



I am a sociologist and have been conducting research in the area of substance use for the last 25 years. From 1994 to 2011 I directed the Centre for Drug Misuse Research at the University of Glasgow where I held the Chair in Drug Misuse Research. In 2011 the centre reformed as an entirely independent research centre under the name “Centre for Substance Use Research”. In the period since being attached to the University the Centre has attracted funding from a wide range of public and private bodies including the UK Department of Health, the U.N. the pharmaceutical industry UK Health Boards. In addition, the Centre has developed a programme of regulatory science research focussed on tobacco harm reduction which is part funded by e-cigarette companies. These companies have no direct or indirect control over the research undertaken or the policy recommendations made.

In considering the appropriate regulatory model for e-cigarettes it is important to balance the tremendous benefit of these devices in enabling large numbers of smokers to cease smoking with the legitimate concern that in appropriate use of this technology needs to be minimised. With regard to reducing the known harms of smoking there is now extensive research showing that in countries throughout the world where e-cigarettes are available that smokers are interested willing and motivated to use these devices as an effective means to cease and or reduce their smoking. Interestingly research has shown that the benefits of using e-cigarettes in reducing the harm of combustible tobacco products can be achieved even by those smokers who have no interest in quitting.

Whilst there are now a wide array of medications and devices including NRT patches that can assist smokers in quitting there has never been an alternative to smoking which is anywhere near being as appealing as e-cigarettes. The attraction of these devices to smokers is in large part why the number of vapers in countries where these devices are easily accessible have markedly increased. Co-occurring with the marked increase in the prevalence of e-cigarette use within key countries is the evidence of accelerated reductions in the prevalence of smoking. There can be little doubt that e-cigarettes have acted and are currently acting as an unparalleled accelerant of smoking cessation.

We know from research that part of the appeal of these devices is the control which they enable the user to exert over the quantity, frequency, and potency of the nicotine they are using, the attraction of using different flavours and the freedom to choose from the vast array of devices those particular e-cigarette models that meet the individual smokers needs and preferences. In maximising the beneficial impact of e-cigarettes in negating the multiple harms of smoking it is essential that the variation in device format, the variable nicotine

strengths and the variety of available flavours continue to be as accessible to smokers as possible. Different regulatory models can either assist or impede the beneficial impact of e-cigarettes. Overly burdensome regulation treating e-cigarettes as the same as combustible tobacco products and regulating virtually every aspect of their availability including inflating the price of these devices through taxation will undoubtedly undermine the capacity of these devices to reduce smoking related harm.

However, alongside these benefits it must also be recognised that this is relatively new technology, that we know much less than we need to as a result about the possible long term impact of using e-cigarettes and further that there is a risk of these devices becoming increasingly appealing to young people. Studies carried out within the US have shown that those young people who have recently used e-cigarettes (within the last 30 days) are at increased risk of initiating smoking. Whilst there is now a clear and consistent body of research reporting that findings it is still not the case that e-cigarette use has been proven to be causally related to the onset of smoking in young people. There is a need now to undertake research which can shed much more nuanced light on what attracts young people to these devices and what factors and social processes influence the outcome as to whether young people's use of these devices is infrequent and fleeting or more frequent and embedded. We know that adolescent behaviour is highly variable and subject to marked changes over a relatively short period of time. Equally we know that the early to mid teen years are a time at which smoking most often begins. This in itself gives cause for concern when similarly aged teens are using e-cigarettes (irrespective of whether at that stage they are smoking or not). As a result there is a need to ensure that measures are initiated in those areas where e-cigarettes are available that are directed towards reducing young people's use of these devices.

On the basis of research which I and my colleagues have undertaken one way through which the appeal of these devices to non smoking teens can be achieved is through their characterisation as smoking cessation devices. Where young people view these devices as typically being used by smokers to assist their attempts at quitting the devices themselves appear to be much less appealing to young people.

The challenge facing regulators is one of initiating regulations that can maximise smokers use of these devices whilst reducing their appeal to non smoking teens. Whilst in the US it has been deemed appropriate to regulate e-cigarette technology as a tobacco product (even when these devices are being used to inhale zero nicotine e liquids) the result of such a regulatory model is that individual's access to and use of these devices is markedly reduced. An alternative regulatory model which would provide smokers with much easier access to these devices would be to regulate them as consumer products- though subjecting them to appropriate consumer regulatory requirements in terms of manufacturing standards, chemical constituents, age verification etc. Through existing and if necessary enhanced consumer regulation (as was applied in many countries to Volatile Substances once it was known that there were being inhaled by young people) it would be possible to maximise adult's access to this technology whilst reducing young peoples' access to the technology.

With regard to the matters being considered within the current consultation I would advise that e-cigarettes are regulated as consumer products, rather than tobacco products, and that

nicotine, in variable strengths, is exempted from the Poison Standard. In relation to marketing I would recommend that the marketing of these products emphasises their role in facilitating smoking cessation, that sales to non-smoking young people is actively discouraged and that the use of marketing images that are likely to appeal to young people are outlawed.

Yours sincerely,

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