

Background Paper on E-cigarettes (Electronic Nicotine Delivery Systems)



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Prepared for
World Health Organization
Tobacco Free Initiative

December 2013

EXECUTIVE SUMMARY

- E-cigarettes are evolving rapidly and being marketed like cigarettes were in the 1950s and 1960s
 - Marketing is back on television and radio
 - Aggressive placement in convenience stores (next to candy) and in other stores (next to medications)
- Youth are rapidly adopting e-cigarettes
 - E-cigarettes contain candy flavors (e.g., cherry, chocolate, turkish delight)
 - High levels of dual use
 - Youth who use e-cigarettes are heavier (not lighter) smokers
 - Youth who use e-cigarettes are much less likely to have stopped smoking (OR 0.1-0.2)
 - The temporal and causal relationships between e-cigarette use and smoking have not been determined
- E-cigarettes have not been proven to help people quit smoking
 - Longitudinal population studies show that e-cigarette use is associated with a lower odds of quitting
 - The randomized trial comparing e-cigarettes to nicotine patch shows that in the context of low level behavioral support, the quit rate for those using e-cigarettes is low and similar to those using a nicotine patch
- There is a high level of dual use of e-cigarettes and conventional cigarettes among adults
- The hope that e-cigarettes will reduce harm by delivering "clean" nicotine will not be realized in continuing dual users
 - Continuing to smoke any conventional cigarettes confers essentially the full cardiovascular risk
 - Cancer risk may only be modestly affected because smoking duration is more important than intensity
- E-cigarettes deliver lower levels of toxins than conventional cigarettes, but they still deliver some toxins
- E-cigarettes pollute the air less than conventional cigarettes, but they pollute the air
 - They do not just emit "harmless water vapor"
- People passively exposed to e-cigarettes aerosol absorb nicotine (measured as cotinine), with one study showing levels comparable to passive smokers
- There is little research on direct health effects
 - One study shows short-term pulmonary effects
 - Evidence of cytotoxicity in animal and human *in vitro* test systems
- While the original e-cigarette companies were competing with conventional cigarette companies, all the major cigarette companies are now in the e-cigarette business

- E-cigarette companies are using the same political and public relations strategies as cigarette companies (most notably organizing users, similar to how the cigarette companies organized smokers)
- E-cigarette policy making in many countries is dominated by assumptions about their use (utility as a smoking cessation aid or for harm reduction) that are not supported by the evidence available to date

At minimum, these policies should be implemented immediately:

- Prohibit the use of e-cigarettes anywhere where the use of conventional cigarettes is prohibited
- Apply the same restrictions on e-cigarette advertising and promotion as apply to conventional cigarettes
- Ban the use of characterizing flavors in e-cigarettes
- Prohibit claims that e-cigarettes are effective smoking cessation aids until such time as there is convincing scientific evidence that such claims are true for e-cigarettes as they are actually used in the general population.
- Regulate e-cigarettes to set standards for product performance in order to minimize risks to users and bystanders

Because the product, the market, and the associated scientific evidence surrounding e-cigarettes are all evolving rapidly:

- All legislation and regulations related to e-cigarettes should allow for flexibility to adapt regulations expeditiously in response to new science, including evaluation of different models for regulating e-cigarettes, as it accumulates
- No country or subnational jurisdiction should be compelled to permit the sale of e-cigarettes
- Legislation and regulations regarding e-cigarettes need to take into account the fact that, unlike conventional cigarettes and other tobacco products and medicinal nicotine replacement therapies, e-cigarettes can be altered by users to change the nicotine delivery and be used to deliver other drugs
- There should be transparency in the role of the e-cigarette and tobacco companies in advocating for and against legislation and regulation, both directly and through third parties
- FCTC Article 5.3 should be respected when developing and implementing legislation and regulations related to e-cigarettes