

Regulation of e-cigarettes

E-cigarettes are the most common form of electronic nicotine delivery systems (ENDS) and electronic non-nicotine delivery systems (ENNDS), but other products, such as e-cigars, e-pipes and e-shishas are also available. In these systems, a liquid is heated to create aerosols that are inhaled by the user. So-called e-liquids typically contain various amounts of nicotine, flavours and other additives and chemicals. ENNDS are essentially the same as ENDS, but the e-liquids used are marketed as nicotine-free; in practice, however, some products claimed to be nicotine-free have been found to contain nicotine. E-cigarettes are addictive and harmful to health. Alarming evidence on their adverse effects on population health is mounting, including increased risks for cardiovascular diseases, metabolic dysfunction, lung disorders and other adverse effects (1). Young people in many countries are increasingly taking up use of e-cigarettes. To prevent the uptake of e-cigarettes by young people and non-smokers and to counter nicotine addiction, strong regulatory measures should be adopted in a comprehensive approach to tobacco control and should be monitored appropriately.

KEY MESSAGES

As of 2022, three countries in the WHO European Region had banned ENDS/ENNDS: Türkiye and Turkmenistan ban the sale of ENDS/ENNDS, and Norway bans the sale of ENDS.

Most European countries allow the sale of ENDS and ENNDS but have adopted one or more full or partial measures to regulate them. The measures include: bans on the use of e-cigarettes in public indoor areas; bans on advertising, promotion and sponsorship (Fig. 1); application of a graphic health warning on packaging (Fig. 2); taxation (Fig. 3); age restrictions on sale; and bans or restrictions on flavourings (Fig. 4) (Table 1).

Data on the prevalence of ENDS use in the WHO European Region are available from national surveys, including population-based surveys of adults in 37 countries and school surveys of adolescents in 44 countries.

Fig. 1. Numbers of countries in the WHO European Region with full, partial or no regulation of ENDS in selected tobacco control measures, 2022

