



Príomhoifigeach Sláinte Comhshaoil Réigiúnach
An tSeirbhís Sláinte Comhshaoil
Feidhmeannacht na Seirbhíse Sláinte
Páirc Ghnó na Gaillimhe
An Daingean, Gaillimh.
H91 EW40

Regional Chief Environmental Health Officer
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27th February 2023

Deputy Colm Burke
Dáil Eireann
Leinster House
Kildare Street
Dublin 2

Re PQ 7217/23

Dear Deputy Burke,

Question:

To ask the Minister for Health if his attention has been drawn to recent reports from the United Kingdom that the popular disposable e-cigarette brand (details supplied), contained levels of nicotine above the permitted amount; if he will investigate whether similar breaches of regulation are occurring on the Irish market; and if he will make a statement on the matter.

Response:

In Ireland the regulation of disposable e-cigarettes is governed by the EU Tobacco Products Directive EU 2014/40/EU, which has been transposed into Irish law by SI 271 of 2016 EU (Manufacture, Presentation and Sale of Tobacco and Related Products) Regulation 2016 as amended.

The HSE Environmental Health Service (EHS) enforces these regulations and has been particularly active in the last 12 months in relation to high concentration and high volume e cigarettes resulting in court proceedings, the granting of Destruction Orders and issuing of European Safety RAPEX alerts.

In November 2022, there was a successful prosecution taken against an economic operator operating an online business retailing e-cigarettes from a domestic house.

In addition, following proceedings instigated by the EHS, eleven Destruction Orders were granted by the District Courts around the country. These Destruction Orders were granted to destroy products seized during inspections that had levels of nicotine and tank volumes in excess of that legally permitted. Of these eleven Destruction Orders; two were granted for products with excessive tank volumes, four for excessive concentrations of nicotine and five were granted for products where both the concentration of nicotine and the volume were exceeded.



Furthermore, as part of the above enforcement activity eleven European safety RAPEX alerts were instigated by the EHS. Seven were issued for products with levels of nicotine in excess of the 20mg/ml or 2% nicotine legally permitted. The other four were issued for products where the tank volume of disposable e-cigarette exceeded the legal limit of 2ml.

We are aware of the recent issues highlighted in the press on 6th February 2022 which are subject to an ongoing investigation.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'M. Mulcahy', written in a cursive style.

Dr Maurice Mulcahy
Regional Chief Environmental Health Office
Health Service Executive
Environmental Health Service