researcher**  
20 July 2023

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at [spice@parliament.scot](mailto:spice@parliament.scot)

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), an office of the Scottish Parliamentary Corporate Body, The Scottish Parliament, Edinburgh, EH99 1SP



# Annexe C

## Scottish Government submission of 4 July 2023

### PE2033/A: Introduce a full ban on disposable vapes

1. The purchase of vaping products is age restricted. It is illegal to sell them to, or purchase them for, anyone under the age of 18. Scottish Government's position is clear that Nicotine Vapour Products (NVPs) are one of a range of possible cessation tools available to existing smokers to help stop tobacco use. They are not a lifestyle accessory for children or adult non-smokers.
2. We remain deeply concerned about the findings around young people using e-cigarettes or vaping products, even just once. We do not yet fully understand the long-term effects vaping has on our health, though evidence shows that they are not harm-free. The World Health Organization believes vaping devices are "undoubtedly harmful" to health and should be "strictly regulated". (WHO, Feb 2020).
3. Our 2022 consultation on Tightening Rules on Advertising and Promoting Vaping Products proposed restrictions that strike a balance between protecting non-smokers from the potential harms of vaping, whilst providing existing adult smokers with the information they need to make an informed choice on cessation.
4. We are considering, as a priority, a range of next steps – including regulations – and this will form part of our refreshed Tobacco Action Plan which is due to be published later this year. Any action that we seek to take will build on the regulations that are already in place to restrict the marketing, promotion and sale of vaping products to under 18s.
5. On environmental impacts, the Minister for Green Skills, Circular Economy and Biodiversity asked Zero Waste Scotland to examine the environmental impact of single-use vapes and consider options

to tackle the issue in response to emerging concerns including litter, waste and risk of fires.

6. The report was published on the Zero Waste Scotland website on 30<sup>th</sup> June 2023 and shortlists nine potential measures to address environmental impacts of single use e-cigarettes. These include a ban on sales, regulations to set certain design criteria, and charges to encourage behaviour change or producer fees to offset the environmental costs, such as a levy based on recycling rates. The report assesses the potential of each option for reducing environmental impact and the benefits of multiple measures in combination.
  
7. The Scottish Government will consider carefully key findings of the Zero Waste Scotland report on the environmental impacts of single-use vapes. We will take action and engage with those affected, including young people, over the coming months, with a view to setting out a plan of action in the Autumn.
  
8. Scottish Government has also invited Ministers from the other UK governments to meet to discuss the findings of the report and what we can do in response.

**Tobacco & Gambling Unit**  
**Directorate for Population Health**

## Annexe D

### Petitioner submission of 5 July 2023

#### PE2033/B: Introduce a full ban on disposable vapes

First of all, I thank the Scottish Government for its response to the petition and welcome the details of it. However, I would like to make a few comments in response.

I am acutely aware of the legislation surrounding tobacco and vaping products. However, the fact is that, according to the [Scottish Government's Health & Wellbeing Census 2021-22](#), 10% of S4 pupils have regularly used vapes. The [Growing Up in Scotland Study](#) showed that 21.5% of 14 year olds have tried a vape at least once. So, whilst it is regulated in law that vapes should not be sold to anyone under the age of 18, both sources show that unfortunately this law is not creating the desired impact. It is right to say that vapes are a means of smoking cessation and not a lifestyle accessory. However, too many adults see it as a lifestyle accessory. I would seek a response from the Scottish Government on how it plans to strengthen the restrictions related to the sale and purchase of vaping products.

There are three main methods through which young people can access/purchase these devices and they are:

- Ask an Adult (Parent/Carer/Older Friend/Random Stranger) to go into a shop and purchase one for them
- Purchase one online where ID isn't properly checked
- Use a Fake ID to purchase

The Scottish Government must do more to raise awareness of the criminality of lying about your age. It must also look at the types of ID that can be accepted. Awareness must be raised on the types of fake ID that are being used. There is also the matter that vapes are cheap in price - meaning that they are budget accessible for young people. I would like to seek a response on how the government plans to tackle this issue.

Regarding paragraph 2 of the Scottish Government response, there should be much more research done into the health impact of these devices. There are many organisations in Scotland which could take this research on, but most importantly, the Government should engage with young people who vape to find about what symptoms they have. One common symptom which friends have noticed is what we may define as a “smokers cough”. There have also been reports of certain brands having a much higher nicotine percentage levels than the 2% they are permitted to have. I believe any nicotine vaping device should be prescription only and would welcome the Government’s review of this.

Protecting non-smokers is important but we must do more to find out how dangerous these devices really are. We widely see on the news that they are a fire hazard and at a risk of explosion. This is not actually represented on labels and retailers do not ask about medical conditions that could be worsened by using a vape. Promotion of vapes should be focused on the dangers that vaping can pose. We also know that these devices still have nicotine in them - making addiction more likely. In terms of advertising, disposable vapes fall right into the attraction of our youth. Their bright colours and sweet tasting flavours make vaping a pleasurable experience.

Finally, on the environmental impact. I welcome the work the Minister has done in conjunction with Zero Waste Scotland (ZWS). As the [report from ZWS](#) highlights, if we take no action, the number of young people using disposable vapes or any kind of vape for this matter will rise and continue rising until action is taken. The report features a shortlist of policy options. The ones I feel should be implemented are:

- Policy Option 1 which sets design criteria for e-cigarettes
- Policy Option 3 which bans the sale of single-use e-cigarettes
- Policy Option 8 which bans the sale of flavoured vapes
- Policy Option 9 which tightens existing laws for underage sales.

