

General Scheme of the Public Health (Nicotine Inhaling Products) Bill

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Abstract

The General Scheme of the Public Health (Nicotine Inhaling Products) Bill was published in September 2024. It is anticipated that two bills will arise from this General Scheme.

The first is the Public Health (Nicotine Inhaling Products) Bill to further regulate nicotine inhaling products, commonly known e-cigarettes or vapes in relation to packaging and appearance, signage, display and advertising. The second is the Public Health (Single Use Vapes) Bill which will seek to ban the sale of single-use or disposable vapes. These provisions are contained in Part 3 of the General Scheme.

This Briefing Paper sets out the policy and legislative background to these Bills.

This is a revised edition of this Briefing Paper, published on 12 February 2026 (the original was published on 27 November 2025). Some text has been amended. Previous versions should be disregarded.



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Executive Summary

The [General Scheme of the Public Health \(Nicotine Inhaling Products\) Bill](#) (the General Scheme) was published in September 2024. It sets out provisions intended to further regulate nicotine inhaling products also known as e-cigarettes or vapes. The Government's [Legislation Programme for Autumn 2025](#) includes two bills arising from the General Scheme, as follows:

- **Public Health (Single Use Vapes) Bill:** The purpose of this Bill is to ban the sale and supply of single use vapes.
- **Public Health (Tobacco Products and Nicotine Inhaling Products) (Amendment) Bill:** The purpose of this Bill is to regulate the packaging and appearance of nicotine inhaling products and refill containers of such products; and to provide for restrictions in relation to the signage, display and advertising of nicotine inhaling products.

The provisions in these bills are in line with recommendations made by the then Oireachtas Joint Committee on Health in its 2022 [Pre-Legislative Scrutiny](#) report on the Public Health (Nicotine Inhaling and Tobacco) Bill 2019.

About 7% of adults vape daily. Most vapers are smokers or ex-smokers. Among children and younger people, the rates are higher than the general population, with 13% of 12-17 year-olds reporting they are current vapers (vaped in the last 30 days) in one study and 16% of 15-16 year-olds in another.

The Government considers the control of e-cigarettes to be a public health issue. Though evidence is still developing, the HSE points to the negative health impacts of vaping. There are particular concerns about vaping by children and young people, especially those who have never smoked cigarettes. The HSE advises that people neither vape nor smoke. However, available evidence indicates that vaping is safer than smoking, albeit that the long-term impacts of vaping are not yet understood.

E-cigarettes can be seen as a 'harm reduction' tool - a way of supporting smokers to give up a very damaging habit. The interpretation of the evidence in this area, around health risks versus benefits of vaping as a tool for smokers to quit, is debated. Different perspectives on this evidence impacts views of the appropriate type and level of regulation for vapes.

Currently vapes are regulated at EU level, under the Tobacco Products Directive, in relation to safety and quality, and packaging and labelling rules, amongst other things. At national level, restrictions include a ban on sales of vapes to under 18-year-olds and restrictions on advertising. A licensing regime for tobacco and vape retailers is due to come into effect in February 2026. By introducing a charge to hold a license to sell vapes (with one required for each retail premises), this policy aims to reduce the number of outlets selling e-cigarettes.

Beyond regulation, a new tax, the E-liquids Product Tax (EPT), came into effect on 1 November 2025. This aims to increase the price of vapes, with a view to making them less affordable - in particular for children.

The General Scheme provides for restrictions on the packaging and retail display of vapes, similar in some regards to restrictions on the sale of tobacco products. The policy objective is to make products less visible and less attractive, especially to children and young people.

The General Scheme also seeks to limit flavours by banning the use of any name for a flavour other than tobacco.

Additionally, the General Scheme provides for a ban on the sale of disposable or 'single use' vapes. Single use vapes are a source of litter and considered an environmental hazard in terms of production and waste of plastic and a fire risk in waste streams if not disposed of safely.

Internationally, there is great variation in how different countries have approached the regulation of e-cigarettes. Some other jurisdictions have put in place measures similar to those proposed in the current General Scheme – in 2025 Belgium, France and the UK banned sales single use vapes, while the Netherlands has banned flavoured vapes.

The Oireachtas Joint Committee on Health waived Pre-legislative Scrutiny of the General Scheme.

Due to their potential to interfere with the operation of the single market, the Public Health (Single-Use Vapes) Bill will require notification at EU level for assessment under the Technical Standards Directive (Directive 2015/1535) and the Tobacco Products Directive (Directive 2014/40/EU). The Public Health (Tobacco Products and Nicotine Inhaling Products) (Amendment) Bill will also require notification at EU level under the Technical Standards Directive.

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Introduction

The [General Scheme of the Public Health \(Nicotine Inhaling Products\) Bill](#) (the General Scheme) was published in September 2024 by the Department of Health (the Department). The purpose of the Bill is to address both public health and environmental concerns by introducing further restrictions on nicotine inhaling products or vapes. Specifically, the provisions of the General Scheme seek to introduce ¹:

- a ban on disposable vapes.
- a ban on point-of-sale display and advertising of these products in most shops.
- restrictions on the colours and imagery used on nicotine inhaling products and their packaging.
- a ban on devices resembling toys or games.
- restrictions on flavours for sale and requirements for only basic flavour names to be used.

On publication of the General Scheme, the then Minister for Health, Stephen Donnelly, TD, said:

“... this legislation will tackle the rise in the use of ‘vapes’ among children and young people by reducing their attractiveness and availability. Nicotine is addictive and the long-term effects of these products is not yet known, so it is important to act.

“I know that some adult smokers use nicotine inhaling products to quit smoking so these products, other than disposable vapes, will continue to remain available. The measures I am taking are to reduce use among the youth, so that our children can grow up without the risks associated with these products.”²

In September 2024, addressing the provisions seeking to ban single-use vapes, then Minister of State at the Department of the Environment, Climate and Communications, Ossian Smyth, TD, emphasised that:

“Single-use vapes are a challenge in the context of waste management and are a wasteful use of critical raw materials. They are also very damaging to the environment when discarded as litter.”³

The Joint Oireachtas Committee on Health waived pre-legislative scrutiny of the Bill. The Minister asked for this waiver on the basis that the provisions in the Bill primarily stem from the recommendations made by the previous Health Committee during its [pre-legislative](#)

¹ Jennifer Carroll MacNeill, TD, Minister for Health, Dáil Éireann debate, [PQ Response](#), 10 June 2025.

² Department of Health (2024) [Press release: Minister for Health secures Government approval to introduce greater restrictions on vapes](#). 10 September 2024.

³ Department of Health (2024) [Press release: as before](#).

scrutiny of the General Scheme of the Public Health (Tobacco Products and Nicotine Inhaling Products) Bill 2019. ⁴ (The [Committee's report](#) was published in 2022) .

The [Government Legislation Programme \(Autumn 2025\)](#) indicates that the provisions of the General Scheme will now be introduced in two bills (see Table 1 below).

Table 1 Two bills, on the Legislation Programme (Autumn 2025), derived from the General Scheme of the Public Health (Nicotine Inhaling Products) Bill

Bill title (per Government Legislation Programme)	Purpose	Relationship to the General Scheme
Public Health (Tobacco Products and Nicotine Inhaling Products) (Amendment) Bill	To regulate the packaging and appearance of nicotine inhaling products and refill containers of such products; To provide for restrictions in relation to signage, display and advertising of nicotine inhaling products.	To contain provisions set out in the General Scheme, other than those in Part 3.
Public Health (Single Use Vapes) Bill 2025	To prohibit the sale of single-use vapes.	To contain provisions set out in Part 3 of the General Scheme.

Source: PRS using General Scheme of the Bill and the Government Legislation Programme, Autumn 2025.

⁴ Minister for Health, [PQ Response](#), 6 February 2025.

