



28 August 2024

(24-5997)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	Notifying Member: <u>NEW ZEALAND</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2.	Agency responsible: Ministry of Health (MoH) PO Box 5013 Wellington 6140 New Zealand Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: TBT Enquiry Point of New Zealand Ministry of Business, Innovation and Employment (MBIE) Level 6, 15 Stout Street, Wellington 6011; Email: wto@standards.govt.nz Phone: +(644) 89 65126 Website: https://www.mbie.govt.nz/business-and-employment/business/trade-and-tariffs/trade-barriers/
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Disposable vaping products
5.	Title, number of pages and language(s) of the notified document: Smokefree Environments and Regulated Products Amendment Bill (No 2); (7 page(s), in English)
6.	Description of content: The Bill prescribes certain characteristics for vaping products manufactured, sold, supplied or distributed in New Zealand. The Bill does this by amending the Smokefree Environments and Regulated Products Act 1990 to introduce a prohibition on the manufacture, sale, supply, and distribution of 'disposable vaping products'. 'Disposable vaping products' are defined by reference to certain product characteristics, as: <i>disposable vaping product</i> means a vaping product that is not designed or intended to be reused, and includes— A) a vaping device that— (i) is not designed to be refilled by the user with a vaping substance; or

<p><i>(ii) is not designed to be recharged; or</i></p> <p><i>(iii) both subparagraphs (i) and (ii) describe; and</i></p> <p><i>B) a container that—</i></p> <p><i>(i) is pre-filled with a vaping substance; and</i></p> <p><i>(ii) is designed to be fitted into a vaping device; and</i></p> <p><i>(iii) is not designed to be refilled by the user with a vaping substance</i></p>	
<p>7. Objective and rationale, including the nature of urgent problems where applicable: The number of young people vaping in New Zealand is a health concern. The measures this Bill introduces seek to strengthen the regulatory framework for vaping to better protect young people. The Government's objective is to reduce youth access to vaping products, by removing from the market the disposable vaping products that have been particularly popular with young people.</p>	
<p>8. Relevant documents:</p> <p>Smokefree Environments and Regulated Products Amen-v4.1 (attached).</p>	
<p>9. Proposed date of adoption: 1 January 2025 (to be confirmed)</p> <p>Proposed date of entry into force: 1 July 2025 (to be confirmed)</p>	
<p>10. Final date for comments: 60 days from notification</p>	
<p>11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>https://members.wto.org/crnattachments/2024/TBT/NZL/24_05698_00_e.pdf</p>	