Medicines & Healthcare products Regulatory Agency

10 South Colonnade
Canary Wharf
London
E14 4PU
United Kingdom
gov.uk/mhra

By email: [redacted]
11 January 2024

FOI 23 964

Dear [redacted]

Thank you for your information request, dated **9/12/2023**, where you asked:

"We wish to request all documentation held by the MHRA relating to the following products listed on the ECIG Register, including all correspondence, submissions and approval documentation:

Product ID	Brand Name(s)	Brand Sub Type Name(s)	Product Type
06482-23-00096	VAPES BARS	VBS11 FRUIT TWIST 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00103	VAPES BARS	VBS11 BLUEBERRY 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00104	VAPES BARS	VBS11 CHERRY 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00095	VAPES BARS	VBS11 LEMON LIME 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00099	VAPES BARS	VBS11 BERRY BURST 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00102	VAPES BARS	VBS11 WATERMELON FREEZE 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00097	VAPES BARS	VBS11 BLACKCURRANT SQUASH 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00100	VAPES BARS	VBS11 DOUBLE APPLE 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00098	VAPES BARS	VBS11 PINK ORANGE FIZZ 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.
06482-23-00101	VAPES BARS	VBS11 COLA ICE 20MG	ELECTRONIC CIGARETTE – DISPOSABLE.

In addition, we also request copies of all correspondence, submissions and approval documentation submitted by or sent to Vapes-Bars Limited in connection with any electronic cigarette or vaping products that reference the brand name "LadyMary" between the periods 31 May 2023 and the date of this letter."

In relation to the first part of your request for copies of ***"all documentation held by the MHRA relating to the following products listed on the ECIG Register, including all correspondence, submissions and approval documentation."***

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Unfortunately, the information is considered exempt from release under:

Section 43 – Commercial interests. This applies when disclosure would be likely to prejudice the commercial interests of any party.

Release of commercially sensitive information would undermine the MHRA's ability to engage with manufacturers, thus releasing information of this nature would significantly impair future interactions of this type with submitters/manufacturers. We consider that the information we hold remains sensitive, and that its disclosure would be likely to lead to the prejudice we have described above.

Section 43 is a qualified exemption, which means that we have considered whether the public interest in releasing the information is outweighed by the public interest in maintaining the exemptions to withhold the information.

We have weighed the public interest for the exemptions below.

In favour of disclosure, we consider that there is a general public benefit from the maintenance of public confidence in the information required by the manufacturer/submitter as part of the Notification Scheme per the Tobacco and Related Products Regulation 2016 (as amended), and any potential associated investigatory correspondence.

In favour of maintaining the exemption, the MHRA is committed to working with manufacturers/submitters and Trading Standards authorities to achieve regulatory compliance. There is a strong public interest in maintaining the effectiveness of the MHRA activities and investigations in this area. Therefore, we consider that there is a greater public interest favouring the MHRA maintaining the exemptions in this case.

In respect of your additional request ***, "we also request copies of all correspondence, submissions and approval documentation submitted by or sent to Vapes-Bars Limited in connection with any electronic cigarette or vaping products that reference the brand name "LadyMary" between the periods 31 May 2023 and the date of this letter."***

The MHRA E-cigarette Unit have reviewed all relevant mailboxes and have no correspondence meeting this criteria.

If you disagree with how we have interpreted the Freedom of Information Act 2000 with regards to your request, you can ask for the decision to be reviewed. The review will be carried out by a senior member of the Agency who was not involved with the original decision.

If you have a query about the information provided, please reply to this email.

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If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date you receive this response and addressed to: info@mhra.gov.uk

Please remember to quote the reference number above in any future communications.

If you were to remain dissatisfied with the outcome of the internal review, you would have the right to apply directly to the Information Commissioner for a decision. Please bear in mind that the Information Commissioner will not normally review our handling of your request unless you have first contacted us to conduct an internal review. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

MHRA E-Cigarette Unit