

Tobacco and vapes: packaging, appearance and display (Scotland)

UK Government Consultation

To: All Chief Executives, Main Contacts and APSE Contacts in Scotland. For information only England, Northern Ireland and Wales.

1. Executive Summary

The UK Government has launched a consultation on the packaging, appearance and display of tobacco and vaping products, seeking views on proposed regulations to reduce the appeal of tobacco and vaping products, particularly to children and young people. The consultation follows the enactment of the [Tobacco and Vapes Act 2026](#), which provides Ministers with powers to regulate the displays, contents, flavours and retail packaging of vapes and nicotine products.

Alongside a number of UK-wide proposals, the consultation includes Scotland-specific questions relating to the retail display of vaping products, nicotine products, herbal smoking products and heated tobacco devices. These proposals would extend Scotland's existing tobacco display restrictions and have direct implications for local authority Trading Standards and Environmental Health services responsible for regulatory enforcement.

Beyond public health and regulatory considerations, the proposals may also be of interest to local authorities responsible for street cleansing and environmental services. Councils have increasingly highlighted concerns regarding vaping-related litter, including discarded devices, packaging materials and stickers attached to public infrastructure.

The consultation presents an important opportunity for Scottish local authorities to provide evidence on the practical implications of implementation, enforcement, retailer compliance and resource requirements, ensuring that any future regulations are effective and proportionate.

Responses are due by **Friday 2nd October 2026**.

[Click here](#) for further information and to submit your response.

[Click here](#) to read the full report.

2. Overview

The UK Government, working alongside the Scottish Government, Welsh Government and Northern Ireland Executive, has published a four-nations consultation on proposals to regulate the packaging, appearance and display of tobacco, vaping and nicotine products. The consultation follows the enactment of the Tobacco and Vapes Act 2026, which provides Ministers with powers to introduce secondary legislation governing how these products are manufactured, packaged, marketed and displayed.

For Scotland, the consultation is complemented by a Scottish Government [Partial Business and Regulatory Impact Assessment](#) (BRIA), which considers proposals to extend Scotland's existing tobacco display restrictions to vaping products, nicotine products, herbal smoking products and heated tobacco devices. As many of the enforcement responsibilities fall to local authorities, the consultation is of particular relevance to Trading Standards, Environmental Health and public health services.

Policy context and rationale

Smoking remains one of Scotland's leading causes of preventable illness and premature death, while youth vaping has become an increasing public health concern. Responses from the [ASH SmokeFree GB Youth 2025](#) survey revealed that 19.5% of 11-17 year olds in Scotland had tried vaping, with 18.1% having tried smoking. For 16-17 year olds, over a third of respondents said they vape on a daily basis. Although vaping products are recognised as substantially less harmful than smoking and can support smokers to quit, governments across the UK have expressed concern about the increasing visibility and attractiveness of vaping products to children and young people.

Beyond public health considerations, local authorities have reporting growing concerns regarding the environmental impacts associated with vaping products. Discarded single-use devices, packaging materials/ stickers have become an increasingly common feature of street cleansing operations and vapes are also associated with refuse collection fires and fires in baling facilities, creating additional costs for councils and contributing to wider concerns around litter, environmental quality and the health and safety of staff and the public. Measures that standardise packaging and reduce promotional nature of products may therefore have implications beyond health policy, including for local environment management and place-based services. These regulations come after the ban on the sale and supply of single-use vapes which took effect on 1st June 2025, enacted under [The Environmental Protection \(Single-use Vapes\) \(Scotland\) Regulations 2024](#), which can be explored further in our [previous APSE briefing](#).

The consultation proposes a package of measures intended to reduce the appeal of tobacco, vaping and nicotine products through restrictions on packaging, branding, flavour descriptions, product appearance and retail displays. It also considers extending standardised packaging to additional tobacco products and introducing health information inserts within

tobacco packaging. Together, these measures are intended to support wider public health objectives by reducing the attractiveness of nicotine products while maintaining access to vapes as smoking reduction tools for adult smokers.

In Scotland, the consultation also proposes extending tobacco display restrictions to vaping products, herbal smoking products and heated tobacco devices. The Scottish Government considers these proposals an important step towards creating a more consistent regulatory framework across nicotine and tobacco products, reducing opportunities for product promotion and helping to prevent young people from taking up smoking or vaping.

Why local authorities should engage

Scottish local authorities will play a significant role in the implementation and enforcement of any regulations arising from the consultation. Trading Standards services are likely to be responsible for monitoring retailer compliance with packaging and display requirements, while Environmental Health and public health services may have an interest in the wider impacts on smoking prevalence, youth vaping and health inequalities.

Engagement is important because:

- Local authorities are likely to be responsible for enforcing many of the proposed requirements.
- The proposals may have resource and capacity implications for the Trading Standards and regulatory services.
- Councils can provide practical insight into retailer compliance and enforcement challenges.
- They have an important role in supporting wider public health objectives, including reducing smoking prevalence and preventing youth vaping.
- The proposals may have wider implications for environmental quality, litter management and street cleansing services.
- Responses can help ensure that any future regulatory framework is proportionate, practical and capable of being implemented effectively.

The consultation provides an opportunity for councils to ensure that local operational experience and knowledge help shape the final regulations and associated implementation arrangements.

3. Consultation Questions

For Scottish respondents, the consultation questions are categorised as follows:

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1. In what capacity are you responding to this survey?

