



22<sup>nd</sup> July 2025

Mr Aidan Farrelly  
Dáil Eireann  
Leinster House  
Kildare Street  
Dublin 2

Dear Deputy Farrelly,

The Minister has referred PQ ref 38588/25 to the Health Service Executive for a direct reply. Please see response to your PQ below.

**Question:**

*“To ask the Minister for Health if she will outline the way in which compliance with laws in respect of the supply and sales of vape products to persons under the age of 18 is being enforced; if she will provide a schedule of the number of sanctions imposed on retailers that have breached the law since enactment to date.”*

**Response:**

The Health Service Executive (HSE) National Environmental Health Service (NEHS) is responsible for enforcing Section 28 of the Public Health (Tobacco Products and Nicotine Inhaling Products) Act 2023, which prohibits the sale of tobacco products and nicotine inhaling products to children.

The NEHS monitors the compliance of retailers with this legislation through the implementation of an annual test purchase inspection programme.

Table 1 below details the number of test purchase inspections conducted by HSE Environmental Health Officers (EHOs) nationally in 2024 and to the end of June 2025, following commencement of this legislation on 22<sup>nd</sup> December 2023. It also shows the number of non-compliant inspections (i.e. where a tobacco product or nicotine inhaling product was sold to the child) over that period.

Further test purchasing inspections are ongoing nationally.



**Table 1**

<b>Year</b>	<b>Number of test purchase inspections conducted</b>	<b>Number of non-compliant inspections</b>
2024	389	52
2025 (Q1& Q2)	310	50

Table 2 below shows that of the 52 non-compliant inspections in 2024 - 19 prosecutions have been heard to date by the District Court and the outcome of those proceedings. More legal proceedings are still in train.

**Table 2**

<b>Year</b>	<b>Number of prosecutions taken by HSE that have been heard by the District Court</b>	<b>Number of convictions with fine imposed</b>	<b>Number of cases with Probation Act imposed</b>	<b>Number of cases struck out / withdrawn / dismissed by District Court</b>
2025	19	12	6	1

Prosecutions for non-compliant test purchasing inspections in 2025 are currently being initiated by the NEHS and it is expected that these cases will be heard in 2026.

The Health Service Executive publishes details of tobacco control convictions, these can be found at:

<https://www.hse.ie/eng/about/who/tobaccocontrol/enforcement/convictions-2024.pdf>

Please note an application of the Probation Act does not constitute a conviction and such cases therefore are not published as a tobacco conviction on this list.

I trust the above is to your satisfaction and answers your query.

**Yours sincerely,**

**Margaret Ruddy**  
**Principal Environmental Health Officer**  
**HSE National Tobacco Control Office**