Note on the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) and the representation of stakeholder views

This *Briefing Paper* does not represent stakeholder views in the same way as is customary in the Library & Research Service's publications. This is due to restrictions in place in a legally binding treaty, the **WHO Framework Convention on Tobacco Control** (FCTC), which Ireland has ratified. Under [Article 5.3 of the FCTC](#), Ireland is obliged to protect tobacco control policy from the commercial or other vested interests of the tobacco industry.

Guidance from the Department of Health⁵ on implementing the FCTC states that it applies to, amongst others, Members of Dáil Éireann and Seanad Éireann and individuals acting on their behalf. This Guidance also clarifies that tobacco control policies include those on smoking cessation and 'harm reduction and alternative products'.

The FCTC was developed in the context of a long history of the tobacco industry resisting regulation.⁶ The influence of tobacco companies has been recognised as having the potential to be detrimental to public health measures aiming to control tobacco.⁷

Specifically of interest to the current Bill, the WHO is concerned about the link between the tobacco industry and the e-cigarette industry. It argues that:

*"The tobacco industry...is using these newer products to get a seat at the policy making table with governments to lobby against health policies. WHO is concerned that the tobacco industry funds and promotes false evidence to argue that these products [e-cigarettes] reduce harm, while at the same time heavily promoting these products to children and non-smokers and continuing to sell billions of cigarettes."*⁸

To comply with the FCTC, this *Briefing Paper* does not represent the views or inputs of the tobacco industry or any person/business acting on its behalf.

⁵ Department of Health (undated) *Guidance for Public Representatives and Officials on Interaction with the Tobacco Industry*.

⁶ Saloojee, Y and Degli, E (2000) *Tobacco industry tactics for resisting public policy on health*, *Bulletin of the World Health Organization*, 78(7). See also: Gilmore, AB, *et al* (2025) *Why addressing conflicts of interest is essential to progress in reducing commercially driven health harms: Lessons from tobacco*, *Future Healthcare Journal*, Volume 12, Issue 2, 2025.

⁷ WHO Framework Convention on Tobacco Control – Guidelines for implementation (2011), p.5.

⁸ World Health Organization (2024) *Tobacco: E-cigarettes: Questions and Answers webpage*.

Policy background

The background to the provisions of the General Scheme spans public health and environmental policy.

In terms of health, there are concerns about the impact of vaping. In particular, there are concerns about the number of children and young people who are vaping and the known and unknown health risks. Environmental motivations relate to the waste and pollution arising from single use or disposable vapes.

This section looks at:

- Definitions of e-cigarettes and similar products;
- Vaping rates including among children and young people;
- Research on why children and young adults vape;
- Connections between the tobacco industry and the vaping industry;
- The health impacts of vaping; and
- Vaping as a harm reduction tool for current smokers.

What are vapes and nicotine products?

An e-cigarette is a device which vaporises and delivers a chemical mixture known as an ‘e-liquid’ to the lungs in the form of an aerosol.⁹ They are commonly known as vapes. They may or may not contain nicotine. Some e-cigarettes are made to look like regular cigarettes, cigars or pipes. Some look like pens, USB sticks and other everyday items, while others have a tank-style shape with a mouthpiece.

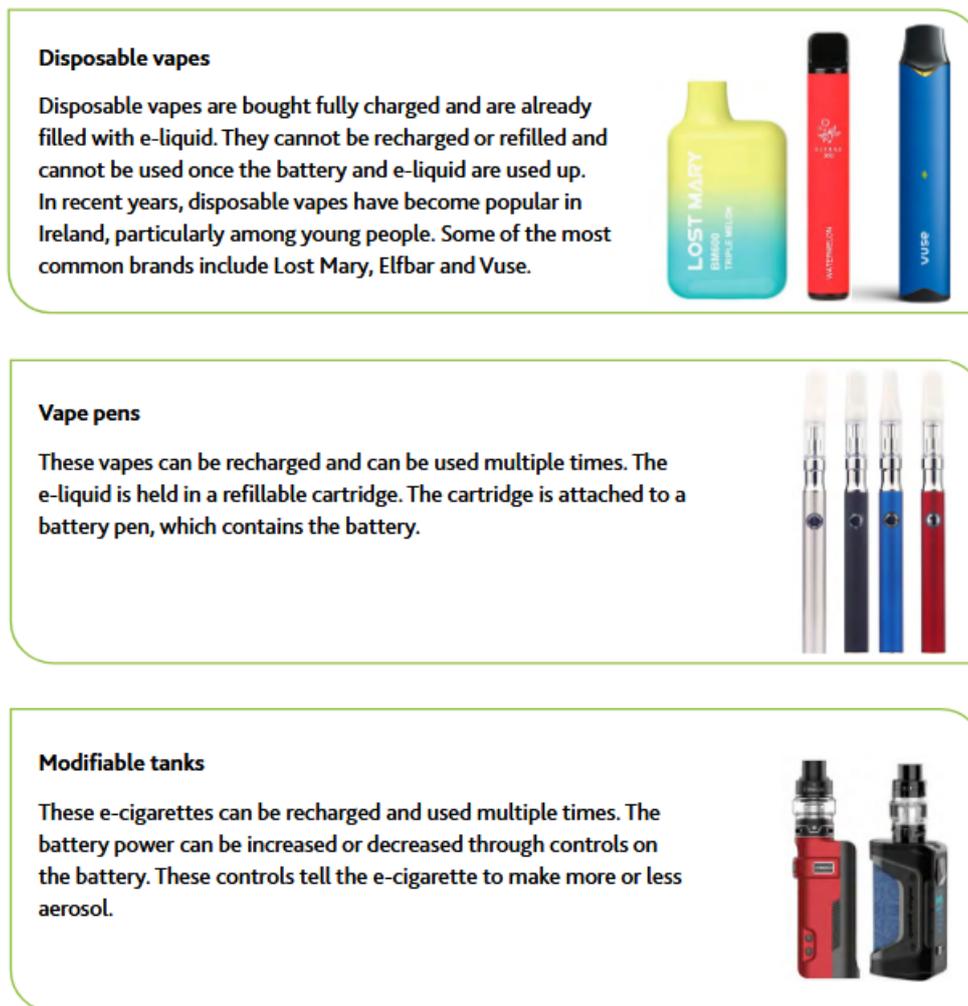
Disposable vaping devices are e-cigarettes that are not rechargeable. They are commonly known as Single Use Vapes.¹⁰ Users dispose of them after a short usage period.

The Figure below shows the most common types of vapes currently on the market, according to the HSE.

⁹ Health Research Board (2025) [Fact Sheet – Smoking and Vaping: The Irish Situation](#).

¹⁰ A consultation on the regulation of single use vapes was undertaken by the Department of the Environment, Climate and Communications (published October 2023).

Figure 1 Common types of e-cigarettes on the market in Ireland.



Source: HSE Youth Prevention Toolkit – E-cigarettes and other nicotine delivery systems.

The proposed legislation does not look at tobacco products such as heated tobacco products¹¹ as it is already illegal to sell them in Ireland.¹² The appendix to this *Briefing Paper* provides some background information on **nicotine pouches** (which are not the subject of any the provisions of the General Scheme).

¹¹ ‘Heated tobacco’ also known as ‘Heat not burn’ or ‘smokeless tobacco’ products are electronic devices that, unlike e-cigarettes, contain tobacco. The tobacco is heated to a high temperature, without setting it alight, creating smoke, which the user inhales. They contain nicotine, additives and are often flavoured. (See: HSE Youth Prevention Toolkit – E-cigarettes and other nicotine delivery systems).

