

PRESS RELEASE

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For immediate release

Local Authority Trading Standards in Scotland find one in five retailers willing to sell vapes to under 18s.

Ongoing work by Trading Standards officers in Scotland testing sellers of tobacco and nicotine vaping products (vapes) has found that 1 in 8 premises visited sold cigarettes, and 1 in 5 sold vapes to an under 18 volunteer. These are significantly worse results than expected and may in large part be caused by the child appealing nature of (in particular single use) vapes, and their wide availability in shops and service premises.

Trading Standards Officers work in partnership with the Scottish Government to monitor and support sellers, who need to comply with regulations associated with the retail sale of both tobacco and vaping products. Officers work with young (under-18) people locally and in tightly controlled test purchase situations to check that sellers are abiding by the law by asking for proof of age where appropriate and refusing to sell to children. Those found to be selling to under-18s can be issued with fixed penalty notices or even be banned from selling these products.

Last year, officers carried out test purchase operations at 312 premises across Scotland with 63 failures for vapes, and 268 attempted test purchases of tobacco with 33 failures. A full report can be found on the SCOTSS website, details below.

Last year saw a massive surge in popularity of single use or disposable vapes, which are cheap to buy and in the main use child appealing packaging to attract younger users. There is an unfortunate environmental impact as the products are mainly plastic and contain lithium batteries, and are commonly discarded carelessly after use.

David MacKenzie, Chair of SCOTSS commented:

“The health of young people is a key priority for Trading Standards and smoking is the greatest threat to their health and development, especially for younger children. These results are very concerning and we will be stepping up efforts this year to support sellers with advice, and continue to take enforcement action where sellers break the law. “

He continued:

“NVPs can be a useful cessation aid for smokers who want to give up smoking, but they are not intended as a lifestyle product for young people. The bright packaging colours and sugary and fruity flavours are child appealing, and the easy availability of single use vapes in particular is not helpful. We would like to see the same display rules applied to NVPs that is applied to tobacco, i.e. they are kept out of sight in store.”

ENDS

Notes for Editors:

For press queries and further details on this work, email Ken Daly, SCOTSS Coordinator at coordinator@scotss.org.uk or call 07720538349

1. The Society of Chief Officers of Trading Standards in Scotland (SCOTSS) represents the 31 local authority Trading Standards services in Scotland. SCOTSS was established in 1996 and helps support and coordinate the activities of Scotland local authority trading standards teams. It is a Scottish Charitable Incorporated Organisation SC047951 and works closely with other governmental and regulatory organisations, such as the Competition and Markets Authority, the Office of Product Safety and Standards, Trading Standards Scotland, and the Scottish Government.
2. Trading Standards Officers in Scottish councils advise on and enforce laws that govern sales of tobacco and nicotine vaping products (also commonly referred to as vapes or e-cigarettes), which most importantly cannot legally be sold to persons under 18 years of age. There are also rules which forbid the display of tobacco in store and oblige sellers of tobacco or vapes to register with the Scottish Government.
3. The principal legislation that regulates tobacco and NVP sales is, [The Tobacco and Primary Medical Services \(Scotland\) Act 2010](#), and [The Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016](#), along with a range of other secondary legislation.
4. Local authorities carry out inspections and monitor or investigate complaints, they work with businesses to help achieve compliance but ultimately, can instigate prosecutions or take civil actions against those who break the law. For the full report on under-age sales work in 2022/23 see the annual report on the [SCOTSS website here](#).
5. In all instances where premises were found to sell tobacco or vapes to persons under the age of 18, follow up visits were made by local authority officers to give advice or to test compliance again.