An individual sharing my personal views and experiences;

An individual sharing my professional views;

On behalf of an organisation

2. Do you have any direct or indirect links to, or receive funding from, the tobacco industry?

Yes; No

3. What is the size of your organisation?

Small (0 to 49 employees); Medium (50 to 249); Large (250 or more)

4. Where does your organisation operate or provide services?

England; Wales; Scotland; Northern Ireland; Whole of the UK, Outside the UK

5. Please provide the name of the organisation you are responding on behalf of (optional).

6. What is the main area or focus of your work?

Academic; Advocacy; Distribution; Education; Emergency services; Enforcement agencies; Healthcare; Justice system; Legal; Local government; National government; Production or manufacturing; Retail; Social care; Wholesale; Other

7. Do you work for, or are you providing views on behalf of, any of the following? Select all that apply.

Manufacturer or producer of a tobacco product; Manufacturer or producer of a vape or nicotine product; Importer of a tobacco product; Importer of a vape or nicotine product; Distributor of a tobacco product; Distributor of a vape or nicotine product; Retailer of a tobacco product; Retailer of a vape or nicotine product; None of the above.

Tobacco Packaging

We propose to introduce plain packaging requirements for:

- all tobacco products (including but not limited to cigars, cigarillos, pipe tobacco, waterpipe tobacco, smokeless and heated tobacco)

- heated tobacco devices
- herbal smoking products
- cigarette papers

These requirements would broadly align with existing requirements for cigarettes and hand-rolling tobacco. An overview of the existing requirements for cigarettes and hand-rolling tobacco is set out below. More detail is available in the consultation document.

Colour: Pantone 448C (drab dark brown) colour with a matt finish.

Branding: Brand name permitted once each on front, top and bottom of pack. It must:

- be in a centred position
- be in Pantone Cool Gray 2 C
- be in Helvetica font size 14 point or less
- have only the first letter capitalised

The variant name must follow the same requirements other than to be size 10 point or less and positioned immediately below the brand name.

No promotional images or logos, additional colours or markings are allowed.

Shape: Specified packaging shapes. For cigarettes this is cuboid only and for hand-rolling tobacco this is cuboid, cylindrical or pouch.

Packaging materials: Specified packaging materials. For cigarettes this is carton or soft material only.

Minimum size: 20 pack for cigarettes, 30 grams for hand-rolling tobacco.

Some products may require specific plain packaging requirements, for example hand-rolling tobacco pouches are permitted to have a re-sealable sticker and cigarette packets have a lining. If we proceed with the policy, we will engage further on the details of the plain packaging measures for specific products.

8. Do you agree or disagree with our proposal to introduce the plain packaging requirements outlined above for all tobacco products? This does not include cigarettes and hand-rolling tobacco which already have strict plain packaging requirements.

Agree; Neither agree nor disagree; Disagree; Don't know

9. Do you agree or disagree with our proposal to introduce the plain packaging requirements outlined above for heated tobacco devices?

Agree; Neither agree nor disagree; Disagree; Don't know

10. Do you agree or disagree with our proposal to introduce the plain packaging requirements outlined above for herbal smoking products?

Agree; Neither agree nor disagree; Disagree; Don't know

11. Do you agree or disagree with our proposal to introduce the plain packaging requirements outlined above for cigarette papers?

Agree; Neither agree nor disagree; Disagree; Don't know

12. Please explain your answers (optional).

Text health warnings on the packaging of heated tobacco devices and cigarette papers

We propose to introduce text health warnings on the packaging of heated tobacco devices and cigarette papers. All tobacco products and herbal smoking products already have these warnings. The wording of warnings will reflect the harms of using each product.

13. Do you agree or disagree with our proposal to introduce text health warnings on the packaging of heated tobacco devices?

Agree; Neither agree nor disagree; Disagree; Don't know

14. Do you agree or disagree with our proposal to introduce text health warnings on the packaging of cigarette papers?

Agree; Neither agree nor disagree; Disagree; Don't know

15. Please explain your answers (optional).

Picture health warnings on the packaging of more products and devices

All smoked tobacco products currently require picture health warnings, excluding individually wrapped cigars and cigarillos, and packs of large cigars that weigh more than 3 grams each. These products only require text warnings on their packaging.

Smokeless tobacco products, heated tobacco devices and herbal smoking products currently do not have picture health warnings.

We propose to introduce picture warnings on the packaging of:

- all tobacco products (including all cigars and cigarillos, smokeless tobacco and heated tobacco)
- heated tobacco devices
- herbal smoking products

We do not propose including picture warnings for cigarette papers due to the typically smaller size of the packaging.

16. Do you agree or disagree with our proposal to introduce picture health warnings on the packaging of all tobacco products? This builds on requirements that are already in place for most tobacco products.

Agree; Neither agree nor disagree; Disagree; Don't know

17. Do you agree or disagree with our proposal to introduce picture health warnings on the packaging of heated tobacco devices?

Agree; Neither agree nor disagree; Disagree; Don't know

18. Do you agree or disagree with our proposal to introduce picture health warnings on the packaging of herbal smoking products?

Agree; Neither agree nor disagree; Disagree; Don't know

19. Do you agree or disagree that picture health warnings should not be required on the packaging of cigarette papers? We do not propose including picture health warnings on cigarette papers due to the small size of the packaging.

Agree; Neither agree nor disagree; Disagree; Don't know

20. Please explain your answers (optional).

Pack inserts in packaging for all tobacco and herbal smoking products and heated tobacco devices

Quit themed pack inserts will soon be introduced for cigarettes and hand-rolling tobacco following previous consultation. We propose to also include quit themed pack inserts in the packaging of:

- all tobacco products (including products such as such as cigars, cigarillos, pipe tobacco, waterpipe tobacco and smokeless and heated tobacco)
- heated tobacco devices
- herbal smoking products

We do not propose including pack inserts in cigarette papers due to the small size of the packaging.