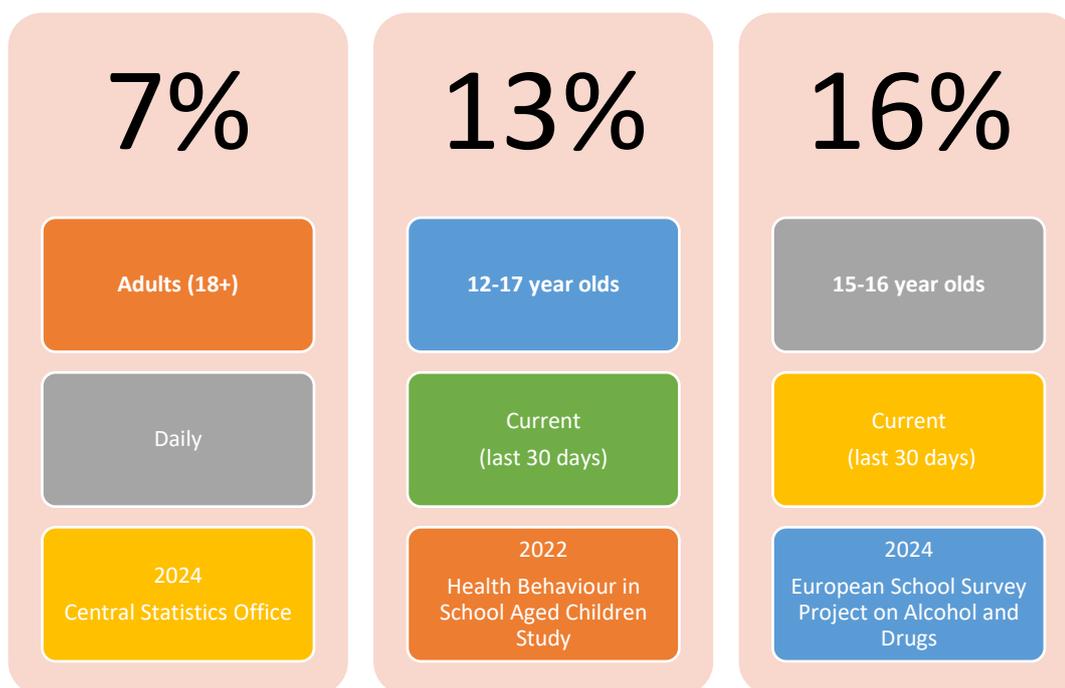
¹² See: <https://www2.hse.ie/living-well/quit-smoking/other-products/smokeless/>.

How many people vape? What about young people and children?

There are a number of sources reporting on the level of vaping. The different methods that studies use, including the age group studied, survey questions and context (for example school-based), result in differences in their findings. Figure 2 below reports data on e-cigarette use from three authoritative Irish studies.

Though specific numbers differ, the research available consistently shows that vaping rates are higher in younger age groups.

Figure 2 Vaping rates in Ireland, adults and children (various studies).



Source: Data from CSO Irish Health Survey 2024,¹³ Health Behaviour in School Aged Children (HBSC),¹⁴ and European School Survey Project on Alcohol and Other Drugs (ESPAD).¹⁵

¹³ This is a nationally representative survey of Irish adults (i.e. aged 18 and over).

¹⁴ The Health Behaviour in School-aged Children (HBSC) survey is a World Health Organization (WHO) cross-national study that monitors the health behaviours, health outcomes and social environments of school-aged children every four years. HBSC Ireland surveys school-going children aged 9-18 years. The study team is based at the Health Promotion Research Centre, University of Galway.

¹⁵ This study was conducted in a nationally representative sample of post-primary schools, with 5,587 students taking part. See: Hanafin J, *et al* (2025). ESPAD Ireland 2024: Results from the European School Survey Project on Alcohol and Other Drugs. Dublin: TobaccoFree Research Institute Ireland for the Department of Health Ireland.

Other notable features of vaping data include:

- The Healthy Ireland Survey 2024¹⁶ found that 16% of current smokers say they currently use e-cigarettes either daily or occasionally (this survey is nationally representative of people aged 15 and over).
- The Healthy Ireland Survey also found that a majority of vapers are current or former smokers. Almost half (47%) of e-cigarette users are ex-smokers, a fifth (20%) are daily tobacco users and a further 15% smoke tobacco occasionally. The remaining 18% of e-cigarette users have never been tobacco users.¹⁷
- The two recent studies on children (ESPAD and HBSC) found that the rate of vaping was higher among girls than boys (a reversal of the previous position).
- In terms of lifetime use, the 2024 ESPAD study found that almost one in three 15-16 year olds reported having ever used e-cigarettes.¹⁸
- The 2024 ESPAD study found that among 15 and 16 year-olds, two-thirds of students (66%) said that it would be fairly easy or very easy to access e-cigarettes. This was somewhat higher than the almost six in ten (59%) students who said that it would be fairly or very easy to access cigarettes.¹⁹
- The 2024 ESPAD study also found that the more than three out of four students who used e-cigarettes (76.2%) reported that they had never used traditional cigarettes when they first used e-cigarettes.
- No Irish data was identified showing type of e-cigarettes used by different groups. However, a survey by UK public health NGO ASH (whose goal is to end tobacco related harm), found that in Britain more than half (54%) of 11-18 year old e-cigarette users chose single-use vapes.²⁰

Marketing and reasons for vaping among young people

The issue of marketing of e-cigarettes, particularly in ways thought to appeal to children and young people has been prominent in Oireachtas debates on vaping.²¹

¹⁶ Healthy Ireland (2024) [Healthy Ireland Summary Report 2024](#). p.32.

¹⁷ Healthy Ireland (2024) [as before](#). p.32.

¹⁸ Hanafin J, *et al* (2025). [ESPAD Ireland 2024:Results from the European School Survey Project on Alcohol and Other Drugs](#). Dublin: TobaccoFree Research Institute Ireland for the Department of Health Ireland.

¹⁹ Hanafin J, *et al* (2025). [as before](#). p.31.

²⁰ ASH UK (2024) [Fact Sheet: Use of vapes \(e-cigarettes\) among young people in Great Britain](#).

²¹ See: Dáil Éireann, [Use of Vapes and Nicotine Products by Young People and Adolescents: Statements](#), 24 September 2025. Also, Seanad Éireann, [Commencement Matters – Tobacco Control Measures](#). 18 June 2025 and Joint Committee on Health's [Report on Pre-Legislative Scrutiny of the General Scheme of the Public Health \(Tobacco and Nicotine Inhaling Products\) Bill 2019](#).

There are bans in place on online advertising of vapes (EU Tobacco Products Directive²²), and on advertising in certain places, including within 200m of the perimeter of a school and at bus stops / train stations (under the [Public Health \(Tobacco and Nicotine Inhaling Products\) Act 2023](#)). Though there is an exemption from this ban for premises that are selling these products.

However, the HSE says that:

“Extensive availability, marketing and promotion of these products, especially disposable vapes and synthetic nicotine salts, may be making it easier for children to become addicted to nicotine, which in turn increases their chance of smoking cigarettes later in life. Different flavours, colours, and online trends have made vaping seem like a normal part of growing up.”²³

The World Health Organization (WHO) has highlighted issues with the marketing of e-cigarettes to children, as follows:

“E-cigarettes target children through social media and influencers, with at least 16,000 attractive flavours. Some of these products use cartoon characters and have sleek designs, which appeal to the younger generation. Some look like toys and games. There is an alarming increase in use of e-cigarettes among children and young people, with rates exceeding adult use in many countries. Even brief exposure to e-cigarette content on social media is associated with greater intention to use these products, as well as more positive attitudes toward e-cigarettes.”²⁴

Across Ireland, NI and Britain a number of studies, albeit some of them quite small, were identified that have looked at why children or young people use e-cigarettes. Overall, these studies suggest that motivations to vape in younger age groups include:^{25,26,27,28}

- A social aspect, such as fitting into a group.

