



SELLING VAPES RESPONSIBLY

This guide explains how to source and sell vapes (otherwise known as e-cigarettes) responsibly. These are products that heat a nicotine containing liquid to generate an aerosol.

Vapes must be notified to the MHRA before being legal to place on the UK market. When sourcing new products, check the Notified Product lists on the MHRA website at <https://cms.mhra.gov.uk/ecig-new>. If a product is not listed on the MHRA website in the Notified Products List, it is not allowed to be sold in the UK.

1. DISPOSABLE VAPING BAN



The Government banned the sale and supply of all disposable vaping products in June 2025 through the Environmental Protection (Single-Use Vapes)(England) Regulations 2024.

It is illegal for retailers to **sell, offer to sell, or have in possession for sale** disposable vaping products in their shop or on their website.

What vaping products are legal for sale

Any vaping products that you sell, offer to sell, or have in your possession for sale must have the following features:

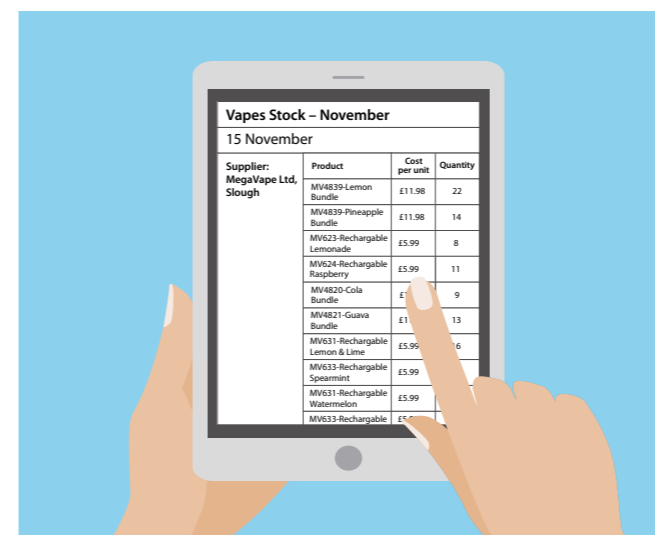
Must be refillable

- A container that is refillable, or
- A container that is separately available and can be replaced, such as a pod system, by a user in the product's normal course of use.



Must be rechargeable

- Contains a battery that can be recharged, and
- A replacement coil or a coil which is contained in a single use cartridge or pod which is separately available after purchase and can be replaced in the product's normal course of use.



Enforcement and record keeping

In the event of an enforcement visit or inspection you must prove that you took 'all reasonable steps' and exercised 'all due diligence' to avoid committing an offence. Steps you can take to demonstrate this include:

- Keep records of the vape suppliers you work with and their awareness of the regulations, for example a statement on their website.
- Keep records of the stock you have received from suppliers. Examples of good documentation include invoices and receipts of purchases.
- If requested, provide all records of vape suppliers you work with and stock you hold to Trading Standards.

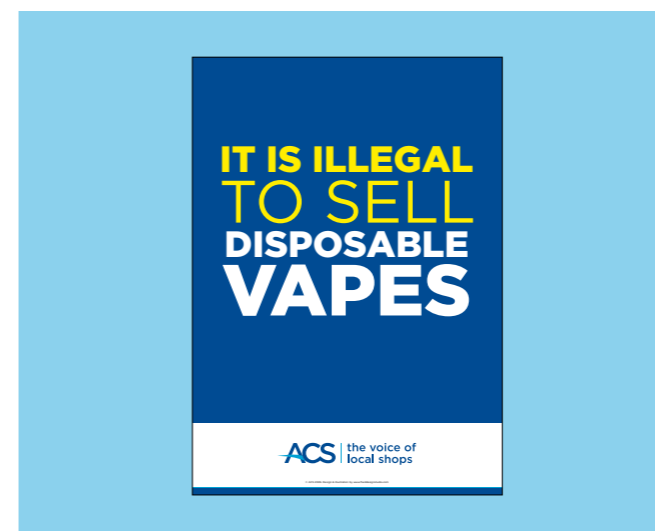
In Wales and Scotland, retailers can receive up to a level five fine and be imprisoned for up to two years.



