Resolution of the World Federation of Public Health Associations on appropriate controls of manufacture, distribution and marketing of e-cigarettes

Passed by the WFPHA General Meeting 22 May 2016

Introduction

There is growing evidence of adverse side effects, increased involvement of tobacco companies in their manufacture and marketing, and increasing uptake of e-cigarettes by both minors and adults. The WFPHA considers that there is as yet inadequate rigorous scientific evidence on the health risks of e-cigarettes and the extent of any possible therapeutic value as part of smoking cessation or reduction.

The health effects of vapor exposures among both users and nonusers of e-cigarettes are as yet unclear. Unlike conventional tobacco cigarettes, e-cigarettes seem to generate limited side-stream vapor (aerosol between puffs). However, e-cigarette users do exhale second hand vapors.

The World Federation of Public Health Associations (WFPHA) expresses serious concerns about increasing evidence of harms associated with the growing availability and use of e-cigarettes. These concerns include the short and long term effects of inhaling nicotine, the accompanying flavours, and some of the products released by heating the liquids. Additionally, a meta-analysis of studies found that quitting rates among smokers using them were 28% less than among non-users, a figure that remained robust in an extensive sensitivity analysis that considered study design, definitions, levels of addiction and much else.

The WFPHA is particularly concerned about regulation of the sale, manufacture, marketing and promotion of e-cigarettes particularly to young people.

The WFPHA recognizes concerns raised by the World Health Organization (WHO) and other health authorities about the role of tobacco companies, which have a growing influence in the e-cigarette market. These concerns include: using e-cigarettes to promote their own commercial interests, seeking involvement in policy processes contrary to Article 5.3 of the Framework Convention on Tobacco Control, and undermining key tobacco control initiatives by advertising and promoting e-cigarettes in ways that will increase use of e-cigarettes and normalize (or re-normalize) smoking behavior, particularly among young people.

Scope & purpose

The WFPHA shares the concerns expressed by the WHO and other health authorities about the safety of widespread use of e-cigarettes. These concerns include:

- Both the safety of e-cigarettes and their alleged superior efficacy in smoking cessation have not been scientifically demonstrated, while the best available evidence suggests that they are associated with lower rather than increased rates of quitting.
- The serious potential threat to health arising from the deep inhalation of fine and ultra-fine particles, nicotine, and flavourings many times a day and over prolonged periods.
- Minors being encouraged to try other tobacco products—including more dangerous conventional tobacco cigarettes
- Marketing of e-cigarettes may be used as a ‘trojan horse’ or subversive device
  - Effectively marketing tobacco products
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- Undermining the extensive global achievements in ‘denormalizing’ tobacco use and the smoking “performance”
- Rehabilitating the tobacco industry, allowing it to portray itself as “part of the solution” while it continues with its primary activity of knowingly selling and promoting a lethal product.

- E-cigarettes may encourage many smokers to only reduce smoking, instead of quitting, in the mistaken belief that they are reducing harm, when large epidemiological prospective studies of smoking reduction show little health benefit unless they actually quit

- Justification of widespread availability as a ‘harm reduction’ policy does not take the holistic view of government harm reduction policies that are based on three pillars and also include ‘demand reduction’ and ‘supply reduction’. These are the same pillars that provide an underpinning of harm reduction philosophies designed to deliver a policy of ‘controlled availability’ as proposed since the early 1990s.

- Use of electronic nicotine delivery devices to deliver more harmful substances
- There is a lack of evidence about second hand (or passive) exposure to e-cigarettes
- There is a lack of quality control standards in the manufacture, distribution and use of e-cigarettes

The purpose of this WFPHA resolution is to encourage national governments to apply a precautionary approach by ensuring appropriate regulation while concurrently examining evidence to determine the extent of dangers or any possible benefits associated with e-cigarettes.

**Fields of applications**

The policy aims to:

- Assist Public Health Associations globally to apply pressure on their national governments to ensure the precautionary principle is applied to regulation of e-cigarettes,
- Ensure that appropriate research is conducted and evidence applied to discussion of e-cigarettes, and
- Provide the World Federation of Public Health Associations with a guideline for responding to issues regarding e-cigarettes.

