

Chronology of a Vape Tax

Norbert “Zillatron” Schmidt
Interessengemeinschaft E-Dampfen e.V. (IG-ED)
German Consumer Organization

German Vape Tax Timeline

2020-10 Internal draft in the Ministry of Finance [\[1\]](#)

2021-01-20 Government lies to Parliament: “There are no plans for a new tax law” [\[2\]](#)

2021-03-26 Draft is delivered to the Council - Excessive tax on nicotine

2021-05-17 Open discussion in Committee (not recorded)

2021-06-08 Secret session in Committee - Result: Volume tax on all liquids [\[3\]](#)

2021-06-09 Committee accepts all the changes

2021-06-10 Parliament gets the finalized proposal during a monster session and can only nod [\[4\]](#)

2021-06-25 Council accepts the final version as expected

A pattern seems to be emerging

The timeline is pretty similar to the abominable process that created the current TPD.

- Create a deeply flawed initial proposal
- Have a committee haggle about it
- Listen to lots of experts and mostly ignore them
- Maybe come to a halfway acceptable compromise
- In secret shenanigans remove the sensible parts and come up with something completely different and much worse
- Bully Parliament into accepting this arbitrary concoction

1 g = 47,60 €

Nikotin-
Steuer



Gold-
Preis

Main problem

All “calculations” are based on one seriously flawed assumption:

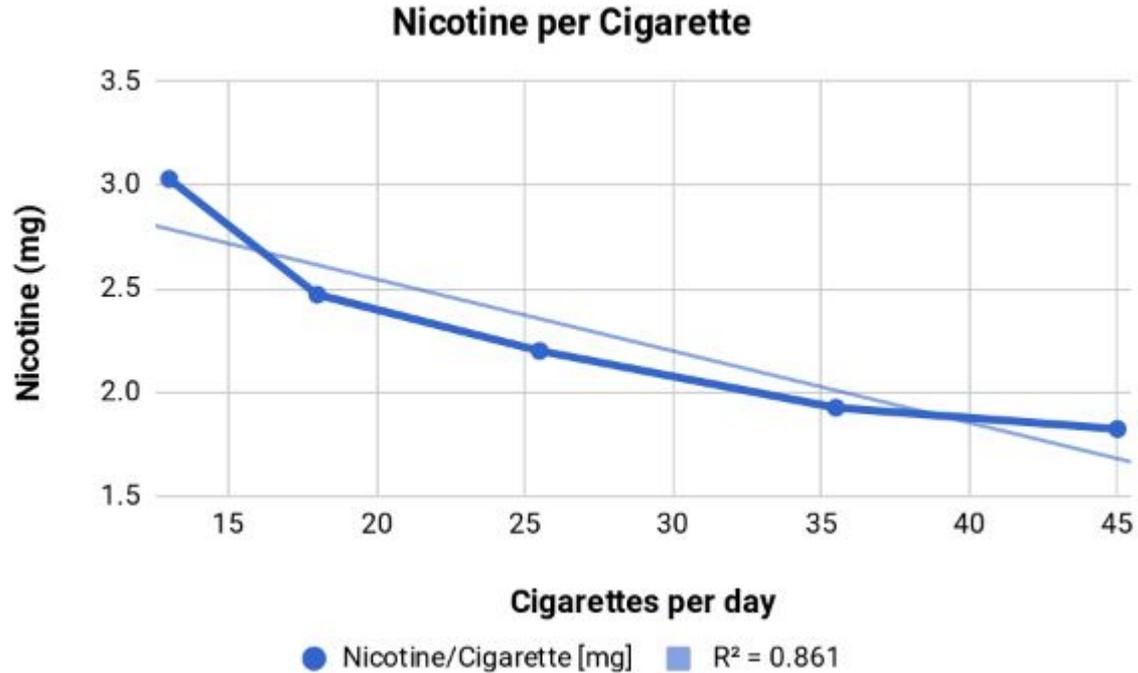
1 mg of nicotine is equivalent to 1 cigarette

We wrote an open letter to address this problem [\[5\]](#)

We were not the only ones.

It was completely ignored by the council, the ministry, and the committee.

From our survey [\[6\]](#)



Even worse

Now the volume tax is in the final stage €380 per liter (including VAT). This is especially detrimental for all vapers who use open systems and want to reduce nicotine levels, as they also have to pay this insane tax on a liter of pure PG/VG which now costs about €10.

Least affected will be the already very expensive low volume/high concentration cartridge system.

All “calculations” are still based on the flawed assumption of 1 mg = 1 cigarette

Cui bono?