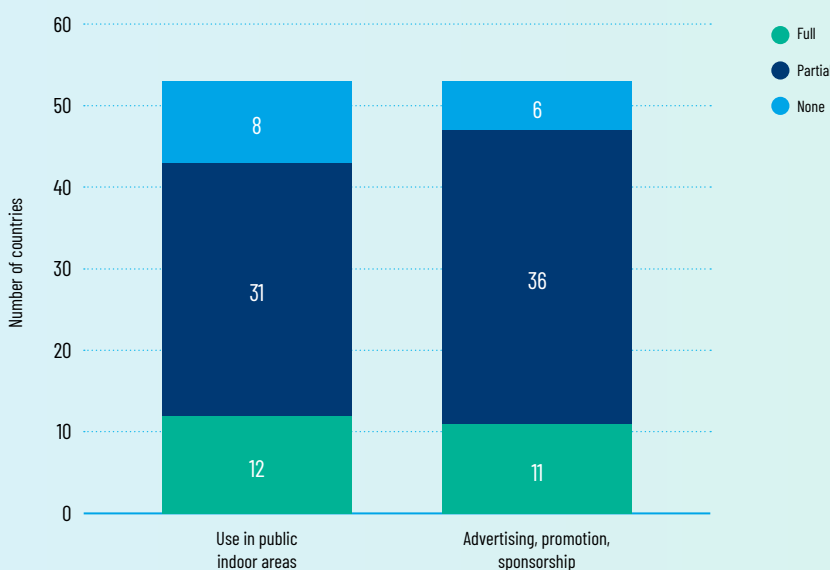
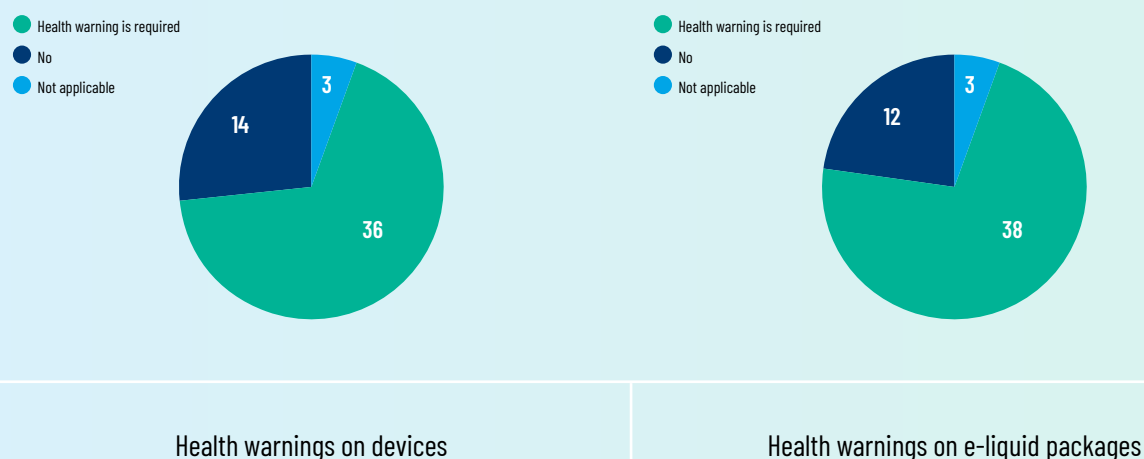
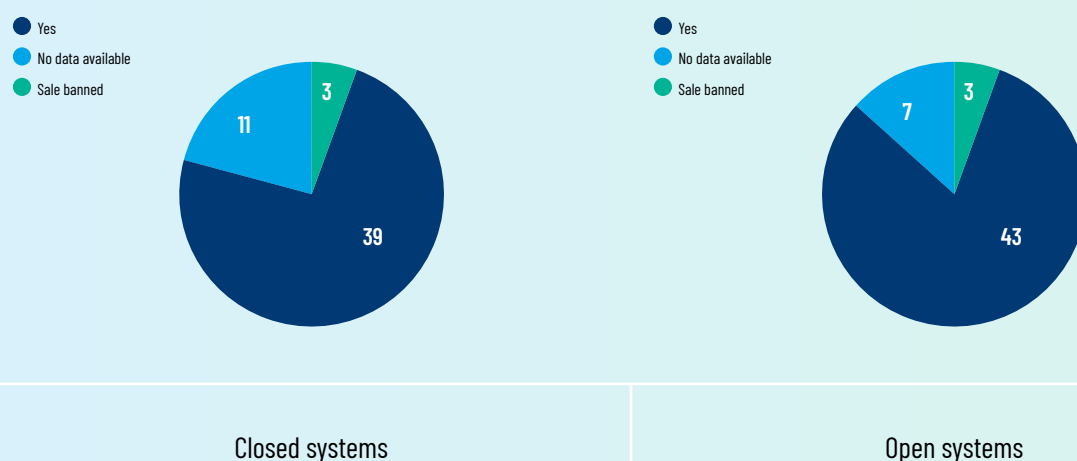


Fig. 2. Numbers of countries in the WHO European Region that require health warnings on packages of ENDS devices and fluids, 2022



Source: WHO (2).

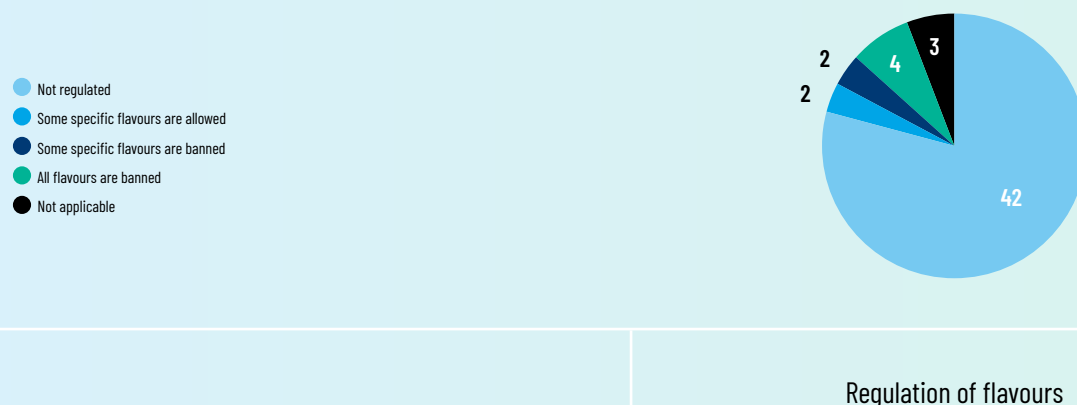
Fig. 3. Numbers of countries that apply excise tax on ENDS liquids (closed systems and open systems), 2022



