Smokefree Environments and Regulated Products Act 1990

Proposals for regulations:
Summary of submissions

2021

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# Introduction

The Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020 came into force on 11 November 2020. This means that vaping products, in addition to tobacco products and herbal smoking products, are now regulated under the Smokefree Environments and Regulated Products Act 1990 (the Act).

The amended Act has regulation-making powers to bring the new provisions of the Act into effect. The Ministry of Health publicly consulted on a range of regulatory proposals to support these new provisions, including:

* defining an internal area
* specialist vape retailer approvals
* promotion, information and advice
* packaging
* product notification and safety
* annual reporting and returns
* fees.

This report summarises the submissions the Ministry received as part of the public consultation process.

# Overview of submission feedback

The Ministry received a total of 2,521 submissions, comprising 227 individual submissions (from the general public, consumers, industry, researchers and the health sector); 919 submissions from engagement sessions with Māori and Pacific peoples facilitated by Hāpai te Hauora, which holds the Ministry’s National Tobacco Control Advocacy contract, and Tala Pasifika; and an additional 1,375 largely pro-forma submissions from general retailers (such as dairies, supermarkets and petrol stations).

As expected, most submitters supported the need for regulations. Otherwise, feedback was wide-ranging on a number of proposals. In general, industry and consumers of vaping products wished to see less stringent requirements, while health professionals and the general public supported a more comprehensive approach.

# Summary of submission analysis

## Regulatory proposal 1: Defining an internal area

### Context

The Act defines an internal area, which is an area where smoking and vaping are prohibited (for example, in a bar), as:

an area within or on the premises or vehicle that, when all its doors, windows and other closeable openings are closed, is completely or substantially enclosed by –

(i) a ceiling, roof, or similar overhead surface; and

(ii) walls, sides, screens, or other similar surfaces; and

(iii) those openings.

For clarification purposes, a new regulation-making power enables the existing definition to be replaced if needed. The Ministry consulted on four options:

1. the status quo, as set out above
2. defining an internal area as an area completely or partially enclosed with a roof or overhead structure of any kind, whether permanent or temporary
3. prescribing the maximum percentage of roof/wall coverage for any premise or structure (for example, a space could be defined as an internal area if the total area of the roof and walls covered 50 percent of the perimeter)
4. establishing an assessment tool that considers air quality (an earlier model was found by the High Court to be inconsistent with the statutory definition of an open area, where smoking is allowed).

The Ministry’s stated preference was option b, as it would be relatively simple to understand and administer.

### Feedback

Just under half of all submitters responded to this proposal.

Half of submitters who responded (generally smokefree enforcement officers, public health units and health sector agencies) were in favour of option b. The remaining submitters (generally hospitality venues and organisations) were largely in favour of option a. A small number supported option c, and there was almost no support for option d.

All submitters considered that option b would effectively extend ‘internal areas’ (where smoking is prohibited) into outdoor dining and drinking areas.

Some submitters noted that hospitality venues had invested heavily in designing spaces to meet the current definition.

### Summary

The Ministry does not propose regulations are made at this stage. The proposal to change the definition was intended to clarify current policy, not amend it (that is, by extending the definition of internal areas). Consultation highlighted that the Ministry’s preferred option could change the current policy. The Ministry considers that further work and targeted consultation is needed to determine a preferred option.

## Regulatory proposal 2: Specialist vape retailer approvals

### Context

The Act prevents the Director-General of Health from approving a person’s application to be a specialist vape retailer unless the Director-General is satisfied that:

(a) the retail premises in which the vaping products are or will be sold are a fixed permanent structure; and

(b) at least –

(i) 70% of the person’s total sales from the retail premises are or will be from the sale of vaping products, or

(ii) 60% of the person’s total sales from the retail premises are or will be from the sale of vaping products and the Director-General is satisfied that the lower threshold is appropriate in the circumstances, and

(c) any requirements in regulations have been met.

In determining whether the lower threshold is appropriate in the circumstances, the Director-General must consider:

(a) the geographic location of the retail premises; and

(b) the population in relation to which the retailer carries out their business; and

(c) any prescribed criteria.

The Ministry sought feedback on the extent to which the Director-General should consider rurality and other criteria when determining whether to approve a person’s application to be a specialist vape retailer with the lower threshold of 60 percent of sales from vaping products.

### Feedback

The majority of submitters responded to this proposal. Most indicated that regulations were necessary to determine whether the lower threshold is appropriate.

Two-thirds of these submitters, and almost all retailers who responded, did not agree that being in a rural location should be a consideration for the lower sales threshold.

A similar number of submitters proposed that the Director-General should take other criteria into account when assessing specialist vape retailer applications, including:

* proximity to schools, preschools, etc
* smokers’ access to the full range of vaping products
* retailers being of good character
* limiting the density of vape shops in an area
* requiring staff to be trained
* limiting the range of non-vaping products that can be sold.

### Summary

The Ministry does not propose setting additional criteria in regulations at this stage. However, the Director-General will take submitters’ proposed considerations into account when setting the Ministry’s operational policy for assessing specialist vape retailer applications, and will keep this matter under review.

## Regulatory proposal 3: Promotion, information and advice

The Act prohibits the publication of advertisements for a regulated product. The definition of ‘regulated product advertisement’ covers multiple mediums and formats (for example, words, pictures, devices, broadcasting and telecasting) that promote or encourage the sale or use of a regulated product.

The Act also sets out exemptions to this prohibition; the regulatory proposals focused on these provisions.

### 3.1 Display of vaping products in retail settings

#### Context

The Act allows the display of vaping products within any retail premises or on any website, subject to any regulations which may be in force. The Ministry proposed that the display of vaping products did not need to be regulated at this stage, as existing displays did not appear to be problematic.

