

Policy Briefing

Enhanced Tobacco and Nicotine Vaping Products (NVPs) Sales Enforcement Programme Including Operation CeCe (Scotland) Illegal Tobacco Disruption Update 2024–2025

Overview

Smoking continues to be the leading cause of preventable harm in Scotland, and SCOTSS remains committed to supporting the Scottish Government's Tobacco Control Strategy. For over a decade, the Enhanced Tobacco Sales Enforcement Programme (ETSEP) has been central to reducing youth access to tobacco. Since 2017, the programme has also addressed Nicotine Vaping Products (NVPs), with enforcement activities becoming increasingly significant as vaping has surged in popularity.

2024/25 saw an unprecedented rise in concerns linked to single-use vapes. Their low cost, child-appealing design and widespread availability have driven youth uptake, while generating waste and environmental concerns. The Scottish Government has legislated to ban single-use vapes from **1 June 2025**, alongside anticipated restrictions on flavours, display and packaging in the forthcoming Tobacco and Vapes Bill. SCOTSS supports stronger measures to align NVP display rules with those for tobacco, given the unknown long-term health risks to young people.

Local authority trading standards services, supported by SCOTSS, have also worked to disrupt illicit tobacco sales, particularly through **Operation CeCe**, in partnership with HMRC.

Enforcement outcomes demonstrate progress but highlight resource pressures and persistent risks to young people.

Key 2024–25 Outcomes

Tobacco

- **Premises selling tobacco:** 6,817 (continuing decline).
- **Test purchases:** 251 (3.7% of premises vs. 10% KPI).
- **Failure rate:** 14.3% (up from 11.5% in 2023/24). One in 7 sellers sell to kids.
- **Penalty notices:** 56 issued, similar to 2023/24.
- **Advice visits:** 1,749 (25.7% of premises, above 20% KPI).

Concern: More than half of local authorities conducted **no test purchasing** at all, leaving gaps in enforcement and increasing the risk of under-18 access to tobacco. In addition **one in 7 retailers** are selling tobacco to under 18s.

Nicotine Vaping Products (NVPs)

- **Premises selling NVPs:** 4,755 (60% increase since 2018/19).
- **Test purchases:** 662 (13.9% of premises, meeting KPI).
- **Failure rate:** 19.8% (up from 16.9% in 2023/24).
- **Penalty notices:** 217 issued (record level).
- **Advice visits:** 2,006 (42.2% of premises, exceeding KPI).

Concern: **One in five retailers** is willing to sell vapes to under-18s, particularly in outlets with little experience of age-restricted products. This is unacceptably high and points to the role of serious organised crime groups in the supply of tobacco and vapes.

Illicit Tobacco – Operation CeCe

- **19 local authority teams** engaged in joint operations with HMRC and Police Scotland.
- **67 days of detection dog operations funded** by SCOTSS.
- **Seizures:** Over 1.4 million cigarettes and 800kg hand-rolling tobacco.
- **National impact:** Scottish referrals accounted for over 40% of successful HMRC sanctions across GB.

Outcome: Sustained use of detection dogs, intelligence gathering, and sanctions has raised the profile of illicit tobacco enforcement and its links to organised crime. SCOTSS plays a key role in this operation, coordinating local authority activity in Scotland.

Issues for Policymakers

1. Weakening tobacco enforcement

- Test purchasing has fallen far below agreed KPIs.
- Over half of councils carried out no tobacco test purchases in 2024/25.
- Youth access risks are increasing without stronger enforcement activities.

2. Widespread NVP non-compliance

- Failure rates approaching 20% show significant illegal sales to children.
- The growth of single-use vapes is driving breaches, particularly in smaller shops where profit margins are high.

3. Regulatory gap on single-use vapes

- Ban on sales from June 2025 is welcome but enforcement duties and funding remain unclear.
- Without statutory duties, local authorities may deprioritise this work.

- Local authorities are ill equipped to deal with storage and recycling of seized vapes, without specific funding.

4. **Persistent illicit tobacco trade**

- Despite seizures, sales of illegal tobacco remain widespread.
- Strong links with organised crime underline the need for sustained disruption.

5. **Funding inconsistencies**

- While Scottish Government funding continues, many local authorities divert resources away from frontline enforcement.
- Pressures on trading standards make prioritisation of tobacco/NVP under-age sales work increasingly difficult.

Recommendations

- **Restore balance in enforcement:** Ensure local authorities resource their trading standards services to meet tobacco test purchase KPIs alongside NVP enforcement.
- **Tighten retail controls on NVPs:** Align display, packaging and flavour restrictions with tobacco to reduce youth appeal.
- **Sustain and expand Operation CeCe:** Continue HMRC and SCOTSS investment in detection dogs and intelligence-led operations.
- **Ring-fence tobacco control funding:** Prevent diversion of resources and strengthen accountability for local authority delivery.
- **Evaluate impact of new legislation:** Monitor health outcomes, youth access, and unintended market shifts following the Tobacco and Vapes Bill.

