

No more recreational vaping for Australians—from October, vapes will be sold over the counter at pharmacies

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The Australian Senate is [set to pass a bill](#) that will see the end of all vape sales—regardless of nicotine content—from general retailers. From July

1, non-nicotine vapes will no longer be permitted for sale outside of pharmacies.

But late amendments to the bill, [negotiated by the Greens](#), change how people will be able to access vapes in the future. When the bill is passed—and for the first three months—people will need a prescription from a medical practitioner to access vapes from their local pharmacy.

Then, from October 1 2024, people who wish to use a vape for therapeutic purposes will no longer require a prescription. Instead, they will be able to directly purchase a vape from a pharmacy. Vaping products will be kept behind the counter and only available for purchase with identification to show users are aged over 18.

Vapes sold in pharmacies will be subject to quality and product standards including plain packaging, maximum nicotine concentration levels, and will continue to only be available in mint/menthol and tobacco flavors.

It's disappointing the prescription requirement is being removed. This weakens control of a highly addictive and unsafe product.

The bill [had wide support from the public health sector](#) and was based on evidence and research showing that preventing easy access to vapes is essential to protecting the health of young people.

At the same time, the amended bill is a clear improvement on the current situation, where vapes retailers have saturated communities, [including near schools](#).

Still, this uniquely Australian approach to regulating vaping is a world first. The clear message is that vaping products cannot be sold as a consumer good for recreational purposes. Instead, they are a tightly

regulated therapeutic product available only under strict conditions.

The law does not criminalize individual vape users, but instead includes heavy penalties for sellers of illegal vapes. Any retailer found to be illegally selling vapes from July 1 will be heavily fined and could face jail time.

Haven't vape laws already changed?

Vape reform has already been underway. Since March 2024, the federal government has prohibited the importation of all non-therapeutic vapes into Australia.

People wanting to use nicotine vapes (either to quit smoking or for nicotine addiction) have been able to access therapeutic vapes through pharmacies, with a prescription from a health-care professional, in [tobacco or mint/menthol flavors](#).

However, the retail sale of all "non-nicotine" flavored vapes has remained legal. This has meant petrol stations, convenience stores and vape shops could simply claim they sold "non-nicotine" vapes.

This longstanding loophole in vaping regulation [has enabled teens easy access](#) to inexpensive, flavored, disposable vapes with high nicotine concentrations. [Enforcement of this distinction](#) between nicotine and non-nicotine vapes requires extensive and expensive lab testing and proved to be unworkable.

The loophole has fueled the dramatic rise in young people vaping. In 2019, only 9.6% of people aged 14–17 in Australia had ever used vapes. This [nearly tripled](#) by 2022–23, to 28%.

It has also meant the proliferation of shops openly selling illegal vaping

products all across Australia. The large amount of vaping products brought into Australia before the importation regulations were implemented means these illegal sales could continue for years.

What next?

Some proponents of [vaping](#) have argued that all vapes, including those with nicotine, should be sold "just like tobacco products."

However, the amended bill has not [bowed to this industry pressure](#). Vapes that contain nicotine have never actually been legal to sell as "[consumer goods](#)" in general retail shops such as [convenience stores](#), [petrol stations](#) and tobacconists. Nicotine is [classified as a scheduled poison](#), which means manufacturers can't simply add nicotine to consumer products such as sweets, soft drinks or mints, and then sell them in shops.

Making vapes available as a consumer good would be a wholesale change in how Australia regulates dangerous and addictive poisons such as nicotine.

Despite the heralded success of tobacco control, [smoking still kills 20,500 Australians every year](#). Imagine if, in the 1950s when research confirmed smoking was both deadly and addictive, regulators had decided instead to pull the product from the shelves?

We now have an opportunity to prevent a whole new generation from becoming addicted to [nicotine](#). Going forward, it's crucial the amended legislation is paired with effective monitoring and enforcement to ensure it protects young people.

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