#### Feedback

The majority of all submitters responded to this proposal.

One-quarter of these submitters agreed that regulations did not need to be made at this stage, as they believed the existing prohibitions were already too restrictive and reduced opportunities to promote the benefits of switching from smoking to vaping or other less harmful products.

The majority of submitters who disagreed with the proposal disagreed with the provision of the Act that enables vaping products to be displayed at all, rather than disagreeing with the proposal itself. Many of these submitters considered that vaping products should have the same prohibitions as tobacco products and not be visible in retail settings at all.

#### Summary

The Ministry does not propose regulations are made at this stage, and will keep this matter under review.

### 3.2 Price lists given to retailers for tobacco products only

#### Context

The Act allows manufacturers to provide their price lists to retailers if the price list:

1. complies with the regulations
2. includes the health messages required by or under Part 3 of the Act.

The Ministry proposed restrictions on the content and form of information that can be included on tobacco product price lists. This was to stop price lists from being used by manufacturers to promote tobacco sales (for example, through incentive schemes for retailers).

#### Feedback

Under half of all submitters responded to this proposal.

Fourteen percent of submitters agreed with the proposal to restrict the content and form of information on tobacco price lists. These submitters were from the health sector, stop-smoking services and smokefree advocacy groups, as well as two major retailers. Submitters noted that access to this type of information without restrictions could be used for promotional purposes such as incentive schemes and product promotions.

The remaining majority of submitters disagreed with the proposal. These submitters were largely retailers who considered that price list information should not be restricted on the basis that all stakeholders, including their customers, should be able to access full information about tobacco products. Two tobacco companies also disagreed with the proposal.

A small number of submitters suggested other information that they considered should be allowed on manufacturers’ price lists for tobacco products (for example, nicotine strength, other technical product details where the product was less harmful and reminders of the health benefits of switching to vaping).

#### Summary

The Ministry proposes no changes to the proposals based on consultation feedback.

### 3.3 Public health messages

#### Context

Under the Act, a public service, or an individual or organisation that is funded by a public service, may publish a public health message issued by the Director-General of Health for the purposes of the Act or any of its parts.

The intent of this provision is to enable public messaging to support the purposes of the Act, which includes supporting smokers to switch to less harmful regulated products and discouraging non-smokers, especially children and young people, from taking up vaping or using smokeless tobacco products.

#### Feedback

Only a small proportion of the total number of submitters responded to this proposal. Of these, approximately half thought there was additional information, beyond that already outlined on the Ministry’s ‘Vaping Facts’ website (<https://vapingfacts.health.nz>), that should be designated as a public health message issued by the Director-General for public services and any publicly funded individuals to use.

Suggestions for additional information included a greater emphasis on the health risks of vaping and the fact these were unknown, coupled with more of a focus on not smoking (anything) as the best option. Some submitters highlighted the fact that some vaping products contained nicotine and might be as additive as tobacco smoking.

#### Summary

The Ministry will take this feedback into account when it updates the ‘Vaping Facts’ website.

### 3.4 Vaping product information in retail settings

#### Context

The Act allows the provision of information relating to vaping products in retail settings in accordance with regulations.In the absence of regulations, a retailer may provide information within their retail premises or on their website about vaping being a less harmful alternative to smoking.

The Ministry proposed allowing harm-reduction notices with a specified wording and form, to ensure these notices did not cross over into advertising. Use of these notices would be optional for retailers.

#### Feedback

Over half of all submitters responded to this proposal.

A large majority of these submitters disagreed with the proposal to limit the information about vaping products in retail premises and on retailers’ websites to the three written authorised statements as outlined in the consultation document.

The generic retailer groups generally disagreed with this proposal, because they wanted to be allowed to communicate more information about their products – particularly on how vaping works, its features, its pricing and its benefits.

Other respondents disagreed with this proposal because they opposed promotion of any kind by generic retail businesses.

Specifically, the three proposed statements generated a large volume of feedback. Half of submitters were unsupportive of the statements as they were presented. Concerns centred on:

* an opinion that the ‘switch completely’ message does not recognise the process and time it takes for someone to make the shift from smoking tobacco
* an opinion that any ‘authorised messages’ should be worded differently; for example, ‘vaping is not healthy’, ‘vaping is harmful’, ‘quitting smoking is the safest option’, ‘quitting vaping is ideal’ or ‘vaping poses risks to non-smokers’
* messages are in English only.

With respect to the proposed format detailed in the consultation document, the large majority of submitters agreed with the parameters suggested.

Submitters unsupportive of the proposed format specifications noted that vaping and tobacco products are completely different, and therefore different approaches are required to support people to shift away from smoking tobacco.

#### Summary

The Ministry proposes updating the statement wording to reflect feedback and to ensure that the messages are available in te reo Māori and other languages commonly spoken in New Zealand.

### 3.5 Product availability notices in retail premises

#### Context

The Act allows product availability notices for vaping products in retail premises or on websites, and allows regulations to be made that specify the content and form of such notices. Use of these notices would be optional for retailers.

The Ministry proposed that regulations be made that align with those for tobacco products, with some amendments where necessary.

#### Feedback

A small number of submitters responded to this proposal; most were in agreement.

Of those who disagreed with the proposal, feedback ranged from an opinion that availability notices should not be allowed to an opinion that the requirements were too restrictive.

#### Summary

The Ministry proposes no changes to the proposals based on consultation feedback.

### 3.6 Point-of-sale information on purchase age

#### Context

The Act allows regulations to be made that require retailers to display R18 notices at each point-of-sale at their place of business or internet site. There are no mandatory requirements for R18 notices at point-of-sale for tobacco products.