21. Do you agree or disagree with our proposal to introduce pack inserts for all tobacco products? This does not include cigarettes and hand-rolling tobacco which we are addressing separately to this consultation.

Agree; Neither agree nor disagree; Disagree; Don't know

22. Do you agree or disagree with our proposal to introduce pack inserts for heated tobacco devices?

Agree; Neither agree nor disagree; Disagree; Don't know

23. Do you agree or disagree with our proposal to introduce pack inserts for herbal smoking products?

Agree; Neither agree nor disagree; Disagree; Don't know

24. Do you agree or disagree that pack inserts should not be required in the packaging of cigarette papers? We do not propose including pack inserts for cigarette papers due to the small size of the packaging.

Agree; Neither agree nor disagree; Disagree; Don't know

25. Please explain your answers (optional).

Time allowed to implement new packaging requirements

If and when new requirements are introduced, manufacturers will need time to update their packaging to comply. Retailers may also need time to sell old stock that does not comply with new law.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose that a minimum notice period of 12 months would be enough. This would mean all products covered by our tobacco packaging proposals would need to comply with any new requirements by the end of a 12-month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

26. Do you agree or disagree with our proposed implementation period of no less than 12 months (from when the detail of any new requirements is clear)?

Agree; Neither agree nor disagree; Disagree; Don't know

27. Please explain your answers (optional).

Restricting the colour and finish of heated tobacco devices

We propose to restrict the colour of heated tobacco devices to Pantone 448C (drab dark brown) with an opaque matt finish. Pantone 448C is the same colour as cigarette and hand-rolling tobacco packaging.

Restricting the colour of the device in this way would also prevent certain aesthetic features on the device, such as the presence of cosmetic lights.

28. Do you agree or disagree with our proposal to restrict the colour of heated tobacco devices to Pantone 448C (drab dark brown) with an opaque matt finish?

Agree; Neither agree nor disagree; Disagree; Don't know

29. Do you agree or disagree that heated tobacco devices should be banned from having cosmetic lights? This will not apply to functional lights, like those that indicate charge level.

Agree; Neither agree nor disagree; Disagree; Don't know

30. Please explain your answers (optional).

Restricting branding, imagery and artwork on heated tobacco devices

We propose to ban heated tobacco devices from having images or artwork on them, except for any image that is a regulatory requirement, such as required warnings.

We also propose to limit branding to a single brand name, which would be subject to a set font, size and colour on the device.

31. Do you agree or disagree with our proposal to restrict all branding, imagery and artwork on heated tobacco devices?

Agree; Neither agree nor disagree; Disagree; Don't know

32. Please explain your answer. (Optional)

Restricting digital screens on heated tobacco devices

We propose that digital screens on heated tobacco devices are restricted to only display safety and status information, such as battery levels.

33. Do you agree or disagree that digital screens on heated tobacco devices should be restricted to only the display of safety and status information such as battery level, and be greyscale in colour (black, white and grey only)?

Agree; Neither agree nor disagree; Disagree; Don't know

34. Please explain your answer (optional).

Stopping heated tobacco devices imitating other products

We propose to limit the potential appeal of heated tobacco devices by stopping them from looking like other products, such as drink bottles and game devices.

This proposal aligns with the restrictions we are proposing for vape devices. It will ensure that heated tobacco devices do not appear more attractive than vapes.

35. Do you agree or disagree that heated tobacco devices should not be permitted to mimic the design of other products and items? The objective of this proposal is to limit the appeal or attractiveness of heated tobacco devices.

Agree; Neither agree nor disagree; Disagree; Don't know

36. Please explain your answer. (Optional)

Time allowed to implement new device requirements

If and when new requirements are introduced, manufacturers will need time to ensure their devices are compliant. Retailers may also need time to sell old stock that does not comply with new law.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose that a minimum notice period of 12 months would be enough. This would mean heated tobacco devices would need to comply with any new requirements by the end of a 12-month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

37. Do you agree or disagree with our proposed implementation period of no less than 12 months (from when the detail of any new requirements is clear)?

Agree; Neither agree nor disagree; Disagree; Don't know

38. Please explain your answer (optional).

Restricting the colour on packaging for all vaping and nicotine products

We propose that the packaging for vaping and nicotine products should be white.

39. Do you agree or disagree with our proposal to restrict the colour of packaging of all vaping products to white?

Agree; Neither agree nor disagree; Disagree; Don't know

40. Do you agree or disagree with our proposal to restrict the colour of packaging of all nicotine products to white?

Agree; Neither agree nor disagree; Disagree; Don't know

41. Please explain your answers (optional).

Restricting imagery, branding, text and other promotional features

We propose that the packaging for all vaping and nicotine products should not include imagery, and that all text on the packaging, including any branding or brand names, should be in a standard colour, font and typeface.

There should be no other promotional features on the outside or inside of packs or attached to the packaging, such as links to social media accounts or any feature that suggests a financial benefit, such as vouchers or discounts.

We recognise that there may be a case to allow packaging of vaping products to display a picture of the product contained inside (for example, a mouthpiece). We welcome views on whether any limited exemptions may be appropriate in the free text box.

42. Do you agree or disagree with our proposal to introduce the restrictions to imagery, branding, text and promotional features outlined above for the packaging of all vaping products?

Agree; Neither agree nor disagree; Disagree; Don't know

43. Do you agree or disagree with our proposal to introduce the restrictions to imagery, branding, text and promotional features outlined above for the packaging of all nicotine products?