Penalties

A person found to be selling disposable vapes is liable on summary conviction to a fine. There are a range of notices Trading Standards can issue in the event of non-compliance:

- **Fixed Monetary Penalty:** Trading Standards can issue a notice of intent to serve a £200 Fixed Monetary Penalty (FMP) if a business is found to be non-compliant with the law, reducing to £100 if paid within 28 days of the penalty being served.
- **Stop Notices:** If a business continues to engage in illicit activity, Trading Standards can issue a stop notice prohibiting a business from carrying on an activity specified in the notice, such as selling all vaping products, until the business has fulfilled the notice requirements.
- **Additional Cost Recovery Notice:** Businesses may also receive a notice where they must pay the costs incurred by Trading Standards while investigating the business' offence.



Customer communications

ACS has produced a poster for retailers to display in-store to help communicate the disposable vapes ban to customers. The poster is available at: <https://www.acs.org.uk/advice/selling-vapes>

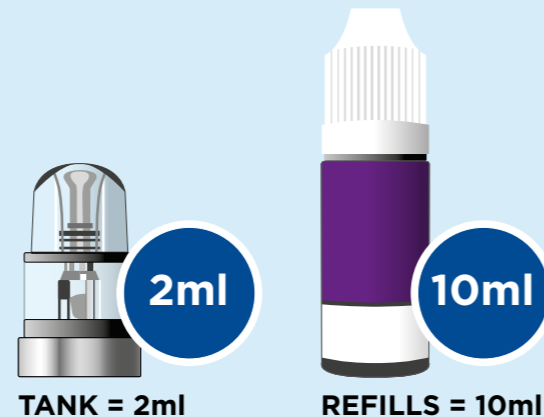
2. HOW TO RECOGNISE LEGITIMATE PRODUCTS

There are strict requirements for vapes that are allowed to be placed on the UK market. Check the following to ensure the products you stock are legitimate:

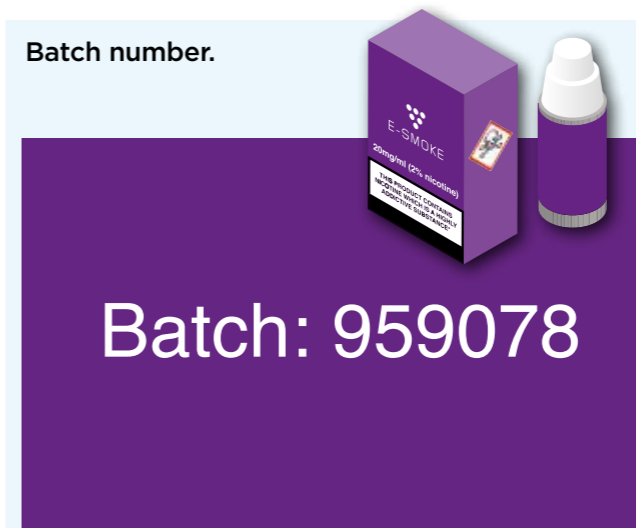
Disposable vapes are not allowed to be sold.



The maximum tank size is 2ml, and the maximum size of refill containers is 10ml.



Batch number.



Recommendation to keep the product out of the reach of children.

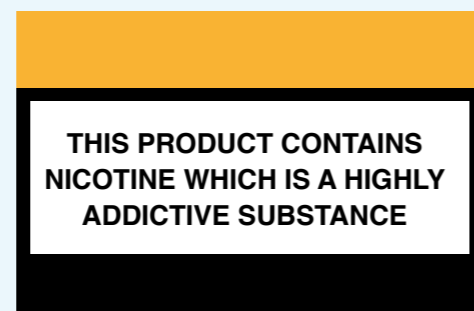


The maximum nicotine content allowed for vapes is 20mg/ml.



