IKE Tech LLC
Submission to the Public Bill Committee on the Tobacco and Vapes Bill
December 2024

About IKE

IKE Tech is a joint venture between Ispire, Berify, and Chemular to develop secure, user-friendly solutions for age verification and biometric authentication for a range of products, including nicotine vapour devices. IKE's technology delivers frictionless age verification across multiple consumer product categories using a single, easy-to-use mobile app.

Summary

- As the Department of Health and Social Care has stated, this Bill is the biggest public health intervention in a generation. It offers a unique opportunity to ensure that the regulation of tobacco and vapes does not only address today's harms, but provides the Government with the powers needed to regulate the market in the future.

- The Tobacco and Vapes Bill is a welcome first step in tackling the increasing prevalence of underage vaping and the rise in illicit vapes entering the marketplace. Ultimately, the problem will still remain: accessibility to the underage population. Once a product leaves the shop, it can easily fall into the wrong hands. If a child wishes to vape, restrictions on packaging, contents and the shop displays will not completely stop them, and removing illicit vapes from the market has proven difficult.

- Tackling underage vaping through verification at the point of sale is, therefore, not sufficient to combat youth vaping. IKE believes that further intervention is necessary to stop underage population from using vapes, and proposes that the Bill is amended to give the Secretary of State the necessary statutory powers to **introduce a regime for age verification at the point of use**.

- By integrating a low-cost Bluetooth (BLE) chip and secure identity verification technology into vapes, it is possible to lock or unlock a device and restrict access to the underage population. This low-cost technology would allow the Secretary of State to create a standard that can be universally adopted by meeting regulatory requirements for security and privacy.

- The technology can also support the Government's objective of creating vape-free spaces with geo-fencing capabilities allowing for vapes to be turned on or off depending on their location. This means that vapes could be disabled or restricted by locking them from use in designated vape-free zones, for example, in hospitals or schools.

1 Tackling youth vaping

1.1 To reduce underage and illicit vaping, the legislation as drafted looks to reduce the appeal of vapes by giving the Health Secretary the powers to introduce restrictions on packaging, contents, and the display of vapes in shops.

1.2 These measures are a welcome first step, but they do not go far enough to tackle the rising trend of youth vaping or the increased number of illicit vapes entering the UK marketplace. Restrictions on packaging, contents and shop displays will likely diminish the appeal of vapes to underage audiences, but present no physical barrier to the underage use of a vape where a child gains access.

1.3 **To end youth vaping, the Tobacco and Vapes Bill should be strengthened to include powers to introduce age verification at the point of use.** We propose that the Secretary of State should have the power to introduce measures that would require vapes sold in the UK to adopt age verification at the point-of-use, not just the point of sale.

1.4 We view the solution as a standard that can be universally adopted, ensuring consistent and reliable age verification and tracking across the industry. We suggest the ministerial powers meet a defined criteria that enables flexibility while ensuring they can be suitably targeted. We recommend the Secretary of State should have the power to specify that a vaping device:

- Should provide secure and reliable age-verification
- Can be continuously locked or unlocked 'at the point of use' only by authenticated users
- Meet regulatory requirements for security and privacy
- Only contains technology that can be universally adopted by different vape manufacturers across all digital marketplace platforms

The requirements should be brand agnostic, and adhere to strict data security rules, so that the technology can be universally adopted while protecting consumers' data rights and privacy.

1.5 Age verification technology meeting these requirements is already available as a solution. Many vape companies are already developing age-gating and authentication solutions to the youth vaping problem, but these solutions are highly unlikely to be implemented without a regulatory framework being set out by the Government.

1.6 In practice, this technology would act as a simple, low-cost on/off switch integrated into vapes that can be controlled via a biometric authenticator mobile app, communicating between the vape and mobile device via Bluetooth. This app would work in partnership with global identity verification partners to ensure that a vape can only be turned on if the user has been securely verified to be of age, and is within close proximity to the mobile device.

1.7 Including future ministerial powers in the legislation would give the Government time to properly consider the policy implications of such a measure and consult on it. It would also futureproof the Bill, providing the Government with the ability to keep pace with novel and innovative developments in technology through secondary legislation mandating the technology.

1.8 Mobile age verification at point-of-use would be both practical and popular. Polling has found that 77% of the UK public support making age verification compulsory, including upwards of 70% of smokers/vapers. Of those polled, 65% of vapers (age 18+) said they would be happy to use tech to verify their age (see Annex).

1.9 Given the technical capabilities of the technology, mobile age verification at point-of-use would be effective at dramatically reducing underage usage.

2 Strengthening enforcement against illegal vapes

2.1 In addition to reducing underage vaping, this amendment would aid in the Bill's objective of strengthening enforcement activity by providing both law enforcement and consumers with additional, simple tools to detect illegal vapes.

2.2 Removing dangerous and illicit vaping devices from the market is difficult. The authorities face a huge challenge in identifying and taking action against rogue sellers and importers. Implementing blockchain-based authentication and tracking capabilities will significantly aid the battle against illegal vapes and empower users to verify the legitimacy of a device in a market where counterfeiting is prevalent.

2.3 The installation of low-cost Radio Frequency Identification (RFID) and Near Field Communication (NFC) capabilities within devices or product shipping pallets, paired with blockchain technology, which is tamper-proof and immutable, can support authorities in detecting and preventing illegal vapes at the points of import and sale.

3 Creating smoke and vape-free places

3.1 We see potential for IKE's tech to play a role in the Government's ambitions to keep specific areas smoke and vape-free. The IKE technology has the capability to introduce geo-fencing in predefined addresses or radius-based zones, whereby devices can be disabled or restricted.

3.2 In conjunction with the Bill's powers granted to the Secretary of State to create smoke and vape-free places, this technology could be implemented so that vapes would not work in schools or hospitals.

Annex

Polling and fieldwork carried out by Stack Data Strategy (Sample: 1,506, Fieldwork: 11-14 October 2024). Stack is an accredited member of the British Polling Council and the Market Research Society.

If the technology existed, would you support the government making it compulsory that vapes and e-cigarettes verify a person's age before they could use it? (All)

Yes	77%
No	13%
Don't know	10%

If the technology existed, would you support the government making it compulsory that vapes and e-cigarettes verify a person's age before they could use it?

	Which of the following apply to you, in relation to smoking or vaping/using e-cigarettes? Please select all that apply By "regularly" we mean at least once a day By "occasionally" we mean less frequently than that				
	I smoke cigarettes regularly	**I smoke cigarettes occasionally**	**I vape / use e-cigarettes regularly**	**I vape / use e-cigarettes occasionally**	**I don't smoke or vape**
Yes	73%	75%	71%	79%	78%
No	16%	20%	17%	14%	11%
Don't know	11%	6%	12%	7%	10%

And thinking about when you use a vape / e-cigarette, would you be happy to use an app or some other convenient technology to verify your age before you could use it? (Smokers/vapers only, n = 231)

Yes	68%
No	21%
Don't know	11%