²² Transposed in: [S.I. No. 271/2016 - European Union \(Manufacture, Presentation and Sale of Tobacco and Related Products\) Regulations 2016](#) (see section 31). See also: <https://www.oireachtas.ie/en/debates/question/2025-11-06/416/>

²³ HSE (2025) [New HSE campaign highlights risks of vaping products](#).

²⁴ World Health Organization (2024) [Tobacco: E-cigarettes](#).

²⁵ Evans, D and Hickey, P (2020) [E-cigarette and smoking use among adolescents in Ireland: A focus group study](#). A report prepared for the Tobacco Control Unit, HSE. This was a focus group study of 76 Transition Year students in three Irish secondary schools.

²⁶ McHugh, N *et al* (2024) [Secondary schoolchildren and young people's perceptions of vaping and nicotine dependence: Insights from a qualitative focus group study](#). *The Lancet*. Volume 404, Special Issue. S89 November 2024. This was a Welsh focus group study of 86 children and young people (aged 11-22 years).

²⁷ NI Department of Health (2023) [Young Persons Behaviour and Attitudes Survey, 2022](#). This was a Northern Irish survey of over 7,000 secondary school students.

²⁸ ASH UK (2024) [Fact Sheet: Use of vapes \(e-cigarettes\) among young people in Great Britain](#). Results of a survey 2,336 11-17 year olds in Britain.

- Enjoyment, with one study finding some users cited liking the flavours (British ASH study) and one study (Wales) noting the attraction of the design of products.
- Just to give it a try.
- Stress relief or mental health.
- Something to do when bored.
- Addiction / unable to stop (NI study only).

Link between tobacco industry and e-cigarette industry

One topic raised in Dáil Éireann debate on the [Use of Vapes and Nicotine Products by Young People and Adolescents](#) in September 2025 was the link between the tobacco industry²⁹ and e-cigarette companies – as some tobacco businesses also own e-cigarette brands.³⁰

As noted in the Introduction to this Paper, the World Health Organization (WHO) is also concerned about the link between the tobacco and e-cigarette industries. The Department of Health’s Guidance on obligations arising from the legally binding WHO Framework Convention on Tobacco Control (FCTC), is clear that the FCTC applies to policies regarding smoking cessation, harm reduction and products that are alternatives to tobacco products (such as e-cigarettes).³¹

The tobacco industry has a long track-record of seeking to resist the regulation of tobacco and related products.³² A WHO Bulletin article highlights that:

²⁹ “Tobacco industry” means tobacco manufacturers, wholesale distributors and importers of tobacco products.

³⁰ See: Rte news (2024) [Vape sales help PJ Carroll to increase profits to €6.2m](#) and Imperial Brands website: <https://www.imperialbrandsplc.com/who-we-are> and <https://www.thejournal.ie/tobacco-company-vapes-ireland-6609821-Feb2025/>. For further background to tobacco industry ownership in e-cigarette businesses see: Besaratinia, Ahmad. “From Tobacco Cigarettes to Electronic Cigarettes: The Two Sides of a Nicotine Coin.” *Frontiers in oral health* vol. 2 790634. 26 Nov. 2021 and Tobacco Tactics webpage: [E-cigarettes – Tobacco companies and single use products](#).

³¹ Department of Health (undated) *Guidance for Public Representatives and Officials on Interaction with the Tobacco Industry*.

³² Gilmore, AB, *et al* (2025) [Why addressing conflicts of interest is essential to progress in reducing commercially driven health harms: Lessons from tobacco](#), *Future Healthcare Journal*, Volume 12, Issue 2, 2025.

“The tactics used by the tobacco industry to resist government regulation of its products include conducting public relations campaigns, buying scientific and other expertise to create controversy about established facts, funding political parties, hiring lobbyists to influence policy, using front groups and allied industries to oppose tobacco control measures, pre-empting strong legislation by pressing for the adoption of voluntary codes or weaker laws, and corrupting public officials.”³³

Related to this, it has been reported that vaping firms which do not have ties to the tobacco industry have said they are concerned about the association between their businesses and smoking.³⁴

Of the 15,692 submissions made to the Department of Health’s consultation process which took place in advance of the publication of the current General Scheme. Of these 184 (or 1.2%) were from a “person or entity with a commercial interest in the manufacture, distribution, import or sale of tobacco or nicotine products”, while 99 respondents declared that they had direct or indirect links or received funding from the tobacco industry.³⁵ The Department stated that submissions from the tobacco industry or those representing its interests would not be considered in the development of policy.

What are the health impacts of vaping vs smoking?

The health effects of tobacco use are well known – it kills up to half of long-term smokers³⁶, resulting in over 4,500 deaths each year in Ireland.³⁷

Research into the safety of e-cigarettes is complicated by differences between devices and the way people use them. Further to this, products are constantly changing with new devices emerging; there is a large number of brands and thousands of flavours available.³⁸ As vaping products are relatively new, there are no long-term studies available to show the impact of e-cigarettes across someone's lifetime. This means that the long-term effect of these products is not yet known.³⁹

³³ Saloojee, Y and Degli, E (2000) Tobacco industry tactics for resisting public policy on health, *Bulletin of the World Health Organization*, 78(7).

³⁴ <https://www.thejournal.ie/investigates-tobacco-and-vape-industry-6580468-Jan2025/>

³⁵ <https://assets.gov.ie/static/documents/consultation-report-tobacco-and-nicotine-inhaling-products.pdf>

³⁶ <https://www.who.int/news-room/fact-sheets/detail/tobacco>.

³⁷ HSE Tobacco Free Ireland Programme (2022) *State of Tobacco Control*.

³⁸ “E-cigarettes, heat-not-burn and smokeless tobacco products.” *Breathe (Sheffield, England)* vol. 16,1 (2020): 161ELF.

³⁹ “E-cigarettes, heat-not-burn and smokeless tobacco products.” *Breathe (Sheffield, England)* vol. 16,1 (2020): 161ELF.

Despite the drawbacks in research in 2019, a *New England Journal of Medicine* editorial stated that “a consensus has emerged that e-cigarettes are safer than traditional combustible cigarettes”.⁴⁰

However, vaping is not risk-free and there is evidence on the shorter-term impact of use. According to the HSE, the risks and negative health effects linked with vaping include:

- nicotine dependence;
- sleep problems;
- mental health difficulties, such as anxiety;
- damage to your heart, lungs and blood vessels;
- exposure to toxins; and
- injuries from batteries or nicotine poisoning - though this is less common.⁴¹

The HSE considers that, over time, these risks may cause diseases such as heart disease, lung disease and cancer. They state that risks are higher for people who both smoke and vape (this is known as ‘dual-use’).

Even nicotine-free vapes are considered to have risks. According to the HSE, vape liquid that does not contain nicotine often has other chemicals such as colours and flavourings which can be harmful when inhaled.

Research specific to health impact on children and young people

A recent study, *Vaping and Harm in Young People: Umbrella Review*, published in the *Tobacco Control* journal, assessed the international literature and found that, for young people, there were consistent associations between vaping and subsequent smoking, marijuana use, alcohol use, asthma, cough, injuries and mental health outcomes.⁴²

An Irish Health Research Board study found that adolescents who use e-cigarettes were three to five times more likely to start smoking tobacco cigarettes compared to those who never used

Adolescents who vape are three to five times more likely start smoking than those who don't.

- Health Research Board.

⁴⁰ See: public health doctors [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(24\)00140-5/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(24)00140-5/fulltext) and Belinda Borrelli and George T. O'Connor, “E-Cigarettes to Assist with Smoking Cessation,” *New England Journal of Medicine*, 380, no. 7 (February 14, 2019): 678–79.