Agree; Neither agree nor disagree; Disagree; Don't know

44. Please explain your answers (optional).

Restricting the shape, materials and safety features of packaging for all vaping and nicotine products

We propose that packaging used for vaping and nicotine products should use uniform shapes. For example, the packaging for devices or coils should use a similar shape, such as a rectangular cuboid, depending on their dimensions.

We also propose that manufacturers should not use materials that enhance a product's appeal, such as:

- glossy plastics
- holographic foils
- other tactile features, for example fuzzy or velvety materials

45. Do you agree or disagree with our proposal that packaging for all vaping products should have uniform shapes, and that there should be restrictions on materials and finishes that can enhance appeal?

Agree; Neither agree nor disagree; Disagree; Don't know

46. Do you agree or disagree with our proposal that packaging for all nicotine products should have uniform shapes, and that there should be restrictions on materials and finishes that can enhance appeal?

Agree; Neither agree nor disagree; Disagree; Don't know

47. Do you agree or disagree with our proposal that packaging for all vaping products should be both child-resistant and tamper-evident? Vapes are already required to have child-resistant and tamper-evident packaging. We propose to introduce this requirement for all vaping and nicotine products.

Agree; Neither agree nor disagree; Disagree; Don't know

48. Do you agree or disagree with our proposal that packaging for all nicotine products should be both child-resistant and tamper-evident? Vapes are already required to have child-resistant and tamper-evident packaging. We propose to introduce this requirement for all vaping and nicotine products.

Agree; Neither agree nor disagree; Disagree; Don't know

49. Please explain your answers (optional).

Restricting flavour descriptions on vaping and nicotine products packaging

Single lead flavour. We propose to restrict flavour descriptors on the packaging for vaping and nicotine products to a single, recognised flavour name, like apple or strawberry. This would include restricting hyphenated or combined flavour names, such as blueberry-apple.

Concept, sensory, food and drink categories.

We also propose restricting any concept or sensory words from being used to describe a flavour.

A concept name refers to any flavour name that does not directly describe a recognisable food, drink or natural flavour. Instead, the word conveys a mood, an idea, a brand or even a number or codename, rather than describing an actual flavour. This could include flavour names such as:

- 'Unicorn Dream'
- 'DC100'

A sensory name refers to a recognisable taste, smell or sensation experienced when using a vape or nicotine product, such as 'Mint Blast'.

We also propose restricting descriptor names of certain food and drink categories that appeal to children and young people. This includes flavours like:

- confectionery and sweets (such as 'Chocolate', 'Candy' and 'Bubblegum')
- desserts and cakes (such as 'Brownie' and 'Cheesecake')
- alcohol and other drinks (such as 'Cola')

50. Do you agree or disagree with our proposal to restrict flavour descriptors on the packaging of all vaping products to a single lead flavour?
Agree; Neither agree nor disagree; Disagree; Don't know
51. Do you agree or disagree with our proposal to restrict flavour descriptors on the packaging of all nicotine products to a single lead flavour?
Agree; Neither agree nor disagree; Disagree; Don't know
52. Do you agree or disagree with our proposal that concept and sensory flavour descriptors should be restricted on the packaging of all vaping products?
Agree; Neither agree nor disagree; Disagree; Don't know
53. Do you agree or disagree with our proposal that concept and sensory flavour descriptors should be restricted on the packaging of all nicotine products?
Agree; Neither agree nor disagree; Disagree; Don't know
54. Do you agree or disagree with our proposal that confectionery, sweets, dessert and cake name descriptors should be restricted on the packaging of all vaping products?
Agree; Neither agree nor disagree; Disagree; Don't know
55. Do you agree or disagree with our proposal that confectionery, sweets, dessert and cake name descriptors should be restricted on the packaging of all nicotine products?
Agree; Neither agree nor disagree; Disagree; Don't know
56. Do you agree or disagree with our proposal that alcohol and drink name descriptors should be restricted on the packaging of all vaping products?
Agree; Neither agree nor disagree; Disagree; Don't know
57. Do you agree or disagree with our proposal that alcohol and drink name descriptors should be restricted on the packaging of all nicotine products?
Agree; Neither agree nor disagree; Disagree; Don't know
58. Please explain your answers (optional).

Product information on and inside vaping and nicotine products packaging

We propose that the packaging of all vaping and nicotine products should have:

- a full list of ingredients, including flavour agents
- expiration details
- an age restriction symbol, for example a crossed-out 18 symbol
- a standardised display of nicotine strength, for example in milligrams, millilitres or as a percentage

- nicotine delivery per puff or pouch, where relevant

We also propose that relevant products should have a nicotine warning label on the front and back of the packaging. For example, this warning could say 'This product contains nicotine which is a highly addictive substance'. Packaging should also have clear instructions on appropriate waste disposal.

Where applicable, we propose that certain products have an instruction leaflet to inform users of any appropriate warnings and the adverse effects of nicotine.

59. Do you agree or disagree with our proposal to require the consumer information listed above on and inside the packaging of all vaping products?

Agree; Neither agree nor disagree; Disagree; Don't know

60. Do you agree or disagree with our proposal to require the consumer information listed above on and inside the packaging of all nicotine products?

Agree; Neither agree nor disagree; Disagree; Don't know

61. Please explain your answers (optional).

Time allowed to implement new packaging requirements

If and when new requirements are introduced, manufacturers will need time to update their packaging to be compliant. Retailers may also need time to sell old stock that does not comply with the new law.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose a minimum notice period of 12 months would be enough. This would mean all products in scope of our vaping and nicotine product packaging proposals would need to comply with any new regulatory requirements by the end of a 12 month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

62. Do you agree or disagree with our proposed implementation period of no less than 12 months (from when the detail of any new requirements is clear)?

