NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** UNITED KINGDOM  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  Department for Environment, Food and Rural Affairs (Defra)  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  UK TBT Enquiry Point  Trade Policy, Implementation and Negotiations  Department for Business and Trade  Old Admiralty Building  London  SW1A 2DY  [tbtenquiriesuk@businessandtrade.gov.uk](mailto:tbtenquiriesuk@businessandtrade.gov.uk) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** HS 24.04 Products containing tobacco, reconstituted tobacco, nicotine, or tobacco or nicotine substitutes, intended for inhalation without combustion; other nicotine containing products intended for the intake of nicotine into the human body – products intended for inhalation without combustion.   * Nicotine-containing disposable electronic cigarettes (HS 2404.12 - Other, containing nicotine) * Non-nicotine containing disposable electronic cigarettes (HS 2404.19 – Other) |
| **5.** | **Title, number of pages and language(s) of the notified document:** The Environmental Protection (Single-use Vapes) (England) Regulations 2024; (16 page(s), in English) |
| **6.** | **Description of content:** These regulations will introduce a ban on the sale and supply of single-use electronic cigarettes in England.  These regulations define single-use electronic cigarettes as devices that:   * are not rechargeable, not refillable or are neither rechargeable nor refillable, and * vaporise substances for the purpose of inhalation through a mouthpiece.   The restriction will not apply to single-use electronic cigarettes that:   * are refillable by means of a refill container, or tank or single-use cartridge, and * are any of the above and rechargeable.   Breach of these prohibitions will be an offence under the regulations. The regulations provide for fixed monetary penalties, compliance notices and stop notices as well as non-compliance penalties. Criminal sanctions will also be provided for where an enforcement undertaking has not been complied with. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** The proposed regulations prohibit or restrict the supply of single-use vaping devices on the grounds that they cause harm to the environment. The legitimate objective is the protection of the environment.  While disposable vape parts can be recycled, there is not currently sufficient infrastructure to deal with the surge in volume of disposable vape purchases through recycling routes. When disposed of incorrectly, disposable vapes introduce plastic, nicotine salts, heavy metals, lead, mercury, and flammable lithium-ion batteries into the natural environment, contaminating waterways and soil, posing a risk to the environment and animal health.  Legislation is needed to steer away from a disposable product to a reusable one that limits the impact on the environment. ; Protection of the environment |
| **8.** | **Relevant documents:**  [Creating a smokefree generation and tackling youth vaping - GOV.UK (www.gov.uk)](https://www.gov.uk/government/consultations/creating-a-smokefree-generation-and-tackling-youth-vaping)  [Stopping the start: our new plan to create a smokefree generation - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/stopping-the-start-our-new-plan-to-create-a-smokefree-generation)  [The Environmental Protection (Single-use Vapes) (England) Regulations 2024 draft SI - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/the-environmental-protection-single-use-vapes-england-regulations-2024-draft-si) |
| **9.** | **Proposed date of adoption:** Q3 2024  **Proposed date of entry into force:** April 2025 |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [****]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  UK TBT Enquiry Point  Trade Policy, Implementation and Negotiations  Department for Business and Trade  Old Admiralty Building  London  SW1A 2DY  [tbtenquiriesuk@businessandtrade.gov.uk](mailto:tbtenquiriesuk@businessandtrade.gov.uk)  <https://members.wto.org/crnattachments/2024/TBT/GBR/24_02552_00_e.pdf> |