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New tobacco and vaping legislation will go a long way to protect children's health

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Millions of people die each year from tobacco use across the world. This affects all of our communities and healthcare systems, and disproportionately affects poorer nations and people. It is unfathomable that transnational tobacco companies continue to trade and make billions of dollars of profit each year despite the known lethality from use of their tobacco products. The vast majority of countries implement some combination of tobacco control measures that include limiting tobacco industry interference with national tobacco related regulation, applying taxes to tobacco sales, and restricting access, appeal, and advertising of tobacco to young people. There is broad agreement (and lots of supporting literature) on how best to treat tobacco addiction, with a combination of pharmacotherapy and behavioural support, although provision of these services among countries varies widely.

Where differences of opinion and interpretation have arisen has been the place of e-cigarettes (vapes) and their utility in the treatment of smoking cessation. Vapes are now seemingly ubiquitous in our communities. The biggest concern is the rapid rise in the use of vapes among young people, the environmental impact of disposable vapes, and the unclear health consequences of vapes especially when used “recreationally” rather than for smoking cessation. This has caught the attention of parents, schools, public health agencies, medical professionals, and more recently our politicians.

Some countries, public health bodies, and professional societies have strongly supported the use of e-cigarettes for smoking cessation, for example in the UK. Whereas others, such as Australia have been more restrictive, and many countries are somewhere in the middle. The inconsistency in national policy approaches is a consequence of smoking and vaping prevalence in that country, the maturity and effectiveness of other tobacco control measures in place, and how countries choose to manage competing priorities, for example, balancing the treatment of tobacco addiction with an effective intervention versus restricting availability and access to vapes, especially among young people.

The UK government recently announced proposed legislation intended to prevent millions of children ever starting to smoke, while applying new restrictions on the availability and appeal of vapes to limit their use by young people and people who do not smoke. The result is a dual goal using common ground to bring together differing views, especially on the role of e-cigarettes to create a sense of purpose. The main proposals are to raise the age of sale of tobacco from the current age of 18, by one year every year starting from 2027, to ban the sale of disposable

vapes, and to introduce restrictions on vape advertising, promotion, packaging, and flavours for other re-usable vape products.

These measures are not intended to be a “silver bullet” that eliminates tobacco use altogether or entirely stops young people from vaping, but they will make UK tobacco control much stronger. There are obstacles to overcome before legislation can be passed and implemented. The biggest of these is attempts from tobacco industry lobbyists to stop, delay, and dilute legislation. We will also need sufficient time for the legislative process before the next general election, and the provision of enough sustained funding of Border Force and Trading Standards to enforce any new measures. The exact detail of the final regulatory changes will be important to make sure they are both effective and avoid unintended consequences. For example, it will be necessary to specify age verification at the point of sale, and ensure that any loop-holes in legal definitions of disposable vaping products are closed and that vape flavour restrictions that unintentionally perpetuate smoking are considered. These policies will require on-going evaluation to ensure they have the intended effect and to signal the need for additional measures as the tobacco industry is very likely to adopt fresh tactics to counteract new regulations.

The proposed legislation is ambitious and the most important in a generation for UK tobacco control. If successful, it will go a very long way to improving the health of our children for decades to come.

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