The Ministry proposed a mandatory requirement for retailers to display R18 notices at each point-of-sale for vaping products. This is because, unlike tobacco products, vaping products may be on display and accessible to children and young people under the age of 18.

#### Feedback

Just under half of all submitters responded to this proposal; most were in agreement.

The small number of submitters who disagreed with the proposal largely focused on whether the requirement to display R18 notices at every point-of-sale was necessary. We note that this is a requirement of the Act itself.

#### Summary

The Ministry proposes no changes to the proposals based on consultation feedback.

### 3.7 Suitably qualified health workers

#### Context

Under the Act, a ‘suitably qualified health worker’ can provide any advice or messages to an individual or group for the purpose of supporting the individual or group to transition from smoking to vaping. A ‘suitably qualified health worker’ is defined in the Act as:

(a) a registered health practitioner, or

(b) a person who:

(i) has completed the Stop Smoking Practitioners Programme certified by the New Zealand Qualifications Authority (the **programme**), or

(ii) is undertaking the programme and is being supervised by a person who has completed the programme, or

(iii) is a peer support worker and is being supervised by a person who has completed the programme, or

(c) a person specified by the Director-General by notice in the Gazette.

The Ministry proposed not adding any other category of person at this stage and sought feedback from stakeholders on whether they agreed with this proposal; if they disagreed, we asked what categories should be added and why.

#### Feedback

A small number of submitters responded to this proposal.

Just under one-quarter of these submitters agreed with this proposal.

Other submitters suggested that retailers should be added, as they have expertise with respect to supporting their customers to quit tobacco smoking by switching to vaping.

Submitters also noted other issues, such as the ‘health worker’ status of retail pharmacy staff (pharmacy technicians), the need for clarity on the definition of peer support workers and the need for supervisory oversight from suitably qualified health professionals.

#### Summary

The Ministry will take this feedback into account when considering additional categories.

## Regulatory proposal 4: Packaging

### Context

The Act requires the packaging of a regulated product to comply with any requirements set out in regulations. Standardised packaging requirements for tobacco products, which include pictorial health warnings, have been in place since 2017.

The Ministry considers the existing packaging requirements for tobacco products are not appropriate for products that are not smoked; that is, vaping and smokeless tobacco products.

The Ministry proposed to set tailored requirements for vaping products and smokeless tobacco products that acknowledge the relatively low risk of these products compared with smoked tobacco products. The proposals were based on the United Kingdom’s packaging requirements, which are based on the European Union Tobacco Products Directive, tailored to the New Zealand context.

The proposed timeframe for implementation was aligned with that given when New Zealand standardised its tobacco packaging in 2018.

### Feedback

#### Vaping requirements

The majority of submitters responded to this proposal; most were in agreement with the proposed wording of the health warning and panel proposals.

The small number of submitters that disagreed (primarily those who identified as members of the public) suggested a mix of stronger warnings, differently worded warnings, the inclusion of pictures and fewer or no warnings. Suggestions for additional wording included warnings that the products should only be used when quitting, that the long-term consequences of vaping are unknown and that use in pregnancy or by tamariki is unsafe. A small number of submitters suggested that the proposed warnings were too small and that information about how to contact Quitline could be included.

Many submitters directly or indirectly raised the use of te reo in the warning – many positive comments were received, but some industry submitters wanted fewer words, and were concerned about the space that the te reo warning would take up, especially on small containers/packaging media.

A large majority of submitters agreed with the product presentation proposals.

Of those who disagreed (less than one-quarter of submitters), some (mainly vaping product suppliers) were concerned about the prohibition on use of descriptive words, depiction of food and the use of the term ‘organic’. One noted that vaping is an evolving technology and that manufacturers are competing to make better products, and said that these likely prohibitions removed the incentive for them to do so.

Other submitters were concerned about the restriction on communicating recycling information, and a further comment suggested the Ministry should also include a ban on the use of cartoon characters or imagery or names that resembled children’s toys.

Most submitters did not respond to the proposal outlining five safety messages to be included on the label of vaping substance containers. Of those who did, the majority of submitters agreed with the safety messages as proposed. Of the very small number who disagreed, some submitters wanted the wording to make it clearer that vaping is harmful, that its long-term effects are unknown and that vaping substances are not safe for use by children, young people and pregnant women.

#### Smokeless tobacco requirements

The majority of all submitters responded to this proposal; most were in agreement with the proposed wording of the health warning. Most submitters did not respond to suggested specifications for the health warning panel for smokeless tobacco products.

A small number of submitters did not agree with this proposal (primarily those who identified themselves as members of the public). Some were broadly concerned with smokeless tobacco use, and felt this should not be encouraged in comparison with vaping. A number of submitters considered that the proposal did not capture the differences between snus (an oral smokeless tobacco product which is usually placed behind the upper lip) and smokeless tobacco products such as heated tobacco sticks. Some thought that the warnings for these products should be the same as warnings for cigarettes, or suggested plain packaging.

#### Timeframes

Only a small number of submitters responded to this proposal.

Submitters had mixed views on to the proposed timeframes for compliance with the new packaging requirements. Those who supported a shorter timeframe included small retailers and others concerned about safety and access by children and young people. Others considered that a two-year timeframe was more appropriate, to allow time for offshore ordering and shipping.

### Summary

The Ministry proposes minor amendments to product presentation (for example, allowing recycling information and prohibiting the use of cartoons and toys on packaging).

The Ministry also considers that 12 months provides sufficient time for manufacturers to implement the proposed packaging requirements.

