



7th June 2024

Mr Bernard J. Durkan TD
Dàil Eireann
Leinster House
Kildare Street
Dublin 2

Re: PQ ref 22794/24

Question:

“To ask the Minister for Health if he will provide more resources towards inspections of vaping products entering the country and add to the 40 inspection checks for vaping products set out in the HSE's National Service Plan 2024; and if he will make a statement on the matter.”

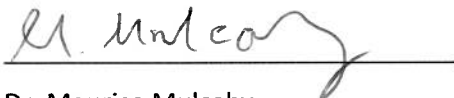
Response:

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. In December 2023 the initial sections of the Public Health (Tobacco and Nicotine Inhaling) Act 2023 were also commenced.

The HSE National Environmental Health Service (NEHS) is charged with the implementation of this legislation and works on an ongoing basis with Customs and Revenue to tackle the issue of non-compliant nicotine inhaling products entering the Irish/EU market. This multi-agency approach ensures that non-compliant products are refused free circulation status into the EU market at import stage in Ireland, with 36.4 tonnes of non-compliant electronic cigarettes refused entry into the EU market in 2023.

The HSE National Service Plan 2024 includes key performance indicators in relation to tobacco /nicotine inhaling control inspections at retail, import, distribution and manufacturing level as well as test purchasing inspections for underage sales. However these are only intended as a minimum baseline and are elements of a much wider proactive implementation programme nationally of surveillance, monitoring, sampling, and enforcement across this sector from import level to final consumer. Particular emphasis at present is on building compliance with the provisions of this legislation amongst businesses importing, manufacturing and retailing nicotine inhaling products.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'M. Mulcahy', is written over a horizontal line.

Dr. Maurice Mulcahy

Regional Chief Environmental Health Officer

Health Service Executive

National Environmental Health Service