
STATUTORY INSTRUMENTS

2016 No. 507

The Tobacco and Related Products Regulations 2016

PART 6

Electronic cigarettes

Product presentation requirement

38.—(1) No person may produce or supply an electronic cigarette or refill container unless it complies with paragraphs (2) to (4).

(2) The unit packet and any container pack of the electronic cigarette or refill container may not include any element or feature falling within paragraph (3).

(3) An element or feature falls within this paragraph if it—

- (a) promotes an electronic cigarette or refill container, or encourages its consumption by creating an erroneous impression about its characteristics, health effects, risks or emissions;
- (b) suggests that a particular electronic cigarette or refill container—
 - (i) is less harmful than other electronic cigarettes or refill containers,
 - (ii) has vitalising, energising, healing, rejuvenating, natural or organic properties, or
 - (iii) has other health or lifestyle benefits;
- (c) refers to taste, smell or other additives (except flavourings) or the absence of any such thing;
- (d) resembles a food or a cosmetic product; or
- (e) suggests that a particular electronic cigarette or refill container has improved biodegradability or other environmental advantages.

(4) The unit pack or container pack in which an electronic cigarette or refill container is, or is intended to be, presented for retail sale may not contain any element or feature which suggests economic advantage by including printed vouchers or offering discounts, free distribution, two-for-one or other similar offers.

(5) The elements and features referred to in paragraphs (2) to (4) include (but are not limited to) text, symbols, names, trademarks, figurative or other types of sign.