The truth is that these devices are not disposed of properly. Many are placed in residual bins which cause a real fire risk to waste management. It would be great to hear of the regulations the Government are planning to enforce. We must not wait for a full ban. We can take action now to raise awareness of the dangers. There must also be a review of current legislation.

Finally, I would strongly recommend referring this petition to the Health & Sport Committee who will have more time to explore and respond to the petition.

## Petitioner submission of 14 September 2023

### PE2033/C: Introduce a full ban on disposable vapes

I write this submission as there have been a few substantive updates regarding the ban of disposable vapes in Scotland.

In Scotland, there are growing concerns about the environmental impact that disposable vapes have. Vaping is becoming an increasing and concerning trend among young people, because of the sweet flavours and bright design. In the most recent Programme for Government, the First Minister announced the Scottish Government's intention to consult on measures to curb the sale of disposable single-use vapes, including an outright ban.

According to a recent Zero Waste Scotland report (commissioned by the Scottish Government), the number of young people vaping, has surpassed the number of young people smoking real cigarettes. This same report also outlines that up to 2.7 million disposable vapes are littered on Scotland's streets last year – this is approximately 308 vapes being dumped on our beautiful streets, beaches, parks and gardens every hour.

It is clear that there is consensus for this issue. There are many medical experts and members of the general public who believe we need a ban urgently. The growing statistics should be a wakeup call to us all, but legislation will not change this alone, as young people are likely to buy from illicit sources and put their health at even more risk. We also have to take into account the outcry that may occur from the tobacco industry, and other bodies across the UK.

Despite popular belief, vaping is not a healthier alternative. Although there are non-nicotine vapes available, the ones with nicotine still have the potential to become addictive. So not only are we dealing with the

fallout of vaping in young people, the Government also must provide advice, information and support to those young people who are struggling with a vape addiction. I would seek the Government's response in how they plan to ensure that a ban will not cause further problems for young people.

The committee may also be aware of the fantastic work being done by Members of the Scottish Youth Parliament (SYP), who have just recently published [an interesting report](#), based on views gathered through a consultation to which 686 young people from all of Scotland's 32 local council areas responded. The report makes a number of damning points and has some really powerful quotes, which lay bare the knowledge young people have about these harmful devices. The evidence within the report clearly shows that:

- Young people would much rather a complete ban on disposable vapes
- Young people are aware of the harmful impacts disposable vapes have on our environment
- Young people are not aware of the importance of correctly recycling disposable vapes due to the lithium batteries they contain
- There is a lack of information on how disposable vapes should be recycled
- The recycling information should be shown on social media or within retailers

The quotes which back up the points raised in the report, state that the places that vapes can be recycled (local recycling centres) are not accessible to young people because you can't just walk in. Young people also said that the option to vape should still exist, but we need to take away the disposable ones which are most harmful. Other quotes back up one of my own points about vaping being cool or trendy - people are losing friends because they do not want to vape and are seen as uncool or cowardly. The report also highlights the need to avoid treating young people as perpetrators! We should **not** be able to walk into a shop, if under 18, and come out with a handful of vapes, but adults must also be aware that they shouldn't be buying vapes for kids. One damning quote which I want to directly mention says "*restrictions on marketing and manufacture probably wouldn't work because they already exist but are not enforced*".

The Government must get current legislation to a point where it is fully enforced, ensuring that irresponsible retailers and any person who sells or buys a disposable vape for those under 18 know that they will experience the full effect of the law. Ultimately, they are endangering lives, and although I have yet to hear of a death caused by disposable vapes, I'm sure this will happen. Young people should not be addicted to anything at this age and vaping is no exception.

We all have a responsibility to play our part as members of public, but will Parliament and Government play theirs?

I believe this submission brings compelling evidence, backed up with personal views, indicating that the clear path should be an outright ban on disposable vapes.

My submission raises important concerns around the environmental impact that disposable vapes have, and the trend evolving within our youth population. The submission urges the Government to take urgent action, which it cannot ignore in the face of medical and wider public concerns. The number of vapes littered in 2022 should instantly have alarm bells ringing.

Vaping has become a pervasive issue in Scottish life. There are many challenges which a ban on disposable vapes will uncover, which is why I believe legislation will not be enough to tackle this issue. The Government and Parliament must work with young people when consulting on a possible ban. There is no doubt in my mind that any legislation the Parliament introduces to ban disposable vapes will receive backlash from the tobacco industry and UK Government. However, with careful planning and consideration this can be avoided.

SYP's report further underpins the reason for banning disposable vapes. It also reveals the lack of awareness among young people about the environmental impact of these devices and the recycling challenges posed by lithium batteries. This points to the need for better public education, perhaps through social media and retailers, on how to recycle these products responsibly.

In conclusion, the submission compellingly argues for a ban on disposable vapes in Scotland, highlighting the urgent need to protect the environment and the health of young people. It calls for a multi-pronged approach that combines legislation, education, and enforcement to tackle this complex issue effectively. We all have a role to play, but it is

incumbent upon the Parliament and Government to fulfill their responsibilities and take decisive action to address this pressing concern. The submission serves as a critical call to action, urging policymakers to prioritize the well-being of Scotland's youth and the preservation of its natural beauty.