Source: WHO (2).

Closed systems are not meant to be modified and are used with pre-filled cartridges or pods or are prefilled, as in the case of disposable ENDS. Open systems have refillable tanks and can be modified.

Fig. 4. Numbers of countries that apply regulations on use of flavours in ENDS, 2022



Source: WHO (2).

Table 1. Selected tobacco control measures applied to ENDS and ENDS, 2022

Country	Use in public indoor areas	Health warnings	Advertising, promotion, sponsorship	Minimum age for sale	Regulation of flavours	Excise tax applied on e-liquids	
						Closed systems	Open systems
Albania	Full*	No	None	18*	Not regulated	...	Yes
Andorra	Partial	No	None	18*	Not regulated	...	...
Armenia	Partial	Required (e-liquids only)	Full	18	Not regulated	Yes	...
Austria	Partial*	Required*	Partial*	18*	Not regulated	Yes	Yes
Azerbaijan	Partial*	No	Full (devices only)*	18*	Not regulated	Yes	Yes
Belarus	Partial*	Required	Partial*	18*	Not regulated	Yes	Yes
Belgium	Partial*	Required	Partial	18*	Not regulated	Yes	Yes
Bosnia and Herzegovina	None	No	None	None	Not regulated	Yes	Yes
Bulgaria	None	Required	Partial	18	Not regulated	Yes	Yes
Croatia	Partial	Required	Partial	18	Not regulated	Yes	Yes
Cyprus	Partial*	Required	Partial*	18*	Not regulated	Yes	Yes
Czechia	Partial*	Required	Partial*	18*	Not regulated	Yes	Yes
Denmark	Partial*	Required	Partial*	18*	Some specific flavours are allowed*	Yes	Yes
Estonia	Partial*	Required	Partial*	18*	Some specific flavours are allowed*	Yes	Yes
Finland	Partial*	Required (e-liquid only)	Full*	18*	All flavours are banned*	...	Yes
France	Partial*	Required	Partial*	18*	Not regulated	Yes	Yes
Georgia	Partial	No	Partial	18	Not regulated	Yes	Yes
Germany	None	Required	Partial*	18*	Some specific flavours are banned*	Yes	Yes
Greece	Full*	Required	Partial*	18*	Not regulated	Yes	Yes
Hungary	Partial*	Required	Partial	18*	All flavours are banned*	...	Yes
Iceland	Partial*	Required	Full*	18*	Not regulated	...	Yes
Ireland	None	Required	Partial	None	Not regulated	Yes	Yes
Israel	Partial	Required	Partial	18	Not regulated	...	...
Italy	Partial	Required	Partial	18	Not regulated	Yes	Yes
Kazakhstan	Partial*	No	Partial*	21*	Not regulated	Yes	Yes
Kyrgyzstan	Full*	Required*	Full*	18*	Not regulated	Yes	Yes
Latvia	Partial*	Required	Partial*	18*	Not regulated	Yes	Yes
Lithuania	Partial*	Required	Partial*	18*	All flavours are banned*	Yes	Yes
Luxembourg	Partial*	Required*	Partial*	18*	Not regulated	Yes	Yes
Malta	Full*	Required	Partial*	18*	Not regulated	Yes	Yes
Monaco	Partial*	No	None	None	Not regulated	...	...
Montenegro	Partial*	Required	Partial*	None	All flavours are banned*	...	Yes
Netherlands (Kingdom of the)	Full*	Required*	Full*	18*	Not regulated	Yes	Yes
North Macedonia	None	Required	None	None	Not regulated	Yes	Yes
Norway	Full*	NA	Partial*	NA	NA	Sale is banned	Sale is banned
Poland	Partial	Required	Partial	18	Not regulated	Yes	Yes
Portugal	Partial	Required	Partial	18	Not regulated	Yes	Yes
Republic of Moldova	Full	Required	Full	18	Not regulated	...	Yes
Romania	Partial	Required	Partial	None	Not regulated	Yes	Yes
Russian Federation	Full*	No	Full*	18*	Not regulated	Yes	...
San Marino	Partial*	No	Partial (devices only)*	18*	Not regulated	...	...
Serbia	None	No	Partial*	None	Not regulated	Yes	Yes
Slovakia	None	Required	Partial	18	Not regulated	Yes	Yes
Slovenia	Partial*	Required	Full	18*	Not regulated	Yes	Yes
Spain	Partial	Required	Partial	18*	Not regulated	Yes	Yes
Sweden	None	Required	Partial	18	Not regulated	Yes	Yes
Switzerland	None	No	None	None	Not regulated	Yes	Yes
Tajikistan	Full	Required	Partial	18	Not regulated	...	...
Türkiye	Full*	NA*	Full (devices only)*	NA*	NA*	Sale is banned	Sale is banned
Turkmenistan	Full*	NA*	Partial (devices only)*	NA*	NA*	Sale is banned	Sale is banned
Ukraine	Full*	Required	Full*	18*	Some flavours are banned*	Yes	Yes
United Kingdom	None	Required	Partial	18	Not regulated*	Yes	Yes
Uzbekistan	Partial*	No	Partial (devices only)*	None	Not regulated*	Yes	Yes