Agree; Neither agree nor disagree; Disagree; Don't know

63. Please explain your answer (optional).

Restricting the colour and finish of vapes

We propose restricting the colour of vape devices, including all visible parts, to:

- white, black or grey, with only one of those colours per device
- a matt finish
- no variation in shades or opacity

64. Do you agree or disagree with our proposal to limit the colour of a vaping device (including all visible parts) to white, black or grey with a matt finish?

Agree; Neither agree nor disagree; Disagree; Don't know

65. Do you agree or disagree that vape devices should be banned from having cosmetic lights?

This would not apply to functional lights, such as those that indicate charge level.

Agree; Neither agree nor disagree; Disagree; Don't know

66. Please explain your answers (optional).

Restricting branding, imagery, and artwork on vapes

We propose that vapes are banned from having images or artwork, except for where these may be a legal requirement, such as warnings.

We also propose that branding should be limited to a single brand name, which would be subject to a set font, size and colour on the device. This aligns with the restrictions we are proposing for heated tobacco devices.

67. Do you agree or disagree with our proposal to restrict all branding, imagery and artwork on vapes?

Agree; Neither agree nor disagree; Disagree; Don't know

68. Please explain your answer (optional).

Restricting the digital screens on vapes

We propose that digital screens on vapes are prohibited, except for screens which display safety and status information such as battery and liquid levels.

69. Do you agree or disagree that digital screens on vapes should be restricted to only the display of safety and status information such as battery level, and be greyscale in colour (black, white and grey only)? This would not include lights that indicate status information, such as when the device is being recharged.

Agree; Neither agree nor disagree; Disagree; Don't know

70. Please explain your answer (optional).

Stopping vapes imitating other products

Currently vapes can and do copy the design of other products, such as highlighter pens, refillable water bottles and game devices.

We propose to limit the potential appeal of vapes by stopping them from looking like other products.

71. Do you agree or disagree that vapes should not be permitted to mimic the design of other products and items? The objective of this proposal is to limit the appeal or attractiveness of vapes.

Agree; Neither agree nor disagree; Disagree; Don't know

72. Please explain your answer (optional).

Time allowed to implement new device requirements

If and when new requirements are introduced, manufacturers will need time to ensure their devices are compliant. Retailers may also need time to sell old stock that does not comply with new law.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose that a minimum notice period of 12 months would be enough. This would mean all vapes would need to comply with any new regulatory requirements by the end of a 12 month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

73. Do you agree or disagree with our proposed implementation period of no less than 12 months (from when the detail of any new requirements is clear)?

Agree; Neither agree nor disagree; Disagree; Don't know

74. Please explain your answer (optional).

Requested temporary and incidental displays in Scotland

Tobacco products and smoking-related products can be shown to a customer following a request. We call this a requested temporary display. Requested temporary displays enable informed purchasing decisions.

As a result of a requested temporary display, other people nearby may also incidentally see these products. Current legislation in Scotland also makes allowances to enable restocking, staff training, pricing and display unit maintenance where necessary. We call this an incidental display.

Retail display of tobacco products, smoking-related products, heated tobacco devices and herbal smoking products in Scotland

Tobacco products and smoking-related products: We propose that the requested temporary display of tobacco products and smoking-related products should only be allowed from behind a sales counter, and not another location within a retail setting.

Heated tobacco devices and herbal smoking products: We propose to ban the retail display of heated tobacco devices and herbal smoking products in Scotland. As part of this, we propose that the existing restrictions and allowances that apply to the retail display of tobacco products and smoking-related products should apply to these products too.

This includes:

- restricting the display of products in places where they are offered for sale
- allowances for incidental displays and requested temporary displays
- permitting the same maximum visible areas (0.1 square metres)

We also propose that the requested temporary display of these products should only be allowed from behind a sales counter, and not another location within a retail setting. This is the same way as we are proposing to make this a legal requirement for tobacco products and smoking-related products.

To make it more practical for the retailers of waterpipes like shisha to comply with regulations due to their size, we are also proposing an expansion of the maximum permitted area of display as a result of a requested temporary display or incidental display for waterpipes.

Waterpipes: We propose to expand the maximum visible area of display unit permitted as result of a requested or incidental display for waterpipes like shisha, due to their size.

Smoking-related products: The current list of 'smoking-related products', as defined by the Tobacco and Primary Medical Services (Scotland) Act 2010, includes:

- cigarette papers
- cigarette tubes
- filters that do not form part of a tobacco product or smoking-related product
- apparatus for making cigarettes
- cigarette holders
- pipes for smoking tobacco products (which would include waterpipes like shisha)

75. Do you agree or disagree with our proposal to introduce a legal requirement that the requested temporary display of tobacco products and smoking-related products must take place from behind a sales counter?

Agree; Neither agree nor disagree; Disagree; Don't know

76. Do you agree or disagree with our proposal to restrict the display of heated tobacco devices? This would include the requirement that their requested temporary display must take place from behind a sales counter.

Agree; Neither agree nor disagree; Disagree; Don't know

77. Do you agree or disagree with our proposal to restrict the display of herbal smoking products? This would include the requirement that their requested temporary display must take place from behind a sales counter.

Agree; Neither agree nor disagree; Disagree; Don't know

78. Do you agree or disagree that the maximum visible area of display unit permitted as a result of a requested or incidental display of herbal smoking products or heated tobacco devices in Scotland should be 0.1 square metres?

