

Standing Committee on Health, Aged Care and Sport

Inquiry into the Use and Marketing of Electronic Cigarettes and Personal Vaporisers in Australia

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I have been very actively involved for over a third of a century in global efforts to reduce the horrendous health toll caused by cigarette smoking. That work has included significant interactions with Australian policy issues, in part because of the many similarities between Canada and Australia.

My work on these issues is funded from my personal resources. Not only do I avoid funding from any business interests, but I also avoid funding from bodies that take absolutist stances on issues of tobacco and nicotine, as I find the unscientific moralistic positions of such bodies to be at odds with best practices in public health.

The Canadian experience is in my view directly relevant to the questions raised by your committee. Both of our countries started from the standpoint of misidentifying reduced risk tobacco/nicotine products as pharmaceutical products. This is akin to seeing automobile safety features as being designed solely to dissuade people from driving, or condoms simply to discourage sexual activity. Instead, reducing risk wherever we find it is a key component of good public health practice and there are likely no other areas where the potential health gains are as dramatic and as easily attained as we find on issues of nicotine/tobacco.

We have known for decades that the deaths caused by smoking are almost entirely the result of diseases caused by inhalation of smoke. Cigarettes are an inordinately deadly delivery system, and it is now known that we have the ability end the epidemic of smoking caused disease simply by replacing lethal cigarettes with massively less hazardous, and less addictive, alternatives.

Other countries, including Canada, have recognised the absurdity of seeking to limit the consumer tobacco/nicotine market solely to the deadliest products. As someone who has been

actively and globally involved in lawsuits against cigarette companies I also want to specifically highlight the potential travesty of any policies that protect the cigarette companies from tort law consequences of their actions by allowing a successful defence of having been legislatively protected from any responsibility to offer access to, and information on, far less hazardous products. There is simply no justification for protecting the cigarette trade rather than public health; of subordinating consumer protection and public health ethics to measures that invariably lead to the sustainability of the carnage caused by lethal cigarettes.

So, what are the alternatives to the current prohibitionist approach to less hazardous alternatives to cigarettes?

Policy-sufficient answers to the five points raised by your committee are not hard to find, and have no doubt been addressed in other submissions. But they have also been addressed in an international meeting of experts arranged by Health Canada in addressing the same issues in our country, and I commend the publication (which accompanies this submission) that resulted from that recent conference; the **Best Brains Exchange Report: MEASURING AND MANAGING THE RISKS AND BENEFITS OF VAPING PRODUCTS IN CANADA**

By way of briefly addressing the specific points being examined by your committee:

1. The use and marketing of E-cigarettes and personal vaporisers to assist people to quit smoking;

This is well within the scope of what can be achieved by policy measures. Giving consumers adequate information on relative risks, and easier access to alternatives to cigarettes than to the cigarettes themselves. Such measures include using differential pricing for differential risks, something I have published on with two other internationally recognised tobacco control experts in the New England Journal of Medicine [here](#).

2. The health impacts of the use of E-cigarettes and personal vaporisers;

This has been sufficiently answered by such bodies as the prestigious Royal College of Physicians. Their authoritative report stands in contrast to the fear mongering of those who speak of 'risks' from alternatives to cigarettes without quantifying whether such risks exist under normal conditions of use or how these risks compare to the risks of continued smoking. Such unscientific and illogical sophistry is endemic in all abstinence-only campaigns confronted by public health advocates, and have no place in enlightened public health discussions.

3. International approaches to legislating and regulating the use of E-cigarettes and personal vaporisers;

The experience of countries that have allowed information on, and access to, less hazardous alternatives to existing products and services is overwhelmingly positive. Indeed, it is a key component to good public health practices. The lessons from countries with such policies on e-cigarettes, heat-not-burn products and snus show how readily these lessons translate into advances in public health in the realm of cigarette caused disease. After all, most smokers, in Australia as elsewhere, are already deeply dissonant; held in the cigarette market through a combination of neuroscience and a lack of alternatives rather than any expressed preference for continued smoking.

4. The appropriate regulatory framework for E-cigarettes and personal vaporisers in Australia; and

Facilitate a transition away from combustion-based delivery. This is not merely about ending a prohibition on alternatives to lethal cigarettes for the staggering number of Australians who will otherwise die or be made ill from continued smoking. It is about aiding the transition to massively less hazardous and less addictive acceptable alternatives.

5. Any other related matter.

As stated above, do not give the cigarette trade a 'get out of litigation free card' through measures that deny consumers access to, and information on, alternatives to such deadly products. These companies should be pressured to, not protected from, measures that will reduce the carnage caused by cigarettes.

I would be pleased to answer any further questions or provide additional information.