⁴¹ HSE webpage, Vaping (using e-cigarettes). <https://www2.hse.ie/living-well/quit-smoking/vaping/>.

⁴² Golder S, Hartwell G, Barnett LM, et al (2025) *Vaping and harm in young people: umbrella review Tobacco Control*. doi: 10.1136/tc-2024-059219.

e-cigarettes.⁴³ And the HSE highlights that young people who vape are more likely to become dependent on other substances.⁴⁴

What about smoking cessation / quitting – do vapes help?

As noted above, most vapers in Ireland are smokers or ex-smokers. The potential of e-cigarettes to assist people to give up smoking is much debated.⁴⁵ In public health terms, the promotion of e-cigarettes as an alternative to tobacco smoking is known as a ‘harm reduction’ approach. Harm reduction, in this case, works by encouraging smokers to switch to e-cigarettes – thus reducing their exposure to the known, very high risks of tobacco and thereby reducing the harm caused.

The effectiveness of vaping as a quitting tool for smokers is at issue. The WHO highlights that e-cigarettes, as consumer products, have not been proven to be effective for smoking-cessation at the population level. Rather, the WHO characterises the evidence accruing of adverse impact of vaping on population health as ‘alarming’, citing for example nicotine’s negative impact on brain development in children and adolescents.⁴⁶

However, a [Cochrane Review](#) of Evidence, published in 2025, found, amongst other things, that nicotine e-cigarettes can help people to stop smoking for at least six months. Overall, the studies reviewed showed, with high-certainty evidence, that e-cigarettes worked better for smoking cessation than nicotine replacement therapy, and probably better than e-cigarettes without nicotine (the latter with moderate-certainty evidence).

The authors of the Review called for more evidence, particularly about the effects of newer types of e-cigarettes that have better nicotine delivery than older types of e-cigarettes, as better nicotine delivery might help more people to quit smoking.⁴⁷

In Ireland, more than one in ten (12%) smokers who are trying to give up already use e-cigarettes to assist them.⁴⁸ However, the HSE does not recommend vaping as a tool to assist smokers to stop smoking.⁴⁹ Other supports for smokers to quit smoking are available e.g. [nicotine replacement therapies](#), [HSE Quit Line](#) and [prescription medications](#).

⁴³ <https://www.hrb.ie/press-releases/impact-on-policy-press-releases/new-hrb-evidence-shows-e-cigarettes-are-associated-with-adolescents-starting-to-smoke-tobacco-cigarettes/>

⁴⁴ HSE webpage, Vaping and young people. <https://www2.hse.ie/living-well/quit-smoking/other-products/young-people/>; See also the Institute of Public Health (2024) *A review of systematic review of the health effects of e-cigarette use in children and adolescents*.

⁴⁵ See: Royal College of Physicians (UK) (2024) *E-cigarettes and harm reduction: An evidence review*. Beaglehole, R and Bonita, R (2024) *Harnessing Tobacco Harm Reduction*. *The Lancet*. Volume 403, Issue 10426, 10–16 February 2024, pages 512-514 and World Health Organization, *Tobacco and e-cigarettes, Questions & Answers*.

⁴⁶ World Health Organization, *Tobacco and e-cigarettes, Questions & Answers*.

⁴⁷ Lindson N, *et al.* *Electronic cigarettes for smoking cessation*. *Cochrane Database of Systematic Reviews* 2025, Issue 1.

⁴⁸ *Healthy Ireland Summary Report* (2024). p.31.

⁴⁹ HSE webpage, *Vaping (using e-cigarettes)*.

The HSE's **policy approach** is in line with WHO recommendations that focus on implementing interventions such as brief advice from health professionals, mobile and digital cessation services, nicotine replacement therapies and prescription medicines.⁵⁰

Internationally, different authorities have taken different approaches to the regulation of vapes. This is based on their assessments of the current evidence and of their priorities around the health impacts of vaping and the effectiveness and potential benefits vapes offer as an aid to smoking cessation.⁵¹ Some countries, such as Brazil and Thailand, have banned e-cigarettes, while in Australia only pharmacies can legally sell vapes.⁵²

In contrast, the UK has taken a harm reduction approach to promoting the use of e-cigarettes as a tool for smokers who want to quit. It encourages smokers to switch completely to alternative nicotine products such as e-cigarettes. The aims of this policy are to reduce the damage caused by smoking to smokers and to the people around them exposed to passive smoke (especially children), as well as the broader societal costs of smoking.⁵³

However, the UK Royal College of Physicians (RCP) has described the UK as an outlier (i.e. taking a different path to most countries) in promoting vaping as part of their tobacco control policies.⁵⁴

Single Use Vapes

This section presents the background to regulation of disposable or single use vapes. As noted above, the forthcoming Public Health (Single Use Vapes) Bill will seek to end their sale in Ireland.

Why are single use vapes a specific policy concern?

The use of single use vapes raises two specific policy concerns – their use by young people and their environmental impact.

In terms of use, Irish data do not break down sale or usage by product type/group of users.⁵⁵ Nonetheless, the relatively low price of some disposable vapes is a concern to policy-makers. This is highlighted in comments made by Minister of State with responsibility for Public Health,

⁵⁰ World Health Organization, **Tobacco and e-cigarettes, Questions & Answers**.

⁵¹ See: Brooke Campus, Patrick Fafard, Jessica St. Pierre, Steven J. Hoffman (2021) **Comparing the regulation and incentivization of e-cigarettes across 97 countries**, *Social Science & Medicine*, Volume 291, 114187.

⁵² <https://www.health.gov.au/topics/smoking-vaping-and-tobacco/about-vaping?language=en>. In Australia, a prescription is needed for those aged under 18 years of age (subject to state and territory laws) and for anyone seeking a higher concentration of nicotine than 20 mg/mL.

⁵³ UK Royal College of Physicians (2024) **E-cigarettes and harm reduction: An evidence review**. RCP, 2024.

⁵⁴ UK Royal College of Physicians (2024) **as before**.

⁵⁵ Royal College of Physicians Ireland (2023) **Position Paper on Disposable Vapes and Young People**.

Wellbeing and the National Drugs Strategy, Jennifer Murnane O'Connor, TD, on the introduction of the e-Liquid Tax (described on page 22), as follows:

“The rise of vaping among our young people in recent years has been worrying. We know that children and young people are particularly attracted to these products [e-cigarettes], and their low price makes them even more accessible. There are vapes being sold for as little as €2; ... [the e-Liquid Product Tax] will help ensure that these products are no longer available at pocket money prices.”⁵⁶

As noted above, research in Britain, by Action on Smoking and Health (ASH) UK⁵⁷ found that disposable vapes were the most popular type of product (54%) among 11-17 year olds who vape (2024 data).⁵⁸

A briefing paper from the research service at the Northern Ireland Assembly states that the increase in vaping among children appears to be driven by the emergence of disposable vapes. The author highlights that:

“Although disposable vapes are more expensive in the long-term, they do not require any initial outlay for equipment and are relatively cheap to buy.”⁵⁹

From an **environmental perspective**, single use vapes contain electronic components, including batteries, and therefore need to be safely disposed of when they become waste. They contain a complex mixture of materials, some of which may be hazardous and are not easily recyclable.⁶⁰ As with other modern electronics, they also contain rare and expensive materials, which could be re-used as part of the circular economy.⁶¹ For further detail on the issue of plastic waste see the PRS article on [Plastic Pollution](#) (2025).

According to HSE a resource:

- Disposable e-cigarettes typically cost €8 each.
- Tank style e-cigarettes can cost from around €30 to €100 or more.

Source: [HSE](#), prices from 2024, prior to the introduction of the E-liquid Product Tax.

⁵⁶ Department of Finance (2025) [Press release: Minister Donohue signs commencement order for the e-liquids product tax](#). 25 September 2025.