Agree; Neither agree nor disagree; Disagree; Don't know

79. If we expand the area of display, what size do you think it should be increased to?

0.5 square metres; 1 square metre; 1.5 square metres; Don't know; Other

80. Do you agree or disagree that the current list of smoking-related products reflects all tobacco-related devices used for smoking currently available to purchase?

Agree; Neither agree nor disagree; Disagree; Don't know

81. Please explain your answers (optional).

Display of prices for heated tobacco devices and herbal smoking products in Scotland

Current regulations in Scotland restrict the display of prices for tobacco products and smoking-related products in places where tobacco products are offered for sale. Prices must be presented in a consistent format using specific fonts and can only include the:

- brand name of the product
- number of units in the package or the net weight of the product
- price of the product

For cigars, the information displayed can also include the country of origin and dimensions. For pipe tobacco, it can include the cut and type of tobacco used.

Retailers can display prices for tobacco products and smoking-related products in 3 formats:

- a single price list, which can be permanently displayed at each point of sale but must be text-only and meet size and font requirements
- a picture price list, which can include product images and can only be shown in response to a request by a customer

- small price labels, which can be placed on the covered shelf or display unit where the product is kept, pending sale

We propose to apply the same principles for the display of prices to:

- heated tobacco devices
- herbal smoking products

82. Do you agree or disagree with our proposal to restrict the display of prices of heated tobacco devices?

Agree; Neither agree nor disagree; Disagree; Don't know

83. Do you agree or disagree with our proposal to restrict the display of prices for herbal smoking products?

Agree; Neither agree nor disagree; Disagree; Don't know

84. Please explain your answers (optional).

Exemptions to display regulations for tobacco products, smoking-related products, heated tobacco devices and herbal smoking products in Scotland

In Scotland, there are exemptions that allow tobacco products, smoking-related products and their respective prices to be on display inside certain premises. These premises include:

- trade tobacconists
- specialist tobacconists
- bulk tobacconists and duty-free tobacco areas

We propose to maintain current exemptions for tobacco products and smoking-related products for relevant trade premises and specialist tobacconists. If and when additional retail display restrictions are brought in, we also propose that relevant trade premises and specialist tobacconists will continue to be allowed to display the following products, and their prices:

- heated tobacco devices
- herbal smoking products

We propose to remove the bulk tobacconist exemption for tobacco products and smoking-related products and to not replicate it for any other products in scope of this consultation, because these products may be visibly accessible to the public, including children and young people.

85. Do you agree or disagree with our proposal to allow for the display of heated tobacco devices and prices in relevant trade premises in Scotland?

Agree; Neither agree nor disagree; Disagree; Don't know

86. Do you agree or disagree with our proposal to allow for the display of herbal smoking products and prices in relevant trade premises in Scotland?

Agree; Neither agree nor disagree; Disagree; Don't know

87. Please explain your answers (optional).

88. Do you agree or disagree with our proposal to allow for the display of heated tobacco devices and prices inside specialist tobacconists in Scotland?

Agree; Neither agree nor disagree; Disagree; Don't know

89. Do you agree or disagree with our proposal to allow for the display of herbal smoking products and prices inside specialist tobacconists in Scotland?

Agree; Neither agree nor disagree; Disagree; Don't know

90. Please explain your answers (optional).

91. Do you agree or disagree with our proposal to remove and not replicate the bulk tobacconist exemption for all products in scope of this consultation?

Agree; Neither agree nor disagree; Disagree; Don't know

92. Please explain your answer (optional).

Restricting the display of vaping and nicotine products across the UK

We propose that the display of vaping products and nicotine products is restricted.

We propose that the same allowances for temporary and incidental displays as we have proposed for most other products within scope of this consultation are applied across the UK. This includes a temporary requested display taking place behind a sales counter. This would make the maximum visible area permitted for a requested temporary display or incidental display:

- 1.5 square metres in England, Wales and Northern Ireland
- 0.1 square metres in Scotland

We also propose that a requested temporary or incidental display of vaping or nicotine products must not result in the display of:

- tobacco products (and smoking-related products in Scotland)
- cigarette papers
- heated and other tobacco-related devices
- herbal smoking products

93. Do you agree or disagree with our proposal to restrict the display of vaping products? This would include the requirement that their requested temporary display must take place from behind a sales counter.

Agree; Neither agree nor disagree; Disagree; Don't know

94. Do you agree or disagree with our proposal to restrict the display of nicotine products?
This would include the requirement that their requested temporary display must take place from behind a sales counter.

Agree; Neither agree nor disagree; Disagree; Don't know

95. Do you agree or disagree that the requested temporary or incidental display of vaping and nicotine products should not result in the display of tobacco products (and smoking-related products in Scotland), cigarette papers, heated and other tobacco devices or herbal smoking products?

Agree; Neither agree nor disagree; Disagree; Don't know

96. Please explain your answers (optional).

Display of prices of vaping and nicotine products across the UK

Across the UK, we propose to apply the same principles for the display of prices of tobacco products to:

- vaping products
- nicotine products

We propose that the price lists for vaping and nicotine products are permitted to also include nicotine strength and ingredients. This will help consumers make informed purchases.

We propose that separate price lists must be used for vaping and nicotine products and for tobacco products, for both permanently displayed price lists and picture prices lists, given vaping and nicotine products carry lower levels of harm than tobacco products.

97. Do you agree or disagree with our proposal to restrict the display of prices for vaping products, and allow for additional information on nicotine strength and ingredients?

Agree; Neither agree nor disagree; Disagree; Don't know

98. Do you agree or disagree with our proposal to restrict the display of prices for nicotine products and allow for additional information on nicotine strength and ingredients?