## Regulatory proposal 5: Product notification and safety

The Act requires manufacturers and importers to notify the Ministry of their intention to sell vaping products and smokeless tobacco products before the products can be sold in New Zealand.

As part of the notification requirement, these products must also meet safety requirements. The Act enables these requirements to be set out in regulations.

### 5.1 Product notification requirements

#### Context

The Ministry outlined proposals for what details a manufacturer or importer will be required to provide when they register on the Ministry’s database and declare those details are accurate and comply with the new legislation.

#### Feedback

Less than 10 percent of submitters responded to this proposal.

Of those who responded, the vast majority agreed with the proposals for notification requirements.

The most common feedback from submitters that disagreed with the proposals related to the requirement to notify individual components, the effort required to notify large numbers of products and the commercial sensitivity of proprietary ingredients.

Some submitters appeared to have misunderstood that a single notification encompasses multiple sizes and strengths of a particular brand variant of a vaping substance.

#### Summary

The Ministry proposes to amend notification requirements to enable replacement parts for a device to be notified as part of a device notification, reducing the number of notifications needed. This will better align the notification requirements for vaping devices with those for vaping substances and smokeless tobacco products.

The Ministry will also clarify with the sector that different container sizes or nicotine strengths of the same brand of product can be notified under a single notification and will therefore attract only one notification fee.

The Ministry will also provide a facility through which a notifier can mark ingredients as proprietary so that recipes can be kept confidential.

### 5.2 Product safety requirements

#### Context

The Ministry proposed to base New Zealand’s product safety regulations on the European Union (EU)’s and United Kingdom’s (UK) legislation and guidance, tailored to the New Zealand context where appropriate.

#### Feedback

More than three-quarters of responses to this proposal were pro-forma responses from general retailers.

While submitters largely agreed with basing the vaping product safety requirements on the UK and EU legislation and guidance, a number of submitters provided additional comment on specific requirements, particularly in relation to nicotine concentration, nicotine salts, container size, sweeteners and flavours.

Some submitters questioned the inclusion of requirements regarding training, the handling of nicotine and the use of personal protective equipment, as these issues are covered by the Health and Safety at Work Act 2015 and the Hazardous Substances and New Organisms Act 1996. Submitters also sought clarification on product testing requirements.

#### Summary

The Ministry proposes to amend the product safety requirements to increase container sizes, restrict the ban on sweeteners to those known to be harmful and remove requirements covered in other legislation (such as the Health and Safety at Work Act).

## Regulatory proposal 6: Annual reporting and returns

### Context

The Act requires manufacturers, importers and specialist vape retailers to provide an annual return to the Ministry no later than 31 January each year showing sales-related information for the previous calendar year. This is consistent with existing requirements for tobacco products.

For manufacturers and importers, the Ministry proposed adapting existing tobacco product reporting requirements for vaping products.

Proposals for specialist vape retailers included the requirement to report annually, for each approved vaping premise and website, with detailed sales-related information.

The Ministry also proposed that reporting requirements define brand variants by different flavours and different nicotine strengths, because this information will enable the Ministry to develop a better understanding of product demand from vapers, which will in turn inform future review of the regulations.

In terms of format, the Ministry proposed to provide a spreadsheet template for notifiers and specialist vape retailers to complete and file annually (by 31 January each year).

### Feedback

Submitters that responded to this proposal were largely manufacturers and importers.

The majority of these submitters supported the proposals for annual reports and returns requirements for both notifiers and for specialist vape retailers. Some submitters were concerned about the effort such reporting would require. A few were concerned that sensitive information in the reports would be published.

### Summary

The Ministry proposes no changes to the proposals based on consultation feedback.

## Regulatory proposal 7: Fees

The Act provides for recovering the costs of establishing and operating the regulatory scheme from the industry through fees and/or levies. It also allows regulations to specify these fees and levies.

### Context

The Ministry sought feedback on the design of the fees scheme, which aims to keep costs as low as possible while ensuring an appropriate level of safety and control for notifiable products. The Act requires a review of the fees and fee structure no more than three years after the Act comes into effect.

Fees will be collected by the Vaping Regulatory Authority within the Ministry of Health, which administers the scheme.

### Feedback

Submitters that responded to this proposal were largely manufacturers, importers and transitional specialist vape retailers.

The majority of submitters agreed that the Ministry should charge for the processing of applications and notifications. Over half of all submitters agreed with the proposed structure of the fees, and slightly less agreed with the proposed level of each fee.

Submitters that did not agree with the proposed fees were concerned that:

* the proposed fees were too high
* the scheme should be partially or fully government-funded
* there would be too many products to notify
* parallel-imported products would be notified by each importer.

Some suggested that fees should be a proportion of a retailer’s revenue, rather than fixed. Half of the submitters that responded gave an estimate of the number of products they would notify, indicating that the annual volume of notifications is likely to be significantly higher than the Ministry originally estimated (approximately 30,000 per annum, compared to the Ministry’s assumption of 10,000 per annum).

Half of all submitters did not think that notification fees should be reduced for very low volume products.

### Summary

The Ministry proposes to amend the annual notification fee from $140 per year to $50 per year. The notification fee was based on 10,000 expected notifications per year. The new proposed fee reflects submitters’ estimates of notification volumes.

The Ministry will review all fees within the first 12 months to ensure that they are set appropriately given actual volumes.

