

The logo for The Union, featuring the text "The Union" in white on a dark blue rectangular background.

International Union Against
Tuberculosis and Lung Disease
Health solutions for the poor

Summary Position Statement on e-cigarettes (ECs) and electronic nicotine delivery systems (ENDS) 2014

EC/ENDS Working Group:

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ECs and ENDS in context

Combustible (smoked) tobacco is responsible for the deaths of 6 million people annually and is the chief preventable cause of death worldwide. However, e-cigarettes (ECs) and other electronic nicotine delivery systems (ENDS) are products whose marketing and promotion have grown exponentially, as have awareness and use. Notably, the large transnational tobacco companies have become a strong presence in this largely unregulated marketplace, using promotional strategies and messages similar to those used for cigarettes. The safety and efficacy of ECs/ENDS have not been firmly established. ECs/ENDS have received increased attention in the media and become a dynamic topic of debate in the public health community relative to harm reduction.

Numerous studies, publications, editorials, and media coverage in recent years reflects the need for the public health community to better understand the product and its design, delivery, promotion and use in order to provide effective options for meaningful regulation. Within the past year (2014), the journal *Tobacco Control* issued a special supplement on these products [1] and the World Health Organization (WHO) issued a report on e-cigarettes [2]. The WHO report was prepared in response to the request made by the Conference of the Parties (COP) at its fifth session (November 2012) to the Convention Secretariat to examine emerging evidence on the health impacts of ENDS use and to identify options for prevention and control of these impacts. ECs/ENDS will be discussed at the Sixth Conference of the Parties for the Framework Convention on Tobacco Control in October 2014.

Purpose

The Union developed and released a policy statement on ECs/ENDS in 2013 based on a careful review of the scientific evidence. The statement provides recommendations for governments seeking to address the use of ECs/ENDS through regulation and legislation in order to:

1. Prevent ENDS marketing and promotion to and uptake by non-smokers, pregnant women and youth
2. Prevent ENDS marketing and promotion that discourage smokers from quitting
3. Minimise potential health risks to ENDS users and non-users through:
 - a. prohibiting unproven health claims from being made about ENDS
 - b. protecting existing tobacco control policies from interference
4. Ensure that there is control over the amount of nicotine and other substances delivered by ECs to minimise the health risk to consumers

The Union strongly supports the regulation of the manufacturing, marketing and sale of EC/ENDS, preferably as medicines.

KEY MESSAGES

- The International Union Against Tuberculosis and Lung Disease (The Union) issued a position statement on ECs/ENDS in 2013 based on a careful review of the scientific evidence. It has been updated to reflect emerging evidence in 2014. The position statement will be re-reviewed by mid-2015.
- The safety of electronic cigarettes (ECs) or electronic nicotine delivery systems (ENDS) has *not* been scientifically demonstrated.
- Adverse health effects for third parties exposed (second-hand exposure) cannot be excluded because the use of ECs leads to the emission of fine and ultrafine inhalable liquid particles, nicotine and cancer-causing substances into indoor air.
- The benefits of ECs have not been scientifically proven. To date, few studies have assessed ECs/ENDS as a harm reduction and cessation aid; those that do exist have conflicting findings.
- Marketing, awareness and use of ECs or ENDS are growing rapidly.
- The tobacco transnationals have increasingly entered the EC/ENDS marketplace with a strong presence.
- A range of current and proposed legislative and regulatory options exists; some countries (such as Brazil, Norway, Indonesia and Singapore) have banned ECs/ENDS completely. Other countries are considering banning them.
- ENDS could undermine the implementation of the WHO Framework Convention on Tobacco Control (FCTC) Article 12 (de-normalisation of tobacco use); use of ENDS could also hamper the implementation of Article 8 (protection from exposure to tobacco smoke), as ENDS users in public places may claim that their electronic cigarette does not contain tobacco and/or does not produce second-hand tobacco smoke.

The Union strongly supports regulating the manufacturing, marketing and sale of ECs or ENDS, preferably as medicines.

If regulation as medicine is not feasible, the following measures should be considered pending the availability of reliable evidence and based upon the specific regulatory, legislative and enforcement situation of each jurisdiction:

- 1 a comprehensive ban on all advertising, promotion and sponsorship;
- 2 prohibiting display of ECs/ENDS in retail stores;

- 3 prohibiting sales to minors (persons under the age of full legal responsibility);
- 4 ECs/ENDS and their refills should not be sold in flavours that are appealing to children;
- 5 packaging and labelling of ECs/ENDS cartridges and disposable ECs/ENDS should include a list of all ingredients, stipulate the quantity of nicotine and include appropriate warning labels;
- 6 ECs/ENDS should not be used in public places, workplaces or on public transportation;
- 7 consumer safety standards for EC cartridges should be established, including ensuring manufacturing consistency and regulating the maximum quantity/dosage of nicotine they may contain.
- 8 all packaging and labelling should conform to requirements that are applicable to all medicinal standards including clear information and warnings on the products' proven health risks, ingredients and usage.
- 9 The Union recommends that Article 5.3 of the WHO FCTC be respected when developing and implementing EC/ENDS legislation and regulations.

1. Chen, I.L. and C.G. Husten, *Introduction to tobacco control supplement*. Tob Control, 2014. **23 Suppl 2**: p. ii1-3.
2. WHO, *Electronic nicotine delivery systems Report by WHO*. 2014, WHO Geneva