



**Australian Government**

**Department of Health**

**Deputy Secretary**

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Dear Professor Chapman

I write to you in relation to your blog post of 23 April 2021 *If your child is vaping, here's how they get hold of them in Australia and who's to blame* where you posed a number of questions about the upcoming scheduling changes to liquid nicotine for e-cigarettes.

As at 1 October 2021, individuals seeking to import liquid nicotine into Australia will be required to provide a prescription from an Australian medical practitioner in order to lawfully import these goods.

While this signifies a change to the regulation of liquid nicotine, the Therapeutic Goods Administration (TGA), within the Department of Health, has a well-established personal importation scheme and compliance program to monitor imports of unapproved therapeutic goods.

The TGA is working closely with the Australian Border Force (ABF), customs brokers and couriers to create additional reporting controls for liquid nicotine imports. This will include requirements for prescriptions to be provided by the supplier at the time the goods are picked up from the country of export.

Customs brokers and/or couriers will provide these prescriptions along with other consignment documentation which will be assessed as part of the border clearance process.

Consignments with goods declarations such as liquid nicotine, e-cigarettes, vape juice and vapes will be subject to compliance reviews to ensure that the correct documentation has been provided when required.

The ABF and the TGA routinely examine therapeutic goods prescriptions to ensure they are legitimate and match the consignor details and imported goods. Similarly, the TGA maintains holdings of previous imports of therapeutic goods undertaken by companies and individuals to determine if a prescription is used for multiple imports.

The TGA is undertaking education and engagement activities with known suppliers and importers of liquid nicotine to advise them of the regulatory changes and raise their awareness that compliance and enforcement action can be taken if liquid nicotine is imported without a valid prescription. The communications to suppliers will encourage them to verify that their Australian customers have a valid prescription prior to finalising the sale of liquid nicotine.

Liquid nicotine consignments which are mis-declared or sent through the international mail system will be subject to routine border inspections by the ABF and any detections will be referred to the TGA for assessment. Unlawful imports will be subject to proportionate compliance and enforcement action.

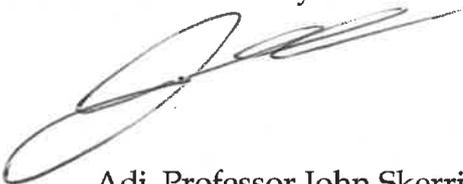
Shortly after 1 October 2021 a review of online advertising will be conducted to identify non-compliant advertising of liquid nicotine in Australia (i.e. by an Australian advertiser) for assessment and appropriate action.

As with other regulated goods, there will be opportunistic and unscrupulous individuals who seek to circumvent established controls to access and supply goods illegally. In these instances we are also greatly assisted by reports of non-compliance (tip-offs) from members of the community.

Over the coming months we will be providing further education about the regulatory changes to medical practitioners, consumers and interest groups.

If you have any concerns you would like to discuss further, please contact me directly.

Yours sincerely



Adj. Professor John Skerritt  
Health Products Regulation Group

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