Agree; Neither agree nor disagree; Disagree; Don't know

99. Please explain your answers (optional).

Exemptions to display restrictions of vaping and nicotine products across the UK

Across the UK, it is permitted to display tobacco products inside premises that are only accessible to people working in the tobacco trade as long as this is not visible to the public from the outside. We propose to have this exemption to allow for relevant trade premises to display vaping products and nicotine products.

100. Do you agree or disagree with our proposal to allow for the display of vaping products in relevant trade premises?

Agree; Neither agree nor disagree; Disagree; Don't know

101. Do you agree or disagree with our proposal to allow for the display of nicotine products in relevant trade premises?

Agree; Neither agree nor disagree; Disagree; Don't know

102. Please explain your answers (optional).

Exemptions to display restrictions for vaping and nicotine products in pharmacies in England, Wales and Scotland

We welcome views on exemptions that allow a limited display of vaping and nicotine products inside community pharmacies in England, Wales and Scotland. For example, this could include locked transparent display units. This could help people to try to quit smoking, while restricting accessibility to young people.

However, we do not propose that the same exemption applies to vape shops, since they are not clinical settings.

103. Do you agree or disagree that community pharmacies in England, Wales and Scotland should be permitted an exemption to allow for the limited display of vaping and nicotine products?

Agree; Neither agree nor disagree; Disagree; Don't know

104. Please explain your answer (optional).

Time allowed to implement all new display restrictions

If and when new requirements are introduced, retailers will need time to update their shops to comply with the necessary changes.

There should be a long enough notice period before new requirements come into force. This period would start from when the details of the new requirements are made clear. We have not yet decided what is the best way to share those details, but it could be, for example, in a government response to this consultation or when regulations are presented to the relevant national Parliament.

We propose that a minimum notice period of 6 months would be enough. This would mean the display of products in scope would need to comply with any new requirements by the end of a 6-month implementation period. However, a longer or shorter notice period may be needed, and we welcome views on this.

105. Do you agree with our proposal that there should be a minimum of 6 months' notice (from when the detail of any new requirements is clear)?

Agree; Neither agree nor disagree; Disagree; Don't know

106. Please explain your answer (optional).

We have published consultation stage impact assessments alongside this consultation. The Scottish government, Welsh government and the Department of Health in Northern Ireland have also published impact assessments for proposals relating to retail display.

We would like to hear about any measurable impacts we have not considered in these initial impact assessments.

The data and evidence used in the impact assessments reflects the best available at the time of their completion in October 2025 (May 2026 for the impact assessment for Scotland and June 2026 for the impact assessments for Wales and Northern Ireland). Following this consultation, we will update the impact assessments as appropriate, including in consideration of information we gather through responses and any new data and evidence made available since their publication.

Impact assessment: Standardised packaging and pack inserts for tobacco products (excluding cigarettes and hand rolling tobacco), heated tobacco devices, herbal smoking products and cigarette papers

If you have any evidence or data to inform the assumptions or estimates in the consultation stage impact assessment for standardised packaging and pack inserts for tobacco products (excluding cigarettes and hand rolling tobacco), heated tobacco devices, herbal smoking products and cigarette papers, please enter it in the relevant free text box below.

Please do not include any personal information in your response.

107. Provide any evidence to inform our estimates in the impact assessment of the benefits of the proposed policy (optional). For example, information on the impact that options will have on the number of people using products in scope and/or health benefits associated with any reduction in usage.

108. Provide any evidence to inform our estimates in the impact assessment of the costs of the proposed policy (optional). For example, information on profit margins for manufacturers, wholesalers and retailers, and/or costs and process of product redesign.

109. Specify any stakeholders that may be impacted by the proposed policy and/or costs and benefits that we have not identified in the impact assessment (optional).
110. Outline any potential unintended consequences of the proposed policy that we have not identified in the impact assessment (optional).
111. Provide any other comments to inform our assumptions or analysis in the impact assessment (optional).

Impact assessment: Restricting the appearance of vapes and heated tobacco products

If you have any evidence or data to inform the assumptions or estimates in the consultation stage impact assessment for restricting the appearance of vapes and heated tobacco products, please enter it in the relevant free text box below.

Please do not include any personal information in your response.

112. Provide any evidence to inform our estimates in the impact assessment of the benefits of the proposed policy (optional). For example, information on the impact that options will have on the number of people using products in scope and/or health benefits associated with any reduction in usage.
113. Provide any evidence to inform our estimates in the impact assessment of the costs of the proposed policy (optional). For example, information on profit margins for manufacturers, wholesalers and retailers, and/or costs and process of product redesign.
114. Specify any stakeholders that may be impacted by the proposed policy and/or costs and benefits that we have not identified in the impact assessment (optional).
115. Outline any potential unintended consequences of the proposed policy that we have not identified in the impact assessment (optional).
116. Provide any other comments to inform our assumptions or analysis in the impact assessment (optional).

Impact assessment: Standardising packaging for vaping products and nicotine products

If you have any evidence or data to inform the assumptions or estimates in the consultation stage impact assessment for standardising packaging for vaping products and nicotine products, please enter it in the relevant free text box below.

Please do not include any personal information in your response.

117. Provide any evidence to inform our estimates in the impact assessment of the benefits of the proposed policy (optional). For example, information on the impact that options will have on the number of people using products in scope and/or health benefits associated with any reduction in usage.
118. Provide any evidence to inform our estimates in the impact assessment of the costs of the proposed policy (optional). For example, information on profit margins for manufacturers, wholesalers and retailers, and/or costs and process of product redesign.
119. Specify any stakeholders that may be impacted by the proposed policy and/or costs and benefits that we have not identified in the impact assessment (optional).
120. Outline any potential unintended consequences of the proposed policy that we have not identified in the impact assessment (optional).
121. Provide any other comments to inform our assumptions or analysis in the impact assessment (optional).