Contrary to the self-righteous claims to have considered the less harmful nature of vaping products, these tax levels will render them more expensive than cigarettes, thus discouraging a lot of smokers from switching. Many vapers will evade to a black market, try their luck with DIY, or return to smoking. [\[7\]](#)

Winner: Big Tobacco

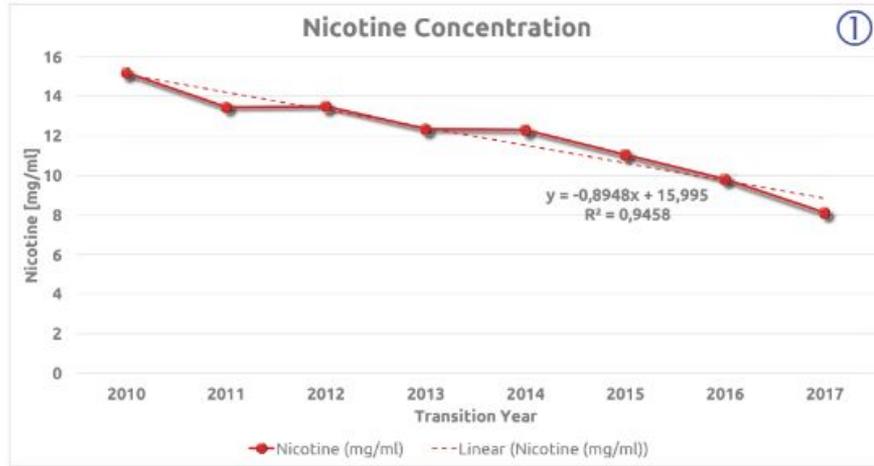
Vaping will be even more expensive than NRT products. Even hypothetical pharmaceutical vaping products are already exempt from this tax.

Winner: Big Pharma

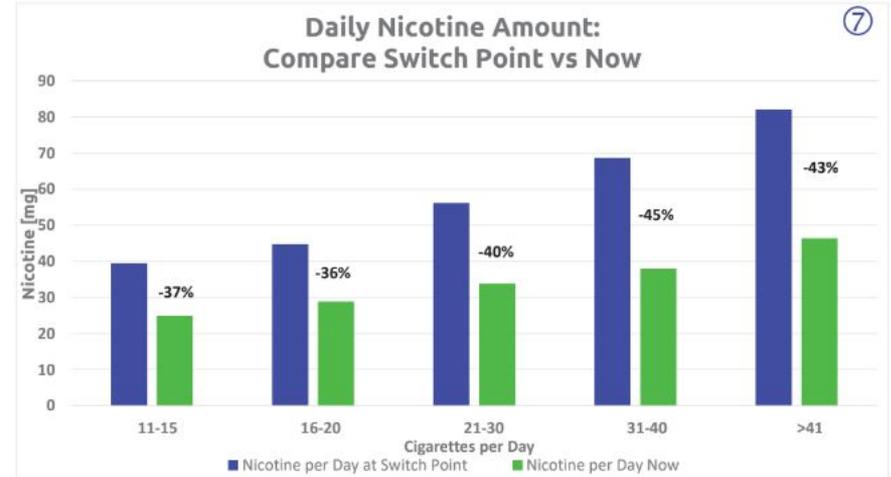
Anti-THR tax

While the new volume tax is a bit less burdensome for high nicotine concentrations (> 12 mg/ml) than the originally planned nicotine tax. It becomes prohibitive when vapers try to reduce their nicotine concentration. It also directly attacks open systems that are most popular with people who have successfully switched from smoking to vaping. Open systems that allow minute adjustment of the nicotine level to fit their current desires. In contrast to closed system and NRT products that come in a very limited assortment of discrete concentrations.

Average nicotine concentration



After switching successfully



Tapering down over time

Is there Method to this Madness?

While these shenanigans may be barely legal according to the letter of the bureaucratic procedures, the process that lead to the TPD2 and the German vape tax certainly isn't appropriate to the spirit of these democratic rules.

Are these exceptions, or is this mockery becoming a habit?

Democracy by name only is a Demockracy on the road to Idiocracy.

Sources

[1] <https://www.egarage.de/steuer-auf-e-zigaretten-kommt-doch/>

[2] <https://dserver.bundestag.de/btd/19/260/1926014.pdf>

[3] <https://dserver.bundestag.de/btd/19/304/1930490.pdf>

[4] <https://dserver.bundestag.de/btp/19/19233.pdf>

[5] <https://ig-ed.org/2021/04/offener-brief-steuerirrsinn/>

[6] https://ig-ed.org/2018/06/gfn18-poster/#6a_Nicotine_per_Cigarette

[7] https://ethra.co/images/Report_ETHRA_Survey_2020_EN.pdf