Conclusion

2024/25 has been a productive year for enforcement, with strong outcomes in NVP monitoring and illicit tobacco disruption. However, the decline in tobacco test purchasing, rising vape sales to under-18s, and the looming regulatory challenges around single-use vapes require urgent attention.

A clear framework of responsibilities, backed by secure funding, is essential if local authorities are to continue protecting young people and reducing tobacco-related harm in Scotland.

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The Society of Chief Officers of Trading Standards in Scotland (SCOTSS), is a Scottish Charitable Incorporated Organisation (SC047951). Our members are professional trading standards managers representing every Scottish local authority trading standards service.

Appendices

Table 1 – local authorities that carried out tobacco under-age sales test purchasing

Council	Premises	Visits	Visit %	Failure %
Angus	172	29	16.9	13.8
South Ayrshire	98	15	15.3	0
Argyll	158	17	10.8	11.8
North Lanarkshire	406	44	10.8	18.2
Dundee	121	13	10.7	15.4
Scottish Borders	123	13	10.6	0
East Ayrshire	215	22	10.2	13.6
Aberdeen	148	15	10.1	20
Aberdeenshire	158	16	10.1	0
North Ayrshire	218	22	10.1	36.4
Highland	283	28	10.0	17.9
Stirling	77	5	6.5	20
East Renfrew	80	4	5	0
Fife	343	6	1.7	0
Edinburgh	588	2	0.3	0

Table 2 – local authorities that carried out NVP under-age sales test purchasing

Council	Premises	Visits	Visit %	Failure rate %
Inverclyde	76	29	38.2	37.9
Glasgow	673	180	26.7	11.7
Perth & Kinross	124	31	25	12.9
South Ayrshire	114	24	21.1	8.3
Aberdeen	180	34	18.9	11.8
East Renfrew	45	8	17.8	0
Angus	119	21	17.6	4.8
West Dunbarton	89	15	16.9	26.7
Aberdeenshire	141	22	15.6	4.5
Edinburgh	334	51	15.3	43.1
South Lanarkshire	338	49	14.5	26.5
North Lanarkshire	322	44	13.7	27.3
North Ayrshire	132	18	13.6	16.7
Stirling	90	12	13.3	25
Fife	315	41	13	22
Highland	199	24	12.1	33.3
East Ayrshire	123	13	10.6	38.5
Scottish Borders	98	10	10.2	0
Argyll	89	9	10.1	0
Dundee	163	16	10	18.8
Falkirk	158	9	5.7	44.4
Moray	58	2	3.4	50

Table 3 - Tobacco Products

Year	Premises	Test Purchases	% TP (10% KPI)	TP failures	% failures	FPNs	Advice Visits	% visited (20% KPI)
2015/16	9122	872	9.56	104	11.9	125	3527	38.7
2016/17	9153	821	8.97	65	7.9	111	2077	22.7
2017/18	9286	893	9.6	97	10.9	134	3248	35.0
2018/19	7764^	925	11.9	101	10.9	82	2781	35.8
2019/20	7316^	826	11.3	73	8.8	49	2192	30.0
Covid								
2022/23	6926^	268	3.9	33	12.3	38	1550	22.4
2023/24	6888	269	3.9	31	11.5	60	1735	25.2
2024/25	6817	251	3.7	36	14.3	56	1749	25.7

Table 4 – Nicotine Vapour Products

Year	Premises	Test Purchases	% TP (10% KPI)	TP failures	% failures	FPNs	Advice Visits	% visited (20% KPI)
2017/18*	4418	208	4.7	40	19.2	36	2274	51.5
2018/19	3029^	378	12.5	50	13.2	62	1470	48.5
2019/20	3458^	390	11.3	50	12.8	46	1563	45.2
Covid								
2022/23	3966^	312	7.9	63	20.2	50	1394	35.1
2023/24	4387	688	15.7	116	16.9	128	1983	45.2
2024/25	4755	662	13.9	131	19.8	217	2006	42.2

*This number of registered NVP sellers was probably unreliable at the time it was agreed in early 2017 and was taken from the Tobacco Register of NVP sellers plus NVP and tobacco sellers and agreed or revised with the individual local authority. Test purchase and advice visit performance is given as a narrative only for 2017/18.

^Because SCOTSS monitors performance across sales from sellers of tobacco or NVPs only, we combine the number of premises registered for selling both, 50/50 across the two distinct sales categories. Also we agree premises numbers with local authorities, so where they are in a position to

give a more accurate number than is recorded on the register at the start of April that is used as the KPI denominator.

¹The Covid-19 Pandemic covered the two financial years 2020/22 and caused an almost complete halt to under-age test purchasing work by local authorities in Scotland. This was due of officers being redeployed onto premises restrictions duties, and the impracticality of employing young people to act as volunteers in small shops during the spread of the virus.