# Appendix: List of submitters

#TAGs (Wainuiomata Rangatahi Advocacy Group)

2020 Vapes Ltd

561 Juices

Active West Coast

Allenton Foodmarket

AMV Ltd (T/A alt., VAPO, Myriad Pharmaceuticals)

Aotearoa Vapers Community Advocacy

Armada Vapour Ltd (T/A Rogue Wave Vapour)

ASH New Zealand

ASPIRE 2025 Centre, University of Otago

Asthma and Respiratory Foundation NZ

At Vape Ltd

Auckland District Health Board

Auckland Regional Public Health Service

Australasian College for Emergency Medicine

Battery Vape Ltd

Bay of Plenty District Health Board

British American Tobacco (New Zealand) Ltd

Buyer Works

Cancer Society

Cancer Society Auckland Northland

Cancer Society Wellington

Canterbury District Health Board

Capital and Coast District Health Board

Central Otago Drug and Alcohol

Central Vape Ltd

Centre of Research Excellence: Indigenous Sovereignty & Smoking

Christchurch Prime Enterprise Ltd

College of Respiratory Nurses

Conspiracy E juice Ltd

Consumer

Cosmic

Council of Medical Colleges in New Zealand

Counties Manukau Health

Crown Vape Ltd

Cumulonimbus Eliquids Ltd (T/A Jock’s Vapes)

Dunedin City Council

East Coast Cancer Society

Eastern Bay Primary Health Alliance

Elate Vape Ltd

Electric Vape Ltd

End Smoking New Zealand

epuffz Ltd

Foodstuffs (NZ) Ltd

Gisborne Girls High School

Hāpai Te Hauora

Hauora Tairawhiti

Havelock North High School

Hawke’s Bay Vapour

Hawkes Bay Collective for Hauora Promotion of Tamakariki and Rangatahi

Hawke’s Bay District Health Board

Hawke’s Bay Secondary Schools’ Principals’ Association

Hawkes Bay Smokefree Coalition

Health Coalition Aotearoa Smokefree Expert Advisory Group

Healthy Families Hutt Valley

Heart Foundation

HEL Vape Ltd

High Group Ltd

Hollywood Vape Ltd

Hoopers Vapour Ltd

Hoopers Wholesale Ltd

Hospitality New Zealand

Imperial Brands Australasia

Infused Vape Shop

Institute of Environmental Science & Research (ESR)

Juul Labs Inc

Lakes District Health Board

Lawless Ltd

Lion Projects Ltd (T/A Lion Labs)

Liquid Lab NZ Ltd

Māori Women’s Welfare League

Mason Corporation Ltd (T/A Shosha)

Miasma

MidCentral District Health Board

MidCentral District Health Board Public Health Service

Ministry of Social Development

Mission Brands Ltd

Mixem Ltd T/A Vape Hub

Napier City Council

National Poisons Centre

Nelson Marlborough District Health Board

New Zealand Association of Convenience Stores

New Zealand Drug Foundation

New Zealand Food & Grocery Council

New Zealand Medical Association

New Zealand Nurses Organisation

New Zealand Taxpayers’ Union Inc

Newman Medical Services Ltd

Ngā Taura Tūhono

Ngāti Porou Hauora

Nice with Spice Ltd

Northland District Health Board

NZ Smokefree Tomorrow Ltd

NZ Vapor Trade

NZ Vase Ltd (T/A Shisha Glass)

Oceania Liquid Labs

Office of the Children’s Commissioner

Pacific Island Community Trust

Paediatric Society of New Zealand

Party Vape Ltd

Pharmaceutical Society of New Zealand

Pharmacy Council

Pharmacy Guild of New Zealand

Philip Morris Ltd

Population Health

Premium Vape

Public Health South

Puff Mart Trading Ltd

Rangitoto College

Regional Public Health

RELX International

Retail NZ

Royal Australian and New Zealand College of Ophthalmologists

Royal Australian and New Zealand College of Psychiatrists

Royal Australasian College of Physicians

Royal New Zealand College of General Practitioners

Ruapehu Health Ltd

SHS VAPES

SkyCity Entertainment Group Ltd

Smoka Vape Ltd

Smokefree Murihiku

Smokefree Otago

South Canterbury District Health Board

Southern District Health Board

Stroke Foundation of New Zealand

SuperGrans Tairawhiti

Switch

T&T Consulting Ltd

Taki Tahi Toa Mano (Tairawhiti Smokefree Coalition)

Takiri Mai te Ata Regional Stop Smoking Service

Taranaki District Health Board

Te Aitanga a Hauiti

Te Haa Mātea

Te Kupenga Hauora Ahuriri

Te Puna Waiora

Te Rūnanga o Ngāti Whātua

Te Wairua Ltd

TFN Vape Ltd

The Mushroom Cloud

The New Zealand Initiative

The University of Queensland

The Vape Shed

The Vaping Kiwi

The Vapor Box

Thoracic Society of Australia and New Zealand

Toi Te Ora Public Health

Turanga Health

Vape Canyon Ltd

Vape Direct (T/A Xvape NZ)

Vape Legends New Zealand

Vape Merchant Ltd

Vapebox

Vapeology Ltd

Vaping Gadget Ltd

Vapor World Ltd

Vendetta Vape Lounge Ltd

Victoria University of Wellington

Viva La Vape Ltd

Waikato District Health Board

Waitemata District Health Board

WellSouth

West Coast Tobacco Free Coalition

Whanganui District Health Board

Whanganui Regional Health Network

Whitehall Ltd (T/A Podlyfe New Zealand)

