

# Understanding the Impact

## VAPING PACKAGING & LABELLING

Vaping and smoking are different but the proposed Tobacco Bill treats them the same. The Bill seeks to introduce standard packaging and labelling of non-nicotine products that are

used with ENDS/ENNDS, also called vaping devices. Applying smoking-related restrictions to vaping will only protect the tobacco industry and prejudice existing smokers.



### THE CHALLENGES

- Sections 5(1) and 6(1) allow the Minister to regulate packaging and labelling of vaping devices, which may include standardising packaging and labelling of non-nicotine-containing products used with ENDS/ENNDS
- However, the two clauses contradict each other and it is not clear why the Minister should have regulatory authority over non-nicotine-containing products



### THE SOLUTIONS

- The industry has already voluntarily adopted measures to avoid appealing to non-smokers and youth
- Packaging for vapour products must be child-resistant, tamper-proof and provide manufacturing details and general safety warnings
- Ministerial power must not be unilateral
- Vapour products must not be subject to tobacco-control packaging and labelling laws



### THE CONSEQUENCES

- Section 6(3) of the Tobacco Control Bill proposes that false, misleading or deceptive packaging or labels on both nicotine-containing and non-nicotine-containing products can result in 10 years' imprisonment plus a fine



### KEY TAKEAWAYS

- The proposed Bill should:
- Allow manufacturers to provide clear, responsible packaging and labels
  - Allow manufacturers to provide child-resistant, tamper-proof packaging
  - Protect consumer choice and promote safety amongst manufacturers, promoters and customers