Health warnings must cover 30% of the front and back of the pack.

The health warning must read:



Any variation on this wording is not allowed.

Offers and discounts, product safety/health claims are prohibited on packs.



Vapes that are charged from the mains electrical supply should bear the CE mark or UKCA mark. The UKCA (UK Conformity Assessed) mark became part of UK law when the UK left the EU and must be included on all packaging from January 2023 onwards.



List of ingredients in nicotine-containing liquid, if present.

3x Flavoured eLiquid

INGREDIENTS

Vegetable Glycerine (<80%)
 Monopropylene Glycol (<20%)
 Flavouring: cookie, cherry, almond.
 0.6% Nicotine

The product must indicate the nicotine content and delivery per dose.

Nicotine content
 6-8 mg per
 cartridge

All vapes and refill containers must be tamper-evident and have child-resistant packaging. Electronic/electrical products must be disposed of separately from household waste, more information about recycling vapes and WEEE regulations is available on page 7.



Packaging must also contain the manufacturer or importer name and contact details.

Imported and distributed by
E-Smoke Ltd
 90 Eastern Road,
 Slough SL3 1XS
 Tel: 01753 100100
 Email: info@e-smoke.co.uk

3. PREVENTING UNDERAGE SALES

It is illegal to sell vaping products to anyone under 18. Anyone doing so is committing an offence, and both the business owner and staff members who made the sale can be penalised.

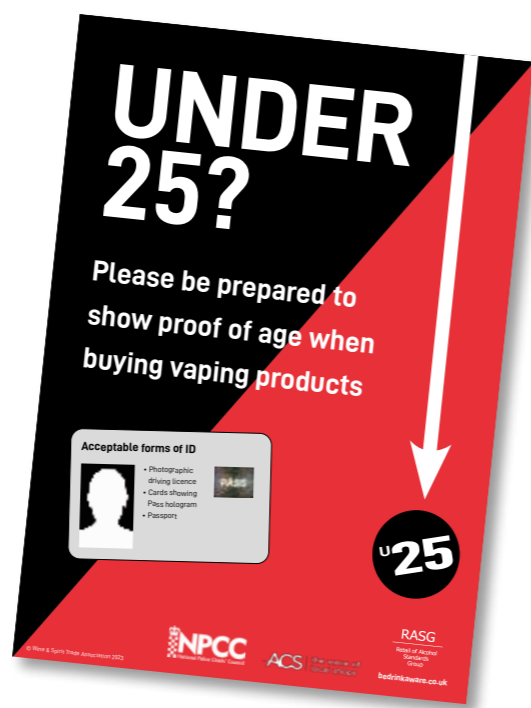
Challenge 25

ACS recommends the use of Challenge 25 policies for all underage sales.

Challenge 25 is a store policy based on two simple principles:

1. All staff serving customers should be trained to 'think 25'. This means if a customer is seeking to buy an age restricted product (of any kind), the staff member should ask themselves the question - 'does the person in front of me look like they might be under the age of 25 years?' If the answer is yes, then they should ask the person for a valid proof of age. If the identification confirms they are over the legal age of purchase for that product, then it can be sold to them.
2. The store policy is clearly communicated to customers, usually through the use of visible in-store signage.

Posters are available to download and print from <https://www.acs.org.uk/challenge25>



Online sales

For retailers that sell vapes online through a delivery service or online ordering platform, ACS recommends conducting ID checks before any goods are delivered to a customer. More information about selling age restricted products online is available in the ACS Assured Advice guide on Preventing Underage Sales.

4. PROXY SALES

It is an offence for an adult to purchase nicotine inhaling products on behalf of someone under age. This is commonly called a 'proxy sale'. You should consider adopting a common approach to identifying and preventing proxy sales across all age restricted products.

It can be very difficult to know if an adult intends to buy an age restricted product for or on behalf of someone who is underage. Therefore, you are only expected to act when an obvious proxy sale is taking place. More information on common scenarios that retailers may encounter when dealing with attempted proxy sales is available in the ACS Assured Advice guide on Preventing Underage Sales.

