



# Nicotine Vaping Products and the Law

In 2024, revised laws concerning nicotine vaping products came into effect in Australia. The changes address potential health risks posed by vaping, such as increased youth access, while also facilitating access of **therapeutic\*** vaping products for the legitimate use of smoking cessation or the management of nicotine dependence.

*\*Nicotine vapes in Australia are now regulated as **therapeutic goods**. This means they are only available in pharmacies **to help people quit smoking or manage nicotine dependence**. All nicotine vaping e-liquids, devices, and accessories sold in pharmacies must meet certain product standards which includes rules relating to product labels, packaging, ingredient, and flavour restrictions. However, even though these vapes are considered therapeutic goods, they are **unapproved** therapeutic goods.*

*Unapproved therapeutic goods may still be used for smoking cessation or the management of nicotine dependence, but it is recommended people try using **approved** therapeutic goods first. This includes Nicotine Replacement Therapy (NRT) such as patches, gum, and lozenges (recommended for use from 12 years old) and medications such as Varenicline or Bupropion (from 18 years old).*

***Non-therapeutic** vaping products are illegal. They refer to disposable vapes and any other vape e-liquid, device or accessory that is not sold from a pharmacy (therefore does not meet set product standards).*

## The law in Queensland, Australia

- The only place to **legally access** nicotine vaping devices, e-liquids (with or without nicotine) or accessories is **pharmacies** (includes online pharmacies - prescription may be required) for the purpose of smoking cessation and/or the management of nicotine dependence.
- Vapes with a nicotine concentration of 20 mg/mL or less are available from pharmacies to people **18 or over without a prescription** (where a pharmacist assesses this to be appropriate). People who require vapes with a higher concentration of nicotine will require a prescription from a medical or nurse practitioner.
- People **under 18 years** will be able to access vapes **with a prescription** from a medical or nurse practitioner to ensure they get appropriate medical advice and supervision.
- All vapes sold in pharmacies are required to meet certain standards and must be notified to the Therapeutic Goods Administration (TGA) as meeting those standards.
- Flavours are restricted to mint, menthol, and tobacco.
- Only finished products can be dispensed. Pharmacists cannot dispense ingredients for people to mix their own vaping substances.
- Advertising and promotion of vapes is prohibited, except where specifically authorised.
- Domestic manufacture, supply, and commercial possession of **non-therapeutic** vapes (includes disposable single use vapes) is now illegal.
- Non-pharmacy retailers like tobacconists, vape shops and convenience stores **cannot sell any type of vape** e-liquid, device, or accessory, regardless of whether it contains nicotine or not (this is illegal).
- Penalties within legislation targets the commercial and criminal supply of vapes. Individuals, including people under 18 years, who have a vape on them for personal use will not be targeted under the law.

**Please note stocking vapes is at the discretion of pharmacies.**

**For more federal information on nicotine vaping laws/regulations, visit -**

<https://www.tga.gov.au/products/unapproved-therapeutic-goods/therapeutic-vaping-goods/vaping-hub>

**For more information on Queensland State laws, visit -**

[www.health.qld.gov.au/public-health/topics/atod/smoking-laws](http://www.health.qld.gov.au/public-health/topics/atod/smoking-laws)

**Please note, cannabis vapes are subject to separate regulations, visit -**

[www.tga.gov.au/products/unapproved-therapeutic-goods/medicinal-cannabis-hub](http://www.tga.gov.au/products/unapproved-therapeutic-goods/medicinal-cannabis-hub)