Woolworths New Zealand

### General retailers

1 Stop Discounter

36 Nine Convenience

77 Convenience Store

A1 Groceries

Abaj Superette

Acacia Bay Store

Achilles Store

Ahuriri Corner Store

Airport Oaks Foodmart

Albany Highway Superette & Lotto

Albert Street Dairy

Alfriston Dairy

Allied Flaxmere

Alpine Superette

Amber Dairy

Arkwrights Corner Store

Ashhurst Dairy and Takeaway

Ashley Ave Superette

Ashs Superette

Ashton Dairy

Astley Superette

Avenue Dairy

Avondale Discount Mall

Avondale Road Superette

Awanui Superette

Awapuni Four Square

Aytos Dairy

Baba Superette

Bairds Road Pricecutter

Balclutha Discounter and Cafe

Barrack Road Superette

Barrels & Bottles Willowbank

Barriball Street Dairy

Bayview Store

Bayview Superette

Beach Grocers

Beach Haven Liquor Store

Beach Haven Superette

Beach Rd Superette

Beachlands Suprette

Beachside Convenience Store

Bell Bird Dairy

Bell Block Motors

Bellbird Dairy

Bells Dairy and Takeaway

Bellvue Dairy

Best Choice Mini Mart

Better Life Dairy

Betty’s Beach Street

Betty’s Cow Lane

Bewdley Minimart

BGS Dairy

Big Barrel Nelson

Big Basket Foodmarket

Big Basket Supermarket

Birkdale Superette

Black Bull Liquor

Blagdon Dairy

Blue Bell Minimar

Blue Dairy

Bluff Bottle Store

Bollywood Spices

Bolton Street Dairy

Boomerang Superette

BP Bader Drive

BP Connect Haven Road

BP Connect Richmond

BP Elles Road

BP Motueka

BP Mt Roskill

Breaktime MIT Campus

Breaktime SH7

Bream Bay Gas

Bream Bay Superette

Brews Mt Roskill

Brews Pacific Square

Bridge Mini Mart

Brockville Supermarket

Broderick Dairy

Brook Street Store

Brown Derby Dairy

Brown Street Dairy

Browns Road Superette

Bruces Dairy

Bryant Park Mini Supermarket

Buns Bakery and Cafe

Burbank Food Mart

Bus Stop Dairy

C Junction Convenience

C R Dairy

Caltex Bridge Street

Caltex Dinsdale

Caltex Glenbrook Rd

Caltex Kaiwaka Rd

Caltex Taradale

Candy Corner Superette

Carlyle Street Store

Carnation Superette

Cedar Superette

Cee Jaes Superette

Central Park Superette

Central Superette

Central Superette

Centre Superette

Challenge Fitzroy

Challenge Manunui

Challenge Massey

Challenge Opawa

Challenge Swanson

Challenge Tauranga Taupo Rd

Challenge Tokoroa

Challenge Waimak

Chartwell Food Centre

Chartwell Liquor Spot

Cherry Grove Dairy

Chivalry Foodmart

Choice Convenience Store

Choice Dairy

Choice Liquor

Churton Park Store

City Express Discounter

City Mart Hamilton

City Square

Claudelands Foodcentre

Clendon Dairyshop

Clendons Foodmarket

Clevedon Superette

Cloverlea Four Square

Clyde St Dairy

College Superette

Conifer Grove Dairy

Cornwall Park Store

Cornwall Park Superette

Coromandel Garage

Coromandel Service Station

Coronation Dairy

Coronation Foodcentre

Coronation Superette

Cosy Nook Dairy

Counties Inn Liquor

Cranford Street Dairy

Creagh Street Store

Criterion Dairy

Crofton Road Dairy

Crystal Mini Mart

Daffodil Dairy Whangarei

Davies Corner Food Market

Deco City Store

Del Rio Superette

Deluxe Superette

Devon Lotto & Treats

Diorella Superette

Discount Food Mart

Discount Here

Discount Specialist Strandon

Discount Supermarket & Takeaways

Discount Tobacconist

DJs Dairy

Dorchester Superette

Dowse Drive Foodmarket

Drury Lotto & Superette

Drury Mini Foodmarket

East Tamaki Supermarket

Eastbourne Dairy

Eastside Dairy

Eden Foods

Eden Superette and Lotto

Edgeware Dairy

Edinburgh Foodmarket

Elgin Food Market

Elles Rd Mini Market