To mitigate proxy purchasing, some manufacturers might enforce product-quantity limits that restrict bulk orders that may be distributed to those underage. Check and comply with manufacturer product-quantity limits if they have such policies in place.



5. ADVERTISING

Vapes and refill containers cannot be advertised or promoted, directly or indirectly on television or radio, commercial email, in magazines or newspapers, or online, including on social media (except where the media in question is trade facing only, for example trade press titles distributed to retailers). This includes posts made by the retailer themselves and posts that are sponsored or promoted by a manufacturer. Retailers selling or including product information about vapes on their websites are permitted to do so, as long as the information included about the product only contains factual claims such as ingredients, nicotine content and descriptions of product components. More detailed advertising guidance can be found here: <https://www.asa.org.uk/resource/electronic-cigarette-advertising-prohibition.html>

MEDICATED E-CIGARETTES

- E-cigarettes which are licensed as medicines are exempt from the age restriction and can be sold to persons under 18.
- E-cigarettes that contain over 20mg/ml of nicotine are required to be licensed as medicines.
- You can check if e-cigarettes you stock are licensed as medicines by visiting the Medicines and Healthcare products Regulatory Agency (MHRA) website here: www.gov.uk/guidance/e-cigarettes-regulations-for-consumer-products

6. OPERATING A VAPE RECYCLING SERVICE IN YOUR SHOP

The following guidance is not assurable under the Primary Authority scheme and should be considered as best practice.

Vapes are no longer part of the Distributor Takeback Scheme (DTS). As a result, all retailers selling vapes must offer their customers a recycling bin for vaping products.

This guidance outlines how retailers can collect used vapes in-store, store them safely and arrange collections on a regular basis.

Displaying information in stores

You must make information available to customers in your stores about the vape collection service you offer and how it can be used.

ACS has produced a vape specific template poster that you can use in-store here <https://tinyurl.com/bdfke2zy>

The Office for Product Safety and Standards (OPSS) have developed a template poster you can use here. <https://tinyurl.com/2p9dy8sb>

If you make your own poster then it must include the following information:

- The need to minimize WEEE waste in the municipal waste stream and secure high levels of rates.
- The collection and takeback services available to customers.
- How you are contributing to the reuse, recycling and other forms of recovery of WEEE.
- The potential effects on the environment and human health as a result of the presence of hazardous substances in EEE.
- The meaning of the crossed out wheeled bin symbol shown here:



Taking back vapes in stores

You must offer to takeback vapes that offer the same functions of the vapes that you sell in your store. The type of vape is determined by functionality not brand.

If you sell only one brand of vapes then it follows that you will have to accept returns of all types of vapes.

Under the WEEE regulations, the return of vapes to stores happens on a "one for one" basis. This means that you only have to take back vapes in your recycling bin when a customer is buying an equivalent vape in your store.

You cannot charge customers for taking back their vapes. The service must be free of charge.

ILLCIT VAPES

If a customer tries to return an illicit vape to your store you can refuse to accept it.