⁵⁷ [Action on Smoking and Health \(ASH\)](#) is an independent public health charity set up by the UK Royal College of Physicians to end the harm caused by tobacco.

⁵⁸ ASH UK (2024) [Fact Sheet: Use of vapes \(e-cigarettes\) among young people in Great Britain](#).

⁵⁹ McMurray, S (2024) [Research and Information Briefing Paper: Responding to youth vaping: The UK experience](#). NI Assembly.

⁶⁰ Department of Environment, Climate and Communications (2023) [Public Consultation Summary: Public consultation on Disposable Vaping Devices](#). p.2-3.

⁶¹ Department of Environment, Climate and Communications (2023) [Public Consultation Summary: Public consultation on Disposable Vaping Devices](#). p.2-3.

According to the then Department of Environment, Climate and Communications⁶², single use vapes present several challenges to the current waste collection and recycling system, for example:⁶³

- Where lithium-ion batteries are contained in waste devices, these can present a risk to the health and safety of waste collection workers and others. When damaged, short-circuited, or overheated, these batteries can catch fire.
- The use of critical raw materials and plastic in a disposable product is wasteful.

There is evidence that disposable vapes have emerged as a new litter item.⁶⁴ And, though disposable vapes can be recycled with battery waste⁶⁵, there is some indication that many vapers do not know how to dispose of them safely.⁶⁶

Arguments against banning single use vapes

As outlined above, there are public health and environmental reasons for introducing a ban on single use vapes. The UK Vaping Industry Association (UKIVA) has made the case that this type of product is important in helping smokers to quit as they are easy to use and cheaper (in the short-term) than refillable alternatives.⁶⁷ UKVIA is a group with former links to the tobacco industry, including four leading tobacco companies.⁶⁸

As noted above, in order to comply with the Framework Convention on Tobacco Control (FCTC), this *Briefing Paper* does not represent the views or inputs of the tobacco industry or any person/business acting on its behalf.

⁶² Now the Department of Climate, Energy and Environment.

⁶³ Department of Environment, Climate and Communications (2023) Public Consultation Summary: Public consultation on Disposable Vaping Devices. p.2-3.

⁶⁴ <https://www.cavancoco.ie/news/2024/keep-cavan-s-waterways-free-of-vape-waste-this-summer.html>.

⁶⁵ See: <https://www.weeeireland.ie/vape-e-cigarette-device-recycling/>.

⁶⁶ See: <https://erp-recycling.org/ie/news-and-events/2023/06/erp-research-shows-majority-of-vapers-unclear-on-recycling-options/>.

⁶⁷ <https://ukvia.co.uk/ukvia-response-to-french-proposal-to-ban-disposables/>.

⁶⁸ NOTE: The original membership of this UK based organisation, the UK Vaping Industry Association (UKVIA), included tobacco companies (from establishment in 2016 up to 2023). In light of restrictions on tobacco companies and their representative groups lobbying policy makers, the organisation stated in September 2023 that it had divested itself of tobacco company members. UKVIA continues to engage with policy makers to promote its interests. (See: University of Bath's Tobacco Tactics website: <https://www.tobaccotactics.org/article/uk-vaping-industry-association-ukvia/>).

Legal context

This section looks at the current regulatory and legislative context of nicotine inhaling products and considers international comparisons.

Current regulation

E-cigarettes are regulated as consumer rather than health products. They are regulated under EU and national legislation.

At **European level**, the [Tobacco Products Directive \(2014/40/EU\)](#), includes measures specific to e-cigarettes in relation to:⁶⁹

- **Safety and quality requirements** – such as maximum nicotine concentration and volume for cartridges.
- **Packaging and labelling rules** – such as mandatory health warnings for e-cigarettes advising consumers that they contain nicotine and should not be used by non-smokers.
- **Monitoring and reporting of developments** – requirements are made on manufacturers and importers, EU countries and the Commission.

National regulation includes a ban on sales of e-cigarettes to under 18-year-olds. This came into effect in December 2023 (under section 28 of the [Public Health \(Tobacco Products and Nicotine Inhaling Products\) Act 2023](#)).⁷⁰

This 2023 Act also provides for a licensing system for retailers of vapes and tobacco, restrictions on advertising of vapes near schools and a ban on self-service sales of tobacco and vapes.⁷¹ The licensing regime is due to come into effect in February 2026. The level of the annual licensing fees for each premises, set at €1,000 for tobacco sellers and €800 for e-cigarette sellers, is meant to discourage retailers and reduce the number of outlets selling these products, with a view to reducing their use by young people and non-smokers.⁷²

⁶⁹ EU Tobacco Products Directive regulates some aspects of e-cigarettes, including minimum standards of safety and packaging and labelling. https://health.ec.europa.eu/tobacco/product-regulation/electronic-cigarettes_en.

⁷⁰ See Government Press Release, 21 December 2023: <https://www.gov.ie/en/department-of-health/press-releases/minister-for-health-bans-the-sale-of-nicotine-inhaling-products-to-children-with-immediate-effect/>.

⁷¹ Not all provisions have been commenced. Part 2, providing for a licensing system, is due to commence on 1 February 2026. See: <https://www.irishstatutebook.ie/eli/2024/si/737/made/en/print>.

⁷² Department of Health (2025) [Press release: Ministers for Health introduce licensing system for tobacco and vapes](#).

Enforcement

The HSE's National Environmental Health Service (NEHS) enforces Irish and EU regulation of tobacco and nicotine inhaling products (vapes).

The NEHS inspects manufacturers, importers, distributors and retailers of vapes and refill containers. The premises are selected based on intelligence information and complaints received.⁷³

It has been reported that of 249 inspections the HSE carried out in 2024, 55 retailers were found to be selling vapes that breached EU regulations (*Irish Examiner* reporting on data obtained under a Freedom of Information request).⁷⁴

Enforcement issues identified by the HSE include products that are mislabelled as containing no nicotine but do in fact contain nicotine⁷⁵ and products on sale that have been found to contain illegal levels of nicotine.⁷⁶

Beyond regulation

In addition to legislation and regulation, public bodies are involved in other measures around vaping, for instance:

- A new tax, the E-liquids Product Tax (EPT), came into effect on 1 November 2025.⁷⁷ The EPT will apply to both nicotine-containing and non-nicotine-containing e-liquid products such as those used in vapes and e-cigarettes, at a rate of 50 cent per millilitre.⁷⁸ As noted above, the Minister of State with responsibility for Public Health, Wellbeing and the National Drugs Strategy, Jennifer Murnane O'Connor, TD, noted that some vapes were available from as little as €2 and that this new tax will have the effect of raising prices to ensure that products are no longer available at 'pocket-money prices'.⁷⁹
- The HSE's Tobacco Free Ireland unit has produced a [Youth Prevention Toolkit](#) aimed at those working with young people; and

⁷³ HSE correspondence in response to PQ 5485-24. 26 February 2024.

⁷⁴ Irish Examiner (2025) [Non-compliant vapes sold by over 20% of retailers inspected by HSE](#). 22 April 2025.

⁷⁵ HSE Enforcement webpage: <https://www.hse.ie/eng/about/who/tobaccocontrol/enforcement/>.

⁷⁶ HSE (2024) Press release: [HSE warns people to stop using e-cigarette products containing illegal levels of nicotine](#). 5 June 2024.

⁷⁷ Department of Finance (2025) [Press release: Minister Donohue signs commencement order for the e-liquids product tax](#). 25 September 2025.

⁷⁸ See: <https://www.revenue.ie/en/corporate/press-office/press-releases/2025/pr-093025-vape-tax.aspx>.

⁷⁹ Department of Finance (2025) [as before](#).

- Some local authorities are promoting a campaign encouraging the voluntary introduction of restrictions on where people can vape – the “*The Not Around Us*” campaign. The Kilkenny County Council webpage on the campaign describes it as follows:

“The Campaign is an ask from young people to consider your activity in outdoor spaces used by children and young people, so that young people can experience smoke and vape free spaces and environments. The aim of the campaign is to de-normalise smoking and vaping around children and young people.”⁸⁰

However, it has been reported that the HSE does not provide a ‘stop vaping’ assistance service similar to its smoking cessation supports. The HSE is reported to have stated that it has not been directed or funded to provide such a service.⁸¹

⁸⁰ See: https://kilkennycoco.ie/eng/your_council/lcdc/not-around-us.html.

⁸¹ Thejournal.ie (24 September 2025) HSE has 'no capacity or funding' to help people quit vaping.

Legislative Proposal

This section gives an overview of the heads of the General Scheme of the Public Health (Nicotine Inhaling Products) Bill. As noted above, the provisions of the General Scheme are expected to be split into two bills. The Government's Legislation Programme for Autumn 2025 includes two relevant bills:⁸²

- **Public Health (Single Use Vapes) Bill:** The purpose of this Bill is to ban sale and supply of single-use vapes.
- **Public Health (Tobacco Products and Nicotine Inhaling Products) (Amendment) Bill:** The purpose of this Bill is to regulate the packaging and appearance of nicotine inhaling products and refill containers of such products; and to provide for restrictions in relation to the signage, display and advertising of nicotine inhaling products.

Together these Bills aim to reduce the attractiveness of e-cigarettes, in particular to younger users, with a view to protecting their health. The proposed ban on single use vapes seeks to reduce this form of waste.

It is intended that future Bill Digest publications would examine the provisions of the Bills as published.

Provisions of the General Scheme

The General Scheme comprises 16 heads in four parts.

Part 1 – preliminary and general

This part provides for the short title, citation and interpretation. It further provides for transitional periods to allow industry stakeholders to prepare for the implementation of the policies provided for in the proposed legislation.

Part 2 – Regulation of Nicotine Inhaling Products

Part 2 comprises Heads 4-9 of the General Scheme.

Head 4 provides for restrictions on the placement and promotion of vapes in retail settings. These are similar to the restrictions that apply to tobacco sales. In relation to tobacco sales, goods must be kept in a closed container behind shop counters and accessible only to retailers/their staff.⁸³

⁸²https://assets.gov.ie/static/documents/b6d09237/Government_Legislation_Programme_Autumn_2025.pdf.

⁸³ Public Health (Tobacco) Act 2002, as amended.

The intention of this provision is to reduce the visibility and appeal of vapes to children and young people. However, this head is not intended to apply to specialised vape shops (which only or primarily sell vapes).

Specifically, this Head provides for:

- In retail outlets, vapes to be kept in a closed container or dispenser that is not visible or accessible other than to the licensee (retailer) or their staff.
- Retailers cannot display notices, signs or give out leaflets or similar literature indicating that vapes are for sale. The exception would be a sign, as prescribed by the Minister for Health, which would inform the public that these products are for sale to people aged 18 and over.
- However, a retailer may provide certain information to a customer such as one unit of a product or a reproduction of that product. A retailer can also show a customer a 'pictorial list' of available products, subject to certain restrictions.
- A person who contravenes these provisions would be guilty of an offence.

In relation to tobacco control, there is some evidence of a positive association between point of sale display/promotions and smoking.^{84,85} Point of sale marketing restrictions [similar to those proposed for vapes as above] are thought to affect smoking behaviour by cutting off an important communication channel with potential customers and providing a supportive environment for smokers to quit.⁸⁶ A research study conducted in Ireland after the introduction of restrictions on point of sale displays of tobacco found that recall of displays dropped significantly among adults and teenagers post-legislation and the authors considered that there were signs that the law helped de-normalise smoking.⁸⁷

Head 5 of the General Scheme seeks to introduce a restriction around the retail of vapes, again similar to that for tobacco. In this case, it is a ban on advertising of vapes in retail premises that sell vapes. The intention is to reduce the appeal of vapes to young people and to ensure that the display restrictions are not undermined by other types of in-store promotion.

The notes to the General Scheme indicate that there was some determination yet to be made on how these provisions would apply in an online environment. Online advertising of e-cigarettes on websites and social media is already prohibited under the [Tobacco Products Directive 2014/40/EU](#).⁸⁸ The HSE is responsible for enforcement of these regulations.

⁸⁴ Robertson, L, et al (2015) [A systematic review on the impact of point-of-sale tobacco promotion on smoking](#). *Nicotine Tob Res.* 2015 Jan;17(1):2-17.

⁸⁵ See also: He Y, Shang C, Huang J, et al (2018) [Global evidence on the effect of point-of-sale display bans on smoking prevalence](#). *Tobacco Control* 2018;27:e98-e104.

⁸⁶ Robertson L, et al (2015) as before.

⁸⁷ McNeill, A, et al (2010) [Economic evaluation of the removal of tobacco promotional displays in Ireland](#) *Tobacco Control* 2010; 20 151-155.

⁸⁸ Transposed in: [S.I. No. 271/2016 - European Union \(Manufacture, Presentation and Sale of Tobacco and Related Products\) Regulations 2016](#).

The difficulty of enforcing bans on online promotion were highlighted in recent research in France, that found, despite a ban on online advertising for both tobacco and e-cigarettes, online promotion of vaping products, with no age verification, persists.⁸⁹

Heads 6, 7 and 8 seek to restrict the colour, imagery and related design allowed on the outer surface of nicotine inhaling devices, their components, refill containers and outer packaging. These provisions are similar to the [legislation in relation to standardised tobacco packaging](#).

Specifically, these provisions include a ban on the use of imagery such as cartoons or animations on the surface of devices and provides that the products must not be like or useable as a toy. Again, these measures are intended to reduce their appeal to children and young people.

Head 9 provides for limitations on flavour names for nicotine inhaling products, so that only flavour names prescribed by the Minister may be used. The intent is that the Minister will prescribe the use of 'tobacco', in English or Irish, as the only flavour name permitted. The notes to the General Scheme explain that there two policy intentions behind this provision. They are:

- To restrict and simplify how nicotine inhaling products are described and named, in order to reduce the use of names and sensory descriptions being used as marketing tools; and
- To greatly reduce the range of flavours available.

The notes to the General Scheme suggest that this approach to restrict the name of the flavour would be easier to implement than banning certain ingredients or sensory attributes. The enforcement of restrictions on ingredients or sensory attributes would require laboratory testing and be slower and more resource intensive.

There is some debate about the role of flavoured vapes and the case for restricting them. The World Health Organization says flavours are the reason why young people try vapes and are "fuelling a new wave of addiction".⁹⁰ The Joint Committee for Health called for all flavours except tobacco to be banned.⁹¹ Tobacco and vaping industry bodies making submissions to the Committee opposed the ban, arguing, among other things, that restricting flavours would reduce consumer choice and have a negative impact on smokers who vape in order to reduce the harms caused by tobacco. They argued that the best ways to avoid children vaping are age limits for sales and restricting advertising.⁹²

⁸⁹ Eschenbrenner, Amélie *et al* (2025) [New nicotine products - A major illicit advertising phenomenon on digital channels in France](#). *Tob. Induc. Dis.* 2025;23(Suppl 1):A101

⁹⁰ <https://www.who.int/news/item/30-05-2025-who-calls-for-urgent-action-to-ban-flavoured-tobacco-and-nicotine-products>.

⁹¹ Oireachtas Joint Health Committee (2022) as before.

⁹² Oireachtas Joint Health Committee (2022) as before, p.38.

