



An Oifig Náisiúnta um Rialú Tobac
Feidhmeannacht na Seirbhíse Sláinte
Teach na Darrach
Pairc na Mílaoise
An Nás
Co. Cill Dara

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Deputy David Cullinane
Dàil Éireann
Leinster House
Kildare Street
Dublin 2

Dear Deputy Cullinane,

The Minister has referred PQ ref 2718/26 to the Health Service Executive for a direct reply. Please see response to your PQ below.

Question:

“To ask the Minister for Health the number of inspections of vape shops and other retail outlets which sell vaping products in each year 2021 to 2025, by type of premises inspected, in tabular form.”

Response:

The Health Service Executive (HSE) National Environmental Health Service (NEHS) is one of the competent authorities that enforces the legislation governing the sale of nicotine inhaling products (such as vapes). The S.I. 271 of 2016, European Union (Manufacture, Presentation and Sale of Tobacco and Related Products) Regulations, as amended, transposed the Tobacco Products Directive 2014/40 /EU into Irish law. All nicotine inhaling products for sale on the Irish market must comply with these regulations.

Each year the NEHS carries out inspections of electronic cigarette and refill container manufacturers, importers, distributors and retailers. These inspections assess compliance with S.I. 271 of 2016 as amended. Table 1 below gives the number of inspections conducted under S.I. 271 of 2016 as amended from 2021 to 2025 by the NEHS per year per premises type.

Table 1: Number of inspections conducted by NEHS from 2021 to 2025

Type of premises	Number of inspections per year				
	2021	2022	2023	2024	2025
Retail premises	59	58	36	282	735
Tobacco and related products manufacturer	7	11	0	1	6
Tobacco and related products distributor	5	6	4	6	7
Tobacco and related products importer	7	9	9	21	6
Total	78	84	49	310	754

In 2024, the NEHS undertook a compliance-building programme to engage with retailers of nicotine inhaling products. During inspections, Environmental Health Officers (EHOs) informed business owners of their legal obligations regarding products sold, upcoming legal requirements (from 2 February 2026) and the requirement to hold a licence to sell nicotine inhaling products. The NEHS in 2025 continued with a programme of inspections in retailers of nicotine inhaling products.

Section 28 of the Public Health (Tobacco Products and Nicotine Inhaling Products) Act 2023 came into force on 22 December 2023, making it an offence to sell nicotine inhaling products to children. The NEHS monitors the compliance of retailers with this legislation through the implementation of an annual test purchase inspection programme. From 2024 onwards, nicotine inhaling products were included in the NEHS test purchase programme. The NEHS was unable to conduct test purchase inspections during 2021 due to Government imposed Covid-19 pandemic restrictions. Table 2 below gives the number of test purchase inspections conducted by the NEHS from 2021 to 2025.

Table 2: Number of test purchase inspections conducted by NEHS per year

	Year				
	2021	2022	2023	2024	2025
Number of Test Purchase inspections	0	411	393	389	396

In cases where a nicotine inhaling product is sold to a child during the test purchase inspection the NEHS takes a prosecution to the District Court. The NEHS publishes at regular intervals details of convictions in relation to tobacco products and nicotine inhaling products. Details can be viewed on the HSE webpage at: <https://www.hse.ie/eng/about/who/tobaccocontrol/enforcement/>

For your information, prosecutions taken by the HSE where the Judge applies the Probation Act cases are not published on the HSE website.

I trust the information provided in this response answers your question posed to the Minister.

Yours sincerely,

**Margaret Ruddy
Principal Environmental Health Officer
Tobacco Control Office
National Environmental Health Service
Health Service Executive**