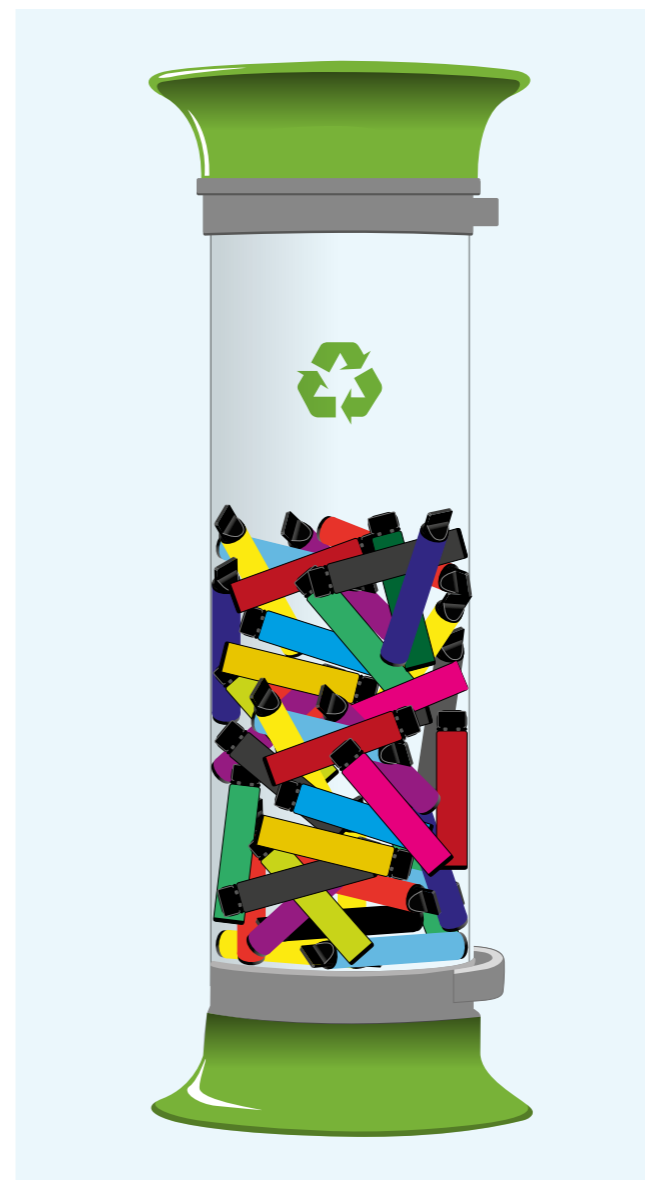
The WEEE regulations state that electrical equipment returned must be an equivalent type and fulfil the same function as the supplied equipment. (WEEE Regulations 2013 42.1)

Illicit vapes are not equivalent to the vapes you will sell and therefore should not be accepted in your recycling collection points.

Storing vapes

Vapes should be stored in a separate container in a cool dry place away from windows and direct sunlight, and away from other electrical and electronic equipment you store for takeback.

You can only store the used vapes temporarily, generally no longer than three months. There is no regulatory requirement for a specific vape container. Tube containers, widely used for battery collection, can be used for storing vapes, but it is recommended that vapes are stored separately from batteries and other electronic and electrical equipment.



Arranging collection of vapes from your store



You must dispose of the vapes you collect in your store properly so they can be recycled. You will have to contact a provider of vape collection services to collect vapes from your store.

You also need to receive and fill in a waste consignment notice which should be provided by your waste collection provider that documents the returned vapes are being taken away to be recycled responsibly.

Vape collection service providers offer a wide range of services at different prices. You can get more information about vape providers from the following locations:

- Registers of electrical and electronic equipment (EEE) producer compliance schemes (<https://tinyurl.com/4fpu4ese>). This is the government's register of producer compliance schemes providers. Many will offer vape collection services.
- Some vape suppliers have their own schemes to collect vapes for recycling. We recommend that retailers make contact with their own vape supplier to understand what bin and collection services they offer

Retailers can get their own waste carrier licence to transport vapes themselves, but this is not covered in this guidance. More information is available here (<https://tinyurl.com/4urw5bd5>)

Record keeping



You need to record information about the number of vaping units you collect through takeback in-store and the number collected by your vape collection service provider.

You should estimate the number of units returned to your store before they are collected by your vape collection service provider. Vapes can be counted, estimated by weight, or estimated by volume. You do not need to distinguish between different types of vapes, only the total number of units returned to your store and passed on to the vape collection service provider.

You need to keep all documentation you make, or are given by the waste collection provider, when you dispose of electrical and electronic waste.

A template for recording the vapes returned to your store is available here (<https://tinyurl.com/msx2ed48>).

Records must be kept for a four year period.

Further information on this process and your responsibilities is available here (<https://tinyurl.com/yv2d4rh4>).