**Main content**

**Independent research**

There remains a need for more research on various aspects of e-cigarettes. These include short-term and long-term harms, potential risks of e-cigarettes to users and non-users, efficacy as a smoking cessation measure (including consideration of dual use), the overall impact of e-cigarettes on tobacco prevalence and smoke exposure, the maintenance of the smoking habit through e-cigarettes and the role played by e-cigarettes in smoking cessation over time, the development and promotion of e-cigarettes as a means of engaging children, young people and non-smokers to take up either e-cigarettes or cigarettes, and the impacts of e-cigarettes on promotion and use or on re-normalizing smoking behavior.

Additionally, independent research should be conducted into the impact of advertising, promotion, public relations and lobbying activities for e-cigarettes in undermining tobacco control developments as well as the impact of e-cigarettes in undermining global and national implementation of Article 5.3 of the FCTC.

**Regulation**

Considering the public health concerns associated with e-cigarettes, the WFPHA calls for the application of the precautionary principle by governments in regulating their use. Regulation of these devices should include:

- Restrictions on marketing and sponsorship of e-cigarettes similar to those for tobacco products
- Regulation on manufacture and sales
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- This should be managed through national therapeutic goods regulators to ensure safety, quality control and, of accepted for sale limits on access – for example through pharmacies, to adults only, without promotion, and with appropriate health warnings.
- Regulations that ensure e-cigarettes are not used as a means of bypassing Article 5.3 of the Framework Convention on Tobacco Control (FCTC) or re-normalizing smoking behavior.
- Regulation of packaging of e-cigarettes to be consistent with national and international standards
- Monitoring and limiting the online availability of e-cigarettes and related products
  - Ensuring proof of age requirements are met
  - Regulating the use of promotions or offering free shipping on large purchases as a means of increasing consumption
  - Ensuring that international purchases are subject to the same import regulations as conventional cigarettes (see [http://www.vapeking.com.au/](http://www.vapeking.com.au/))

**ACTION**

The WFPHA calls on all member public health associations to advocate publicly and with their governments to call for appropriate controls of manufacture, distribution and marketing of e-cigarettes including:

- Ensuring that smoke-free measures are applied to e-cigarette products in all situations where they apply to tobacco use such as:
  - Banning all forms of advertising and promotion for e-cigarettes including regulation of packaging consistent with National legislation for tobacco packaging
  - Ensuring children, young people and non-smokers are not exposed to e-cigarette promotions and ensuring proof of age purchasing requirements are met
  - Taking all possible steps to minimize potential health risks to e-cigarette users and nonusers including regulation on manufacture and sales through national therapeutic goods regulators to ensure safety, quality control and, of accepted for sale limits on access
- Ensuring strict emission and control measures for e-cigarettes
- Prohibiting unproven health claims about e-cigarettes and including appropriate health warnings
- Ensuring the manufacture and sale of e-cigarette products, and any claims on the health benefits, are evaluated and controlled by national therapeutic goods regulators
- Protecting existing tobacco control efforts from commercial and other vested interests of the tobacco industry by ensuring that Article 5.3 of the FCTC is fully applied to those involved in production and promotion of e-cigarettes
- Where harm minimization policies are applied they include a three pillar policy of harm reduction, demand reduction and supply reduction
- Ensuring that e-cigarettes or their efficacy as a cessation aid are rigorously reviewed by independent authorities and subject to appropriate governmental controls
- Ensuring that there is maximum continuing action, as recommended by WHO to reduce smoking, without distraction from discussions on e-cigarettes.

**Conclusion**

The WFPHA considers all governments should apply the precautionary principle and should implement an appropriate regulatory regime for e-cigarettes as products that have the potential to cause considerable harm to the public’s health.
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References

i Centers for Disease Control and Prevention Atlanta (2015) *Electronic Nicotine Delivery Systems: Key Facts* CDC Office on Smoking and Health


xi Three articles:


