
Tobacco and Vapes Bill

Second Reading, House of Commons
26 November 2024

About the BMA

The BMA is a professional association and trade union representing and negotiating on behalf of all doctors and medical students in the UK. It is a leading voice advocating for outstanding health care and a healthy population. It is an association providing members with excellent individual services and support throughout their lives.

Overview

- The BMA has consistently advocated for strong anti-smoking policies and, therefore, fully supports this Bill.
- Doctors directly observe the devastating impact of smoking on their patients' health.
- Despite long-term declines in smoking rates, it remains a leading cause of preventable illness and premature death in the UK.
- The BMA welcomes the provisions in this Bill aimed at tackling the rising epidemic of vaping, especially among children and young people.
- The increased availability and accessibility of vapes, coupled with marketing strategies like brightly coloured packaging, prominent in-store displays, and sweet flavours, have played a significant role in the surge of vaping among young people. This issue must be urgently addressed.
- To enhance its effectiveness, the BMA believes that the Bill should be accompanied by additional measures to prevent manufacturers from modifying products to evade regulations, as well as to combat illegal vape sales.

BMA position

The BMA strongly supports the Tobacco and Vapes Bill in its entirety and urges MPs to support this legislation.

Tobacco

The BMA supports the measures in this Bill, which will ensure that anyone born on or after 1st January 2009 will never legally be sold tobacco products. Stopping a new generation of tobacco users will significantly decrease the harms from tobacco for future generations.

The number of smokers in the UK is declining, with smoking prevalence now [12.9%](#) of the adult population (18 years and over), down from [20.2%](#) of the population in 2011. Tobacco control measures, such as increasing the age of sale from 16 to 18, have contributed significantly to this decline. However, there are still [6.4 million](#) adult smokers in the UK and over [100,000 children](#) in England alone take up

smoking each year. The vast majority of smokers begin before the age of 18, with almost all starting [by the age of 25](#). Among those teenagers who try smoking, 70% will go on to be daily smokers and in the next year, around [280 children a day will take up smoking](#).

Doctors witness first-hand the devastating effects of smoking on their patients. Smoking remains a leading cause of preventable illness and premature death in the UK (accounting for approximately [74,600 deaths](#) a year in England alone), and is a key driver of health inequalities as well as [causing a myriad of health harms](#), including 16 types of cancer, heart disease, COPD (chronic obstructive pulmonary disease) and strokes. This puts a huge strain on our NHS. In England alone, smoking is estimated to cost the NHS £2.4 billion every year, equivalent to [1.6% of the health service's budget](#).

Smoking is the leading cause of health inequalities and accounts for half the difference in life expectancy between the richest and poorest. And while smoking rates have fallen over the years, the difference in smoking rates between these groups has widened. Those with long-term mental health conditions are twice as likely to smoke cigarettes, which is the biggest cause of their 10–20-year reduction in life expectancy. Additionally, pregnant women living in deprived areas are six times more likely to smoke compared to those living in less deprived areas. This inequality has generational consequences, as children raised in households where smoking occurs are not only exposed to second-hand smoke but are [four times more likely](#) to smoke themselves.

The BMA strongly supports the robust anti-tobacco measures outlined in this Bill and urges MPs to support the introduction of a 'Smokefree Generation'.

Vapes

The BMA supports the measures in the Bill to curb youth vaping and regulate their use. The proposed Bill sets out much needed powers for government to address the rising use of vapes by children and young people, through the regulation of issues such as flavours, branding and point of sale displays.

Vapes were originally introduced as a tool to help smokers quit, for some, they have proven effective in reducing or eliminating smoking. However, in recent years, their usage has surged dramatically. While they may assist in smoking cessation for some individuals, vapes can also [lead to nicotine addiction](#) and are associated with a range of health issues. These include [vaping-related disorders](#), such as lung damage and the exacerbation of asthma symptoms, including wheezing, coughing, and chest tightness.

The vaping industry has increasingly targeted children and young people. Currently, about [4% of young people](#) aged 11–17 in Great Britain are regular users of vapes. The wide variety of sweet, candy, and fruit flavours has played a major role in the rising popularity of vaping among younger individuals, making it more appealing and [encouraging regular use](#), as well as contributing to a [reduced perception of harm among children](#). Additionally, colourful branded packaging further [enhances the appeal](#) of vaping to young people and [reduces harm perceptions](#). A key source of vape awareness comes from retail shops, highlighting the need to regulate point-of-sale displays. Only one in five children aged 11–17 years old surveyed in Great Britain reported they had not seen any vape promotion in 2024, [compared to a third of children two years ago](#). **The BMA believes it is crucial to implement a complete ban on all vape advertising and promotions.**

Enforcement

While the measures in the proposed Bill are needed, enforcement will be key to their effectiveness, especially to prevent illegal vape sales.

Underage sales

Retailer compliance is a major issue when tackling under-age sales with [the majority of](#) younger people who vape actually purchasing them from shops illegally.

Non-compliant products

Non-compliant products (vape products that do not comply with UK regulations) are continuing to reach retailers. It is estimated that [1 in 3 vaping products are potentially non-compliant](#), this equates to more than 45 million non-compliant products being sold by retailers every year. Although a number of illegal products do get seized at UK ports and confiscated from shops, non-compliant and illegal products are [reaching shop floors in the UK](#), including local off-licences and [other outlets](#).

Additional interventions

To help tackle these illegal sales, the BMA believes measures set out in the proposed Bill should be accompanied by additional interventions such as:

- **Greater resources and powers for regulatory bodies:** Trading Standards needs additional support to enforce regulations and advise businesses on compliance.
- **Stronger deterrents for lawbreakers:** Whilst we welcome the proposals to increase fixed penalty notices to £200, there have been calls for fines to increase from the current maximum of £2,500 to £10,000 to serve as a more significant deterrent.
- **Enhanced powers for UK Border Force:** More authority is needed to prevent illegal products from entering the UK market.
- **Education campaigns:** Targeted education campaigns aimed at retailers and the public can improve awareness of the regulations and increase compliance.

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