

Australians will soon only be able to buy vapes from pharmacies. Should New Zealand follow suit?

June 27 2024, by Janet Hoek and Jude Ball



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Australia will become the first country to restrict vape sales to pharmacies from next week. This new policy represents a very different

approach to the path Aotearoa New Zealand is taking, and includes some important steps.

First, it recognizes that to benefit population health, vaping products should not be treated as everyday consumer items.

Second, it introduces a distribution system that moves away from the commercial, profit-driven approach currently operating in New Zealand. Pharmacists are highly trained [health professionals](#). Unlike general retailers who are not trained to understand addiction, pharmacists can advise people transitioning from smoking to vaping and support vaping cessation.

Third, pharmacists' [comprehensive code of ethics](#) provides a further incentive to avoid supplying vaping products to underage people.

Should New Zealand follow Australia?

Our research with young people found they quickly identified "[dodgy dairies](#)" with lax age verification procedures. Unlike these outlets, pharmacists would face professional sanctions if caught supplying underage youth.

So, should New Zealand adopt Australia's approach?

Limiting the supply of vaping products is a key measure in reducing uptake among young people. However, we are troubled that Australia will be regulating vaping products more stringently than smoked tobacco, which causes more serious physical harms.

New Zealand's government has signaled stricter regulation of vaping products, yet it recently repealed a law regulating smoked [tobacco products](#) stringently.

We strongly support protecting young people from taking up vaping. However, policies should be both comprehensive and proportionate, and must greatly reduce the appeal, addictiveness and availability of smoked tobacco as well as vaping products.

History of inadequate nicotine product regulation

Although vaping offers people who smoke a less harmful alternative to tobacco, it is not harmless. Many people who [have never smoked regularly](#) now vape. Overall, [nicotine use among young people has risen](#).

Rates of daily vaping among people aged 15–17 have increased from under 1% in 2017–18 to [more than 15% in 2022–23](#). This increase is causing considerable concern among parents, teachers, health researchers, community workers, policy makers and [young people](#) themselves.

New Zealand regulators initially responded by limiting the vape flavors general retailers could sell to tobacco, menthol and mint. However, the nicotine marketplace has evolved more rapidly than the policies regulating it.

The advent of "pod" vapes in 2019 and disposables in 2020 brought in very cheap, attractively packaged products with high nicotine concentrations. Specialist vape retailer numbers exploded. Not surprisingly, uptake in youth vaping quickly accelerated.

Vaping manufacturers rapidly [circumvented](#) recent efforts to limit availability of [disposable vapes](#). Low-cost disposable vapes remain widely available, despite new requirements for removable batteries.

Measures restricting specialist vape stores from [operating within 300 meters of schools](#) failed to have a marked impact, likely because they

neither applied retrospectively nor included general retailers in their ambit.

Additional measures to protect children from product marketing have limited the concentration of nicotine vapes may contain, restricted flavor descriptors and disallowed use of cartoons on packaging.

It is too early to assess what effect these changes have had. However, a recent mystery shopper test found [variable compliance with these policies](#).

Despite Prime Minister Christopher Luxon declaring before the 2023 election that he was "up for" looking at a [complete vaping ban](#), the [coalition government](#) has not [extended all measures introduced by the previous Labor government](#). Exceptions include increasing penalties that may be imposed on retailers and committing to more intensive monitoring.

A call for proportionate policies

Before the [government's unpopular repeal of New Zealand's smokefree generation law](#), New Zealand had adopted a proportionate approach to nicotine products.

Innovative regulation such as retailer reduction and denicotinisation was expected to [lead to plummeting use](#) of smoked tobacco, the most harmful product. At that point, moving vaping products from a commercial supply model to a health-promoting model would have been logical.

Hansard records associate health minister Casey Costello as stating that repealing the policy to limit the number of retailers was not an "end position." She explained:

"We're removing this legislation because we're repealing the legislation that's in there. As I said, it's not an end position."

While the minister's meaning is not completely clear, her comment indicates she may consider legislation proportionate to product risk in the future.

In the interim, we recommend disallowing vaping product displays in all general retail outlets and ensuring specialist vape stores displays are not visible to the general public.

Establishing robust limits on proximity and density could drain vape store swamps and ensure vapes are not easily available near schools. Disallowing discounting and giveaways of all nicotine products and introducing plain packaging would also reduce these products' availability and appeal to children, and bring [vaping](#) product regulation in line with tobacco policy.

Given the minister's stated willingness to consider reducing the availability of smoked tobacco, we strongly recommend she reintroduce the evidence-based, proportionate measures she had no mandate to repeal.

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