There is some evidence that enforcement of flavour bans can be challenging. For instance, when the Canadian province of Quebec banned flavoured vapes, retailers started selling liquids that could be combined with vaping fluid to change the flavour of the product consumed.⁹³ While in the Netherlands, some users continued to use flavoured vapes after they were banned in 2024, with some purchasing them abroad.⁹⁴

Part 3 – Single Use Vapes

Part 3 of the General Scheme provides for a ban on the sale of single use vapes. Single use vapes are defined as those not designed or intended to be re-used. These are considered to be an environmental hazard.⁹⁵ The proposed ban would apply to vapes with and without nicotine.

The provisions in Part 3 also seek to ban importing and manufacturing disposable vapes for sale in the State. According to the notes to the General Scheme, for ease of enforcement, these provisions are drafted to align with similar provisions in UK law.

In the UK, a [ban on the sale, supply, manufacture and import of single use vapes](#) came into effect on 1 June 2025. Policy concerns in the UK match those in Ireland - about litter, plastic pollution and youth vaping.⁹⁶ France and Belgium have also banned single use vapes.⁹⁷

Part 4 – Enforcement and Supplementary

Heads 13-15 provide for enforcement (to be by the HSE's National Environmental Health Service (NEHS)), powers, penalties and procedures.

Head 16 provides for a review of the impact of the legislation after two years⁹⁸ to consider the impact on smoking and vaping behaviour and any enforcement issues arising.

⁹³ Doucas, F (2025) Lessons from Quebec's experience banning characterising flavours in vaping products. *Tob. Induc. Dis.* 2025;23(Suppl 1):A465; <https://doi.org/10.18332/852498tivblr>, see also www.tobaccoinduceddiseases.org.

⁹⁴ <https://nltimes.nl/2025/03/18/one-five-vapers-quit-e-cigarettes-flavor-ban>.

⁹⁵ Department of Health (2024) [Press release: Minister for Health secures Government approval to introduce greater restrictions on vapes](#).

⁹⁶ UK Government Press Release, 24 October 2024, [Government crackdown on single-use vapes](#).

⁹⁷ https://www.lemonde.fr/en/france/article/2025/02/13/french-parliament-votes-to-ban-disposable-e-cigarettes_6738129_7.html.

⁹⁸ Following commencement.

Implications – compliance with EU law

The provisions of these Bills are subject to approval by the EU Commission.

Specifically, the Public Health (Single-Use Vapes) Bill will require notification at EU level for assessment under the Technical Standards Directive (Directive 2015/1535) and the Tobacco Products Directive (Directive 2014/40/EU). The Public Health (Tobacco Products and Nicotine Inhaling Products) (Amendment) Bill will require notification under the Technical Standards Directive.⁹⁹

It is notable that in 2025, with the approval of the European Commission, two EU Member States – Belgium and France – banned single use vapes.¹⁰⁰

⁹⁹ Minister for Health, Jennifer Carroll MacNeill, TD, Dáil Éireann, PQ Response, 23 September 2025.

¹⁰⁰ European Commission (2024) Commission Implementing Decision of 25.9.2024, concerning national provisions notified by France prohibiting certain electronic cigarettes.

Conclusion

The General Scheme of the Public Health (Nicotine Inhaling Products) Bill seeks to address public health concerns about the negative impact on health of vaping, especially among children and young people. It also seeks to reduce the negative environmental impact of vaping by banning disposable vapes.

If enacted, the provisions would greatly alter the presentation and look of vaping products as well as reducing the types of vapes available (targeting flavours other than tobacco and ending sales of single use vapes). As a result, the proposed legislation is subject to the approval of the EU Commission.

The evidence in this area, around health risks versus benefits of vaping as a tool for smokers to quit, is debated. Different perspectives on this evidence impacts views of the appropriate type and level of regulation for vapes.

Other jurisdictions have faced significant implementation and enforcement issues when seeking to restrict vapes, but a number of EU countries have progressed with similar forms of regulation.

The General Scheme includes provision for a review, two years post commencement, to include a consideration of implementation.

Appendix One – Nicotine pouches

A recent Oireachtas debate highlighted concerns about the development and sale of novel nicotine products, such as nicotine pouches.¹⁰¹ These were also a concern of the Joint Committee of Health as expressed in its PLS report of 2022.¹⁰²

What are nicotine pouches?

According to the HSE, nicotine pouches contain nicotine powder mixed with flavourings, sweeteners, fillers and other chemicals. The pouch is placed between the user's lip and gum. Figure A1 below presents a description and photograph of nicotine pouches.

Figure A1: Description of Nicotine Pouches

Synthetic oral nicotine pouch

Nicotine pouches are similar to snus pouches but they do not contain tobacco. They do contain nicotine, often with added flavours. The pouch is placed between the lip and gum and the nicotine gets into the bloodstream through the gums.



Source: [HSE Youth Prevention Toolkit – E-cigarettes and other nicotine delivery systems.](#)

At present, nicotine pouches are not covered by the same laws as tobacco products. The HSE highlights that this means they are easier for young people to buy and use.

Most people who use pouches use other nicotine or tobacco products too.¹⁰³ Nicotine pouches can contain high levels of nicotine.¹⁰⁴

The HSE says that evidence is still being developed about the risks of nicotine pouches, but suggest they may include:¹⁰⁵

- nicotine addiction
- gum problems
- mouth ulcers
- dry mouth and hiccups
- nausea and stomach problems

¹⁰¹ Dáil Éireann debate, [Use of Vapes and Nicotine Products by Young People and Adolescents: Statements](#), 24 September 2025.

¹⁰² Oireachtas Joint Committee on Health (2022) [Report on Pre Legislative Scrutiny of the Public Health \(Nicotine Inhaling Products\) Bill 2019.](#)

¹⁰³ HSE webpage: [Smokeless nicotine and tobacco products.](#)

¹⁰⁴ HSE webpage: [Smokeless nicotine and tobacco products.](#)

¹⁰⁵ [HSE Information Booklet – Vaping and E-cigarettes.](#)

- nicotine poisoning

How many people in Ireland are using nicotine pouches?

About 1% of adults currently use nicotine pouches. The highest rate of use, at 3%, is among the cohort aged from 15 to 24. They are used by 3% of current smokers and 2% of former smokers.¹⁰⁶ The results from the ESPAD study (2024) found that 4% of 15- to 16-year-olds were currently using nicotine pouches, with 8% having used them at some point.¹⁰⁷

Are there plans to regulate or restrict access to nicotine pouches?

Nicotine pouches are currently not covered by domestic or EU tobacco control legislation, with some Member States classifying them as either a foodstuff or medicine. They are not subject to excise duty.

The Minister for Health, Jennifer Carroll MacNeill, TD, has stated that she is:

“... considering possible approaches to the regulation of nicotine pouches. The regulation of these products has already been discussed at EU level in the context of a revised Tobacco Products Directive. Recognizing that EU wide measures would be the most effective, I have on behalf of Ireland and several other Member States, recently called on the European Commission to bring forward the revised Tobacco Products Directive as soon as possible.”¹⁰⁸

In relation to taxation on nicotine pouches, in July 2025, the EU Commission adopted a proposal for a recast of the Tobacco Tax Directive. The revision proposes the expansion of the Directive to include new products such as e-liquids (used in vapes) and nicotine pouches.¹⁰⁹

¹⁰⁶ Dáil Éireann debate, [Use of Vapes and Nicotine Products by Young People and Adolescents: Statements](#), 24 September 2025.

¹⁰⁷ Dáil Éireann debate, [Use of Vapes and Nicotine Products by Young People and Adolescents: Statements](#), 24 September 2025.

¹⁰⁸ Dáil Éireann debate, PQ response, [Health Strategies](#), 8 September 2025.

¹⁰⁹ Dáil Éireann debate, PQ response, [Tobacco Control Measures](#), 8 October 2025.