



Oifigeach Réigiúnach,
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9th July 2024

Mr Michael Fitzmaurice TD
Dàil Eireann
Leinster House
Kildare Street
Dublin 2

Re: PQ ref 27289/24

Question:

“To ask the Minister for Health if he has data on non-traditional retail outlets selling vaping products and the volume of vapes they sell; if he has plans for additional compliance checks on these shops, given concerns around the supply of illicit vapes and their inexperience in selling age-gated products; and if he will make a statement on the matter.”

Response:

The Health Service Executive (HSE), is one of the competent authorities for the enforcement of the EU (Manufacture, Presentation and Sale of Tobacco and Related Products) Regulations 2016 (S.I. No. 271 of 2016) (as amended by S.I. No. 252 of 2017, S.I. No. 132 of 2018, S.I. No. 365 of 2018, S.I. No. 614 of 2021 and S.I. 335 of 2023), (the Regulations). These Regulations transpose the Tobacco Products Directive 2014/40/EU into law in the Republic of Ireland. Amongst other things, these regulations lay down the safety and quality requirements that electronic cigarettes and e-liquid refill containers containing nicotine for sale on the Irish market must meet. The HSE National Environmental Health Service (NEHS) enforces this legislation.

The NEHS has commenced a compliance-building programme, which will result in Environmental Health Officers (EHOs) conducting targeted compliance-building inspections across the country. This involves EHOs in each county in Ireland identifying and visiting retail stores to assess the nicotine inhaling products they stock and inform the retailer of their legal obligations. EHOs will also distribute during the compliance building inspections an advice leaflet, for more information visit: <https://www.hse.ie/eng/services/list/1/environ/tobacco-and-related-products/>

Whilst the NEHS enforces the legislation it is the responsibility of manufacturers, importers and retailers to ensure that the nicotine inhaling products that they place on the Irish market fully complies with all legislative requirements. To assist compliance the NEHS has developed information leaflets for retailers and importers, more information can be found by visiting these links:

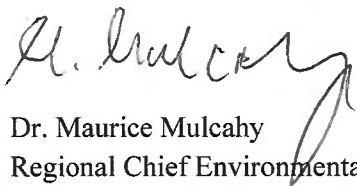
<https://www.hse.ie/eng/about/who/tobaccocontrol/tobaccoproductdirective/tobaccodirective.html>

And

<https://www.hse.ie/eng/services/list/1/environ/tobacco-and-related-products/>

The HSE will also have responsibility for the implementation of Section 11 (Licensing) in the Public Health (Tobacco) Act of 2023 once it is commenced. The HSE is currently liaising with the Department of Health Tobacco and Alcohol Unit in relation to this, however at this time, the Health Service Executive does not have data on the numbers of retailers of nicotine inhaling products as they are not currently subject to any licensing or registration scheme.

Yours Sincerely,



Dr. Maurice Mulcahy
Regional Chief Environmental Health Officer
Health Service Executive
National Environmental Health Service