Non compliance

The Office for Product Safety and Standards (OPSS) enforces the collection of vapes and other electrical products. You can be prosecuted and get an unlimited fine if you do not comply with the regulations.

You may get warning letters before enforcement action, fine or prosecutions are undertaken.

You can contact them if you have any questions on compliance or suspected non-compliance via email or their telephone number below.

Email: OPSS.enquiries@beis.gov.uk
Telephone: 0121 345 1201 (Mon to Fri 9am to 5pm)

7. UK NATIONS

ENGLAND (DISPOSABLES BAN)

The Environmental Protection (Single-use Vapes) (England) Regulations 2024 state that:

- A person who supplies, offers to supply or has in their possession for supply a single-use vape is guilty of an offence.
- A person who without reasonable excuse:
 - (a) fails to comply with any requirement imposed in the exercise of an enforcement officer's powers under regulation 10(1)(c)(iii) or (g), or
 - (b) otherwise obstructs an enforcement officer in the exercise of the officer's powers under regulation 10, is guilty of an offence.

WALES (DISPOSABLES BAN)

The Environmental Protection (Single-use Vapes) (Wales) Regulations 2024 makes it an offence:

- For retailers to supply a single use vape, offer to supply a single use vape, or have in their possession for supply a single use vape.
- For retailers to intentionally obstruct an enforcement officer or fail, without reasonable excuse, to comply with a request made by an enforcement officer in the exercise of their powers.

SCOTLAND (DISPOSABLES BAN)

The Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024 state that:

- A person who supplies, offers to supply, or has in their possession for supply, a single-use vape, commits an offence.
- A person who fails without reasonable excuse to comply with any requirement imposed in the exercise of an enforcement's officers' powers commits an offence.

ABOUT THIS GUIDE

This guide is provided by the Association of Convenience Stores in consultation with Buckinghamshire and Surrey Trading Standards. It was last updated in January 2026. Please refer to the ACS website for the most current version of this guidance.

ACS Primary Authority Scheme

This advice was developed by ACS and Buckinghamshire and Surrey Trading Standards; as part of a dedicated primary authority scheme. This means that all the advice that has this mark against it is 'Assured Advice'.

Assured Advice means that if you adopt this policy in your business, then it must be respected by all other local authorities and they cannot ask you to adopt a different policy.



This guide covers a range of different issues of best practice and law. Those that qualify as assured advice are marked by this hallmark.

To benefit from assured advice you must sign up to the ACS scheme. All ACS members can sign up to the ACS Primary Authority Scheme for details of how to join up visit www.acs.org.uk/advice

Relevant legislation and additional guidance

- **Tobacco and Related Product Regulations (2016):**
<https://www.legislation.gov.uk/ukxi/2016/507/contents/made>
- **MHRA Notified Products List:**
<https://cms.mhra.gov.uk/ecig-new>
- **MHRA Retailer Guide:**
<https://bit.ly/3nnvUlj>
- **Yellow Card Reporting System:**
<https://yellowcard.mhra.gov.uk>
- **Restrictions on advertising electronic cigarettes (DHSC):**
<https://www.gov.uk/government/publications/proposals-for-uk-law-on-the-advertising-of-e-cigarettes/publishing-20-may-not-yet-complete>
- **ASA Code Section 22, Electronic Cigarettes:**
https://www.asa.org.uk/type/non_broadcast/code_section/22.html
- **Environmental Protection (Single-use Vapes) (England) Regulations 2024:**
<https://www.legislation.gov.uk/ukdsi/2024/9780348264647>
- **Environmental Protection (Single-use Vapes) (Wales) Regulations 2024:**
<https://tinyurl.com/6wba89xp>
- **Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024:**
<https://www.legislation.gov.uk/sdsi/2024/9780111060315>

CONTACT

Our website

www.acs.org.uk

Our social media

@ACS_localshops on X, TikTok and Instagram
Association of Convenience Stores on LinkedIn, Facebook and YouTube