

TPD Compliance! TPD Regulations! TPD Sale!

For those of us who [battled the EU over vaping laws](#) (a battle which ended in a messy compromise), the term TPD has become part of our vocabulary.

And now the term TPD now seems to be used on every vaping website and forum!

But if you're new to vaping, you might well find it confusing.

So in this post, in plain English, we'll explain what the TPD is, how it affects you, and whether it matters if your e-cig is TPD compliant.

What is the TPD?

TPD stands for Tobacco Products Directive. Although designed to regulate the tobacco industry, the bill also deals with electronic cigarettes. You can find the e-cig specific regulations in [Article 20 of the TPD](#).

TPD Article 20 has become the basis of new UK vape laws and regulations.

Companies which notified the MHRA (The Medicines and Healthcare Products Regulatory Agency) about their existing products were allowed an extra 6 months to sell through all their stock.

But that extra time ends on May 20th 2017.

What does the TPD mean for vapers?

You'll find a breakdown of how the TPD affects UK e-cigarette retailers [here](#), but here's a summary of some of the key points most likely to affect vapers.

10ml Limit On E-Liquid

The maximum size for e-liquid in a single bottle is now 10ml.

How will it affect vapers?

At TPD levels, [the nicotine in e-liquid doesn't carry any significant danger for vapers](#).

It will mean heavy users will have to frequently refill e-liquid. It may also increase the price (it costs more to produce three small bottles of e-liquid than one large bottle.) So far, though, most manufacturers seem to be swallowing the price increase.

2ml Limit on Tanks:

How does it affect vapers?

This will be frustrating for [cloud chasers](#) and heavy users, as it means all-too-frequent refills.

2% or 20mg/ml limit on nicotine levels:

How does it affect vapers?

This will make it harder for new vape users to switch, and make things difficult for around [200,000 vapers who prefer higher level nicotine](#).

However, improved devices are going a long way to address this. Modern vaping devices are a lot more efficient at extracting nicotine from e-liquid!

Extra packaging

All e-liquid must now come with warning labels. In practice, in most case this means that most e-liquid bottles will now come in boxes, as there is not enough room on the bottles for the warnings.

How does it affect vapers?

This has more of an impact on suppliers and the environment than on actual vapers. It does mean an increase in the amount of packaging. This has had packaging suppliers racing to produce enough material to repack every e-liquid bottle in the UK, and in some cases has caused supply shortages!

Six months notification period

Officially new products must now be notified six months before they are allowed to be sold. However, it is possible to sell them before six months if the MHRA approves submissions early.

How does it affect vapers?

We see this as slowing down the pace of innovation, and making it more difficult for new suppliers to come on to the market.

All E-liquid must undergo emissions testing

How does it affect vapers?

Requiring all e-liquid be tested is not so bad for vapers.

It's expensive (although not quite as bad as we originally feared), and I've been told the testing could be better designed. As a result, instead of abandoning our own testing, we now have a two tier testing system.

(First we do the required emissions testing, and then we do our own testing for any impurities in the actual e-liquid. See here for [more information on our e-liquid testing procedures](#).)

Having e-liquid tested, even imperfectly, is better than no testing. It also levels the playing field between responsible manufacturers and cowboy suppliers.

How do I know if my e-liquid is TPD compliant?

TPD Compliant E-Liquid is:

- Smaller than 10ml.
- Contained in a box.
- Comes with a warning leaflet.
- The nozzle must be at least 1 cm long, and emit no more than 20 drops a minute.
- All e-liquids must have an ECID (European Community Identification Number) and be registered on the MHRA website.
- Comes with a warning stating:

This product contains nicotine which is a highly addictive substance.

Apart from the MHRA notification, these are all just clues. In theory it wouldn't be too difficult for someone to copy all this without notifying the product to the MHRA or carrying out testing.

However, you can check to see if your e-liquid (or tank) is registered with the MHRA. To do that:

- [visit the e-cigarette page on the MHRA website](#)
- scroll down to the **Submitted Products** heading
- click on the link saying: **Submitted Products**

That will download an excel file, although it's not always easy to find the exact e-liquid/supplier you are looking for.

How do I know if my tank is TPD compliant?

TPD compliant tanks:

- Contain a maximum of 2ml e-liquid.
- Must have an ECID and be registered on the MHRA website.
- Come with a warning label stating that:

This product contains nicotine which is a highly addictive substance.

As tanks don't contain [nicotine](#) until they get in your hands, Trading Standards advise a second warning that essentially warns that the first warning is incorrect:

The following warning applies when the product is used with e-liquids containing nicotine.

However, many products which have been submitted do not yet have this second warning.

The atomiser in compliant tanks will also have undergone emissions testing. The only way to check this has been done is to look up the atomiser on the MHRA site.

What about TPD Mods and Batteries?

Don't worry – [e-cig mods](#) and [batteries](#) are not included in the TPD.

The only problem we see is that using your high powered battery on a 2ml capacity is going to mean a lot of refilling!

What's going to happen to current vape products?

If you've been vaping a while, it's clear that a huge range of tanks will not be compliant.

Some have been redesigned for the TPD, but many will disappear from the (legal) marketplace.

Fortunately, there are some great new products coming on the market. Initially, the product range may be limited but you'll probably see the range expand rapidly.

Is everyone going to comply with the new e-cig regulations?

Probably not, at least initially.

There are plenty of shops out there that are breaking [existing e-cig regulations](#) (mixing e-liquids in their shop, selling to under-18's e.t.c.)

The word in the street is that Trading Standards is taking it easy until May 20th, but at some point we'll see some kind of crack down, as we've seen with other e-cig regulations (see [New E-Cig Age Restrictions](#).)

The big question is whether Trading Standards has the resources to police the TPD effectively. Probably not, but with some companies making huge investments into compliance, you will see a lot of industry self-policing.

Does it matter if your tank or e-liquid is compliant?

Yes and no.

(Don't you love a simple answer!)

Much of it intensely irritating – and seems designed to deliberate hinder both vapers and vape businesses.

However, e-liquid testing should be reassuring. The chances of getting something harmful in e-liquid will be reduced (and testing from existing e-liquid has been very reassuring).

Another concern you might have with non-compliant products.

The sort of seller deliberately flouting the law and selling illegal tanks and e-liquid is also the sort of seller who probably doesn't care most about quality, safety – and your health.