Ellis Avenue Superette

Empire Liquor Centre Wines and Spirits

Express Supersave Supermarket

Fair & Square Superette

Family Mart

Farmcove Superette

Felix Superette

Fifth Avenue Mini Mart

Finlayson Superette

Fitzroy Dairy

Five Star Dairy

Flatbush Superette

Flaxmere Liquor

Flaxmere Village Dairy

Food For Thought Cafe & Takeaways

Four Square Atawhai

Fresh Choice

Fresh For Less

Fresh Vege Mart

Gadsby Supermarket

Gas Avalon Drive

Gas Brick Street

Gas Cascades Rd

Gas Coopers Beach

Gas Eketahuna

Gas Hawera

Gas Linton

Gas Maraetai

Gas Maungatapere Dairy

Gas Ngaio

Gas Omapere

Gas Pakowhai

Gas Pakuranga Rd

Gas Paparoa

Gas Picton

Gas Station Rd

Gas Swanson

Gas Tikipunga

Gas Vogeltown

Gemini Dairy

George Street Dairy

Gilbert Road Superette

Glass Road Superette

Glenavon Superette

Glendene Superette

Glenfield Dairy

Glenn Invested Pricecutters

Gloriana Dairy

Gloucester Discounter

Gonville Service Station

Goodvalue

Gordonton Superette

Gossamer Mini Mart & Lotto

Got’a Light Mate

Graeme Superette

Grand Superette

Grange Superette

Grassmere Dairy

Grays Road Store

Green Dairy

Green Haven Dairy

Green Meadows Superette

Greenbay Minimarket

Greenhithe Store

Grey Street Dairy

Grey Street Maxi Mart

Gull Snells Beach

Halsey Road Foodmart

Halswell Convenience Store

Halswell Dairy

Handy Store

Hari Superette

Harrington Dairy

Harris Road Superette & Lotto

Hastings Central Discount Specialist

Hastings Hospital Babalas

Hautapu Country Store

Havelock Mini Mart

Hepburn Superette

Herbert Street Store

Hibiscus Dairy

High Street Dairy

Highbury Superette

Highway Supermart

Hill Superette

Hillcrest Dairy

Hillpark Superette

Hilltop Dairy

Hi-Way Dairy

Hokianga Dairy

Homai Superette

Hospital Dairy

Huapai Dairy

Huxley Road Dairy

Idlewild Superette

Imperial Mini Supermarket

Inglewood Dairy

Iona Dairy

Irwin Motors

J Young Motors

Jaks Kwik Mart

Jalaram Dairy

Jay Store

Jayna Superette

JB’s Discounter

JD Dairy

Jervois Foodcentre

JJ Liquor

Johnsonville Dairy

Jubilee Dairy

Juliet Superette

K Been Putaruru

Kaiti Dairy

Kaiwaka Food Mart

Kaiwaka Liquor Centre

Kandy Korner

Kaikohe Discounter

Karori Park Store

Katikati Superette

Kauri Park Superette

Kauriland Superette

Kawaha Point Superette

Kelso Dairy

Kelston Superette

Kemps Dairy

Kendal Food Centre

Kennedy Rd Dairy

Kepa Road Superette

Keri Hill Superette

Kerikeri Dairy

Kerwyn Liquor Store

Kesgrove Dairy

Keymans Lunch Bar

Khandallah Dairy

Kimpton Superette

Kingfisher Super Seven

Kingsford Superette

Kirwee Auto Services

KK Liquor

Kohi Dairy

Kolmer Super Seven

Kowhai Wines And Spirits

Kwikimart Kelston

Laingholm Beach Store

Langley Mini Market

Lantern Light Dairy

Larnoch Superette

Latham Street Superette

Lavengro Dairy

League Park Superette

Limbrick Street Maxi Market

Lincoln Heights Superette

Linden Foodmarket

Lipcombe Dairy

Liquor Centre Royal Oak

Liquor Hut Otahuhu

Liquor Hut Tokoroa

Liquor Spot Target Road

Liquorland Centrepoint

Liquorland Gore

Logan Park Foodmart

London Dairy

London Street Dairy

Lookout Point Foodcentre

Lotz of Pots Express Shop

Lower Don Buck Road Superette

Macs Dairy

Maheno Foodtsores

Mahora Superette

Mangere Fresh Supermarket

Mangawhai Service Station

Manhatten Superette

Manuka Dairy

Manuroa Superette

Maori Hill Dairy

Marfell Superette

Mascot Dairy

Massey Rd Superette

Matakana Dairy

Matakana Liquor Centre

Matakana Motors Limited (Gull)