* ENDS are treated the same as ENDS. NA: not applicable because sale is banned.

WHAT SHOULD BE DONE?

Countries that ban the sale of e-cigarettes should ensure strong implementation of the ban and continue monitoring and surveillance to support public health interventions. Complementary measures, such as a ban on advertising, promotion and sponsorship, should be in place and strongly enforced.

Countries that permit commercialization (sale, importation, distribution and manufacture) of e-cigarettes as consumer products should ensure strong regulations, including, at a minimum:

- regulating e-cigarettes to reduce their appeal and their harm to the population, by, for example, banning all flavouring agents; prohibiting attractive and/or promotional features on presentation and packaging of products; regulating features that enable the user to manipulate the product; limiting the concentration and quantity of nicotine; setting a maximum volume for e-cigarette cartridges; setting a maximum battery power; prohibiting device features that permit transmission of information to and from third parties (including manufacturers); and prohibiting additives that have carcinogenic, mutagenic or reproductive properties;
- protecting the public from misleading or deceptive claims, such as on the safety or efficacy of e-cigarettes for quitting cigarette smoking;
- prohibiting sale of e-cigarettes to children, controlling the supply chain to reduce the risk that children will gain access and enforcing such restrictions;
- applying tobacco control measures to e-cigarettes, including the measures to reduce supply and demand of the WHO Framework Convention on Tobacco Control;
- strengthening monitoring and surveillance to provide governments with a real-time view of the uptake of e-cigarettes and patterns of use to guide regulatory action;
- strengthening enforcement to ensure that the above measures are effective; and
- sharing information on the harmful effects of e-cigarette use with the public (1).

References¹

1. Call to action on electronic cigarettes. Geneva: World Health Organization; 2023 (<https://www.who.int/publications/m/item/electronic-cigarettes---call-to-action#:~:text=Overview,health%20harms%20to%20the%20population>).
2. WHO report on the global tobacco epidemic, 2023: protect people from tobacco smoke. Geneva: World Health Organization; 2023 (<https://www.who.int/publications/i/item/9789240077164>).

¹ Weblinks accessed 11 January 2024