

## SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

### Policy Aims and Intended Effects

Vapes are battery-powered devices that heat a liquid (usually nicotine, although non-nicotine liquids are also available) to produce an aerosol that is inhaled. They are sold in both reusable and single-use form, with the latter being classified as being neither rechargeable nor refillable and is then discarded when it runs out of charge or e-liquid.

Our legislation proposes to ban single-use vapes (both the nicotine and non-nicotine versions) to address the environmental concerns associated with the significant production and inappropriate disposal of these products. Reusable vapes will continue to be available.

#### Primary aim – Addressing environmental concerns

The rise in popularity of single-use vapes, has led to a substantial increase in the amount of waste being generated and resources used to make these products. Subsequently, there has been growing concern over their environmental impact. In 2023, research by [Material Focus](#) estimated that over 5 million single-use vapes were being either littered or thrown away in general waste every week in the UK, almost four times as much as the previous year.

When single-use vapes are littered, they introduce plastic, nicotine salts, heavy metals, lead, mercury and flammable lithium-ion batteries into the [natural environment](#). These chemicals can end up contaminating waterways and soil and can also be toxic and damaging to wildlife. When littered the plastic casing can grind down into harmful microplastics. Surveys undertaken by [Keep Wales Tidy](#) (KWT) found a sharp rise in the presence of single-use vapes in our environment. Between 2023/24, single-use vapes were found on 10.2% of streets across Wales, with an estimated 6700 vapes littered on our streets at any one time.

#### Additional health benefits

In addition to the significant environmental impact, single-use vapes are understood to be driving recent increases in youth vaping. Data shows the number of [children and young people using vapes has tripled](#) in the past three years. Due to their nicotine content and the unknown long-term harms, vaping carries a risk of harm and addiction for children. In Wales, it's estimated [that 5% of secondary-aged learners use vapes on a weekly basis with single-use vapes the most common type of device used by children and young people.](#)

The Chief Medical Officer for Wales Annual Report, [Shaping Our Health](#), published November 2023, highlights the need to protect children and young people against nicotine addiction.

### Long term

A typical single-use vape contains plastic, copper, cobalt, and a lithium battery. Lithium and cobalt are critical raw materials which are essential to the production of electronic devices, batteries, and energy generation. The increased demand for single-use vapes leads to an increased demand for these critical raw materials. It is estimated that the total amount of single-use vapes purchased every year contain enough lithium to provide batteries for 5,000 electric vehicles.

This is a waste of valuable resources in a product with a short lifespan, that is poorly recycled, and has a reusable alternative readily available. As well as a loss of resources, there are environmental impacts through raw material extraction, single-use vape production, and manufacturing. Most notably, this includes greenhouse gas emissions and water consumption generated in their manufacture

The Welsh Government is committed to moving towards a more circular economy, where we move from a "take, make and dispose" model to one where we value materials and keep them in use. By reducing the amount of waste we generate, we can help protect our wildlife and ecosystems for future generations to enjoy.

Our legislation also aligns with the [Programme for Government 2021-2026](#) commitment to protect our future generations by ensuring we "embed our response to the climate and nature emergency in everything we do".

### Prevention

By shifting people towards reusable, more easily recyclable vaping products we will help prevent the risks associated with the inappropriate disposal of single-use vapes and the environmental damage this can cause.

Removing these products from the market, the Welsh Government will also be taking direct action to prevent damaging the health of children and young people, who may be exposed to the harms of nicotine addiction, toxic substances, and environmental pollution from littered single use vapes.

### Integration

Our proposal positively impacts the [Well-being of Future Generations](#) goals. Tackling plastic pollution protects and enhances local areas, thereby improving health and wellbeing, (**a resilient Wales, a more equal Wales, and a Wales of cohesive communities**).

Littered plastic single-use products often break down into microplastics, which can enter the animal and human food chain. Reducing the amount of plastic in our

environment, therefore, contributes to **a healthier Wales**. Wales is already a world leader on recycling and our proposed regulations are an additional step in shifting away from the manufacturing and disposal of unnecessary single-use products. This will contribute to our wider aims of tackling the global challenges of the climate and nature emergencies (**a globally responsible Wales**). Protecting natural ecosystems and biodiversity enhances the cultural capital of Wales and supports outdoor activities. As we develop our proposals, we will ensure equal standards in both Welsh and English communications (**a Wales of vibrant culture and thriving Welsh language**).

As Wales moves away from single-use products, opportunities arise for Welsh businesses to innovate and develop sustainable alternatives to the single-use products we use today (**a prosperous Wales**).

### **Collaboration, Involvement and Impact**

The Welsh Government, along with the Scottish Government, UK Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland published a four nations consultation on *Creating a smokefree generation and tackling youth vaping* which ran from October-December 2023. The four nations' [consultation response](#) showed clear support for restrictions on the sale and supply of single-use vapes. Of the responses received in Wales, 60.4% agreed the restrictions on single-use vapes should take the form of prohibiting their sale and supply.

Building on the evidence gathered in the 2023 consultation, we undertook additional targeted stakeholder engagement over several months in 2024. This engagement focused on impacts across different population groups, the potential positive, negative or unintended consequences and mitigating actions.

All engagement adhered to our commitments under the World Health Organisation Framework Convention on Tobacco Control (FCTC) Article 5.3. This ensures our tobacco control policies are protected from commercial and other vested interests of the tobacco industry.

### **Costs, Savings and Mechanism**

The financial implications of this legislation will be set out in our Regulatory Impact Assessment should regulations be agreed to be introduced.