Matapouri Bay Store

Maungakaramea Service Station

Maunu Superette

Max Wholesale Foodmarket

Mayfair Superette

Mayfair Supermarket

Mayur Foodmarket

Mcdivitt Superette

Mckenzie Superette

Mclean Park Superette

Meadow Park Store

Meadowbank Dairy

Meeanee Store

Melton Road Foodmarket

Melville Price Cutter

Mercury Bay Foodmarket

Merivale Superette

Metromart Armagh

Metromart Madras

Metromart Riccarton

Michael Discounter

Michaels Milk Bar

Midhirst Dairy Rd

Millwater Superette

Milton St Dairy

Mirrabooka Superette

Mobil Clendon

Mobil Dannevirke

Mobil Dayman Motors

Mobil Karapiro

Mobil Madras

Mobil Morrisville

Mobil Murchison

Mobil St. Martins

Mobil Star Garage

Mobil Tahunanui

Mobil Te Rapa

Mobil Thames

Mobil Whitianga

Mockett Motors

Moerewa Foodmart

Mokia General Store

Monument Dairy

Moshim Discount House

Mount Smart Superette

Mountain Pricecutter

Mundra Foodmart

My Mates Dairy Shop

Navya Superette

Naya Supermarket

Nayland Dairy

Neelam Superette

Nelson Street Dairy

New Inverell

New Windsor Dairy And Lotto

New World Blenheim

New World Motueka

New World Nelson

New Zeal Superette

Ngaio Supermarket

Ngamotu Dairy

Nickys

Night Owl Store

Nikisha Foodmarket

No 1 Supavalue

Nolantown Store

Normanby Dairy

Norwest Liquor

NPD Waimea

NZ Convenience Store

Oasis Store

Odessas Minimart

Oms Star Convenience

One Shop Convenience

One Stop Super Shop

One Tree Point Store

Onekawa Store

Onerahi Dairy

Onerahi Foodmart

Opua General Store

Oranga Foodmarket

Oratia Superette

Orere Point Store

Orly Ave Superette

Otaika Dairy

Otane General Store

Otara Liquor Spot

Othello Superette

Oto Mini Mart

P & P Dairy

Pacific Superette

Pakuranga Liquor Centre

Pakuranga Liquor Spot

Panorama Dairy

Paparoa Store

Park Avenue Foodmarket

Park Road Dairy

Patel Superette

Patels Foodmarket

Pegasus General Store

Peninsula Foodmarket

Peninsula Price Cutter

Pepes Dairy

Pink Spot Dairy

Pioneer Minimart

Pirimai Foodmarket

Pirimai Plaza Dairy

Pirongia Food Mart

Pohutakawa Superette

Ponderosa Foodmart

Ponderosa Superette

Poonam Superette

Pop Inn Dairy

Portage Rd Superette

Pricecutter Mangere

Priestley Dr Superette

Prince Albert Road Dairy

Princes Superette

Puhinui Mini Mart

Puketapu Store

Putaruru Mini Mart

Quarry Food Market

Quickstop Dairy

Racecourse Dairy

Railway Rd Mini Market

Rainbow Tearooms

Raleigh Street Dairy

Ranfurly Road Superette

Rangatira Superette

Rangiora Mini Market

Rathgar Super Seven Dairy

Rawene Foodmart

Rays Dairy

Redcliffs Convenience Store

Redhill Superette

Regent Street Dairy

Rendezvous Dairy

Rewa Dairy

Richmond Superette

Rimu St Superette

Riverdale Store

Riverside Dairy

Rockfield Superette

Rosebank Dairy

Rosedale Food Centre

Rosella Superette

Royal Heights Dairy & Lotto

Ruakaka Liquor Centre

Ruawai Motors

Rural Fuel Egmont Village

Sai Baba Foodmarket

Salisbury Store

Salisbury Superette

Seaview Service Station

Seddin Supermarket

Seddon Street Food Market

Selwyn Dairy

Selwyn Superette

Shakespeare Mini Market

Sharland Avenue Liquor Centre

Sharland Avenue Superette

Shirley Road Superette

Shoprite

Siddhi Superette

Sky Blue Superette

Sky Mart

Slipper Superette

Smile Dairy

Smokos Tobacconist

Snack Smart

Snells Beach Dairy

South Road Dairy

Southern Dairy

Southern Service Station

Southland Road Superette

Spa Rd Foodmarket

Spice Plus

Spirit Stratford

Starwood Superette

Station Mart

Stop N Save

Stratford Dairy

Styx Family Dairy

Summerhays Corner Superette

Sunnybrae Dairy

Sunnybrae Superette

Sunnyside Foodmarket

Sunnyvale Superette

Sunset Superette

Sunvue Dairy

Supa Supavalue Supermarket

Super Liquor Burswood

Super Liquor Colombo

Super Liquor Hawera

Super Liquor Lincoln

Super Liquor Mangere

Super Liquor Okara

Super Liquor Shotover St

Super Liquor Waipawa

Super Liquor Warkworth

Super Mart

Super Mart Petone

Super Service Station

Superhero Superette

Superliquor New Plymouth

Superliquor Target Road

Supervalue Waiuku

Swaffield Superette

Swanson Road Dairy

Swanson Superette & Post Centre

Sweets Dairy

Sylvan Superette

Taikata Superette

Taipa Superette

Tairua Superette

Takanini Superette

Taonui Street Foodmarket

Taradale Foodmart

Tavistock Dairy

Tawa Foodmarket

Te Atatu Discount Superette

Te Awa Store

Te Kawa Service Station

Te Marua

Te Puke Superette

Te Puru Store and Take Aways

Telstar Dairy

Tennyson Dairy

Terrace End Discount Tobacconist

The Bottle-O Botany

The Bottle-O Hastings

The Bottle-O Huapai

The Bottle-O Leamington

The Bottle-O Mangatera

The Bottle-O Mangere East

The Bottle-O Manukau

The Bottle-O Picton

The Bottle-O Puhinui

The Bottle-O Royal Oak

The Bottle-O Te Anau

The Broughton St Discounter

The Clinton Express

The Corner Shop

The Longburn Store

The Plough Hotel

The Shed Liquor Centre

The Village Shop

Thirsty Liqour Havelock

Thirsty Liquor Airport Oaks

Thirsty Liquor Darfield

Thirsty Liquor Hall Ave

Thirsty Liquor Onehunga

Thirsty Liquor Otahuhu

Thirsty Liquor Ranfurly Road

Thorndon General Store

Thorrington Dairy

Three Brothers Superette

Tiraumea Superette

Tiritea Dairy

Titirangi Super Seven

Toko Dairy

Top Cook Dairy and Takeaway

Top Dairy

Top Dairy (Price Cutter)

Top Dairy Inglewood

Tuakau Food Market

Tuakau Gas

Tudor Dairy

Tuhikaramea Superette

Tui Crescent Foodmarket

Tukapa Dairy

Tutukaka General Store

Two Ten Dairy

Uptown Mini Mart

Valley Wine Merchants

Vape 71

Vege Oasis

Velmar Dairy

Victoria Dairy

Victoria Mini Supermart

Victoria Superette

Victory Discounter

Victory on the Spot

View Road Dairy

Vigor Brown Store

Vincent Street Superette

VIP Superette

Viva Foodmarket

Waimauku Mini Mart

Waipapa Superette

Waipu Tyres & Automotive

Waipukurau Store

Waitakere Superette

Wakefield Dairy And Bakery

Wallace Rd Superette

Waterview Superette

Wellsford Superette

West End Dairy

West End Store

West Harbour Superette

Westend Superette

Westown Dairy

Westpark Superette

Westshore Corner Store

Westside Dairy

Westside Superette

Westview Superette

Weymouth Superette

Whangamata Foodmarket

Whangapoa Beach Store

Whangarei Liquor Centre

Whau Valley Dairy

White Heron Dairy

Whiteacres Superette

Whitford Liquor Store

Whitford Store

Whnuapai Mini Mart

Wickman Way Pricecutters

Wigram Minimart

Willowbank Superette

Winchester Store

Windmill Dairy

Windsor Park Store

Wine Plus Spirits

Winsford Superette

Woodlands Park Superette

Wordsworth Superette

Wycliffe Superette

Wyllie Road Super Seven

Xl Dairy

Xpress Mart

Young Food Service

Yug Super Store

Z Grove Road

Z Kingsway

Z Richmond

Z Stoke

Zesto