Impact assessments on retail display

There are 4 impact assessments available on proposals relating to the retail display of products:

- a consultation stage impact assessment for restricting the display of vaping, nicotine products and tobacco-related devices and products for England
- a partial business and regulatory impact assessment on proposed measures for display of tobacco products, smoking-related products, heated tobacco devices and herbal smoking products for Scotland
- a consultation stage impact assessment for the proposed policy of restricting the display of relevant products in Wales
- a regulatory impact assessment on proposed measures to restrict the displays of relevant products in Northern Ireland

If you have any evidence or data to inform the assumptions or estimates in any of these impact assessments, please enter it in the relevant free text box below. Please ensure it is clear which impact assessment you are referring to. Do not include any personal information in your response.

122. Provide any evidence to inform our estimates in the impact assessments of the benefits of the proposed policy (optional). For example, information on the impact that

options will have on the number of people using products in scope and/or health benefits associated with any reduction in usage. In your response, please specify which impact assessments you are referring to.

123. Provide any evidence to inform our estimates in the impact assessments of the costs of the proposed policy (optional). For example, information on profit margins for manufacturers, wholesalers and retailers, and/or costs and process of product redesign. In your response, please specify which impact assessments you are referring to.
124. Specify any stakeholders that may be impacted by the proposed policy and/or costs and benefits that we have not identified in the impact assessments (optional). In your response, please specify which impact assessments you are referring to.
125. Outline any potential unintended consequences of the proposed policy that we have not identified in the impact assessments (optional). In your response, please specify which impact assessments you are referring to.
126. Provide any other comments to inform our assumptions or analysis in the impact assessments (optional). In your response, please specify which impact assessments you are referring to.

APSE Comment

APSE recognises the important role local authorities play in supporting public health objectives through regulatory enforcement, partnership working and preventative interventions aimed at reducing smoking prevalence and discouraging nicotine use among children and young people. The proposals set out in this consultation represent a significant step in the implementation of the Tobacco and Vapes Act 2026 and seek to address concerns around the appeal and visibility of tobacco, vaping and nicotine products. This also highlights continuous developments from previous work including Zero Waste Scotland's summary report in 2023 of the main findings of the environmental impact of single use e-cigarettes that was undertaken at the request of the Minister for Green Skills, Circular Economy and biodiversity ([APSE Briefing 23-48](#)) and the UK wide ban on single use vapes in 2025 ([APSE Briefing 25-19](#)).

While much of the consultation focuses on packaging, appearance and display requirements, the implications for local government extend beyond public health policy. Scottish local authorities are likely to play a central role in the enforcement of any future regulations through Trading Standards and Environmental Health services, and it will be important that any new responsibilities are supported by clear guidance, realistic implementation timescales and appropriate consideration of local authority capacity and resources.

APSE also recognises that councils have increasingly highlighted concerns regarding the environmental impacts associated with vaping products. Alongside discarded devices and packaging, member authorities have reported issues of stickers and branding materials being placed on public infrastructure, including litter bins, street furniture and other public assets as well as being associated with refuse collection fires and fires in baling facilities. These issues can create additional pressures for street cleansing and environmental services and contribute to wider concerns regarding the quality of local environments and public spaces as well as the health and safety of staff and the wider public.

The consultation therefore presents an opportunity to consider the broader impacts of product packaging, branding and display practices, not only in relation to public health outcomes but also in terms of environmental quality and place management. As councils continue to address challenges associated with litter prevention, waste management, maintaining attractive public spaces there may be value in ensuring that these wider local government perspectives are reflected in the development of future regulations.

APSE encourages member authorities to engage with the consultation and provide evidence from across relevant service areas, including Trading Standards, Environmental Health, Public Health, Waste Management and Street Cleansing services. Engagement will help ensure that the practical, financial and operational implications for local government are fully understood and that any future regulatory framework is effective, deliverable and proportionate.

Discussions on the way forward and sharing of best practice with managing waste and litter associated with vapes and tobacco products takes place in APSE Scotland's Litter Managers Network and Parks, Grounds and Street Services Network. Network meetings are free to attend for APSE members. Previous presentations are available online [here](#) and upcoming meetings are listed [here](#).

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APSE member authorities have access to a range of membership resources to assist in delivering council services. This includes our regular networks, specifically designed to bring together elected members, directors, managers and heads of service, together with trade union representatives to discuss service specific issues, innovation and new ways of delivering continuous improvement. The networks are an excellent forum for sharing ideas and discussing topical service issues with colleagues from other councils throughout the UK.

Networks are a free service included as part of your authority's membership of APSE and all end with an informal lunch to facilitate networking with peers in other councils. If you do not currently receive details about APSE network meetings and would like to be added to our list of our contacts for your service area, please email enquiries@apse.org.uk

Our national networks include:

- FM and Building cleaning
- Catering (School Meals)
- Cemeteries and Crematoria
- Local Government Reorganisation Network
- Highways and Street Lighting
- Housing, Construction and Building Maintenance
- Local Authority Social Value, Procurement and Commercialisation
- Parks, Horticulture and Ground Maintenance
- Recovery and Renewal
- Renewables and Climate Change
- Roads, highways and street lighting
- Sports and Leisure Management
- Vehicle Maintenance and Transport
- Waste Management, Refuse Collection and Street Cleansing
- Armed Forces and Veterans Network

Visit www.apse.org.uk for more detail



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