Introduction

PAGB (Proprietary Association of Great Britain) welcomes the opportunity to provide evidence to this Science and Technology Select Committee inquiry. PAGB is the UK trade association representing the manufacturers of branded over-the-counter (OTC) medicines, including licensed nicotine replacement therapies (NRT), self care medical devices and food supplements.

PAGB and its members are actively involved in efforts to support people to quit smoking, for example through supporting the annual Stoptober awareness campaign and ongoing support for pharmacy services. The combination of pharmacotherapy with specialist behavioural support continues to be the most effective method of quitting. With smoking remaining the principal cause of health inequalities in the UK, PAGB’s overarching concern is therefore to protect the provision of evidence-based stop smoking services from the growing threat of disinvestment and funding cuts.

Summary of key points

- Whilst current evidence does suggest e-cigarettes are less harmful than tobacco cigarettes, there is a significant lack of evidence around the health and lifestyle impacts of e-cigarettes, in particular:
  - The health impact of long-term repeated or prolonged use
  - The links between e-cigarette use and cigarette use amongst young people
  - The role of e-cigarettes as a tool for supporting smokers to not only become smoke-free, but where possible nicotine-free

- PAGB would advise caution with regards the inclusion of e-cigarettes in public health advertising in a way that could align non-medicinal and unlicensed e-cigarettes with licensed medicinal NRT. This could confer a “halo effect” on e-cigarettes, suggesting they have equivalent evidence of effectiveness as licensed smoking cessation medicines.

- PAGB would welcome clear guidance for retailers on the placement of non-medicinal, unlicensed nicotine inhaling products in the retail environment.

- PAGB recently contributed to the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) consultation on the use of health claims in e-cigarette advertising. Whilst acknowledging the reassurance within the consultation document that, should the prohibition on health claims be removed, any claim made under this rule in e-cigarette advertising will need to be substantiated with evidence, PAGB would welcome clear guidance on the level of evidence expected in order for such claims to be considered substantiated.

- PAGB would therefore urge caution in using the current limited and short-term evidence base to justify any untested deregulation of the e-cigarette market. Any deregulation must be supported by a robust, peer-reviewed evidence base.
Health

1. *The health impact of e-cigarettes to vapers relative to ‘conventional’ smoking, and any gaps in the science knowledge-base in this area*

Whilst current evidence does suggest e-cigarettes are less harmful than tobacco cigarettes, or ‘conventional’ smoking, there is not undisputed evidence that they are completely harm free. Moreover, e-cigarettes have not been in use for long enough for us to understand whether there are any long-term health implications of repeated or prolonged use.

There are therefore significant evidence gaps in the science knowledge-base with regards to the safety and health impact of e-cigarettes, including relative to ‘conventional’ smoking, particularly over longer periods of time. PAGB would urge caution in using the current limited and short-term evidence base to justify any untested deregulation of the e-cigarette market.

2. *The benefits and risks of e-cigarettes as a ‘stop smoking’ tool, any gaps in the knowledge-base on this, and whether any approaches are needed to tackle e-cigarette addiction*

‘Stop smoking’ tools should seek to support smokers to become not only smoke-free, but wherever possible nicotine-free. PAGB is concerned that there is insufficient evidence that e-cigarettes successfully support the transition to a nicotine-free lifestyle. PAGB members therefore recommend that further evidence is sought on this.

3. *The uptake of e-cigarettes among young people and evidence on whether e-cigarettes play a role in ‘re-normalising’ smoking*

A recent study based on a survey of 2,836 adolescents from across 20 English schools found that adolescents who try e-cigarettes might be more likely to try conventional cigarettes. However, this is the first study to report the prospective relationships between ever use of e-cigarettes and cigarette use among UK adolescents. Therefore, further research and evidence is required on both this and the ‘re-normalisation’ of smoking as a result of e-cigarette uptake to better understand the risks of e-cigarettes acting as a ‘gateway’ to smoking.

PAGB members fully support the intended effect of current e-cigarette regulations to limit the availability of e-cigarettes to young people and therefore restrict the scope for young people to become addicted to nicotine and any potential gateway effect into smoking tobacco. PAGB would argue that current regulations in the UK could go even further by providing retailers with clear guidance on the placement of non-medicinal, unlicensed nicotine inhaling products in the retail environment (please see section 5 below for further details).
Regulation

4. Whether there is any regulatory variation between the EU and UK, and across UK nations, and the implications of Brexit on regulation in this area

There has been variation across UK nations in their approach towards e-cigarette regulation. By and large, the rapid growth of e-cigarette use has taken place in a largely unregulated environment. However, over time, all four nations have enacted (or are in the process of enacting in the case of Northern Ireland) legislation to make it an offence to sell e-cigarettes to persons under 18, including proxy purchasing. PAGB supports such moves to bring e-cigarette regulation in line with wider tobacco control regulation.

Furthermore, PAGB strongly believes that fair and proportionate regulation of the e-cigarette market is required to ensure that public health initiatives to prevent and reduce tobacco and nicotine addiction are not undermined.

PAGB would strongly warn against exploiting the opportunity of leaving the EU to deregulate the e-cigarette market, which would put at risk the significant progress made in recent years by tobacco control policy. The UK should not be positioned as a test-nation for any deregulation that is not supported by a robust, peer-reviewed evidence base.

5. The effectiveness of regulation on the advertising and marketing of e-cigarettes

As noted above, PAGB is supportive of fair and proportionate regulation of the e-cigarette market. With regards to marketing, regulations should be strengthened to ensure that:

- e-cigarettes are out of sight of children and non-smokers by placing them in the same area of the store as tobacco products OR if displayed on the shelf, they are positioned in lockable displays or protective casings comparable with other age restricted items such as DVDs, fireworks and computer games
- e-cigarettes are not placed on display next to or near products that under 18s would reasonably purchase, for example sweets, toys and magazines
- e-cigarettes are not placed alongside nicotine replacement therapy products in stores where they can inappropriately benefit from a 'halo' effect (with assumptions of equivalent quality, safety and efficacy to licensed medicines)

Additionally, supplementary information for retailers should be provided, alongside the regulations, that offers clear guidance on which products meet the exemption criteria for the age of sale restriction. As well as forming part of the educational materials supporting the implementation of the regulations, this resource should be available online, providing retailers with easily accessible current information on the status of e-cigarettes and how they should be made available in store.

PAGB recently contributed to the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) consultation on the use of
health claims in e-cigarette advertising. Whilst acknowledging the reassurance within the consultation document that, should the prohibition on health claims be removed, any claim made under this rule in e-cigarette advertising will need to be substantiated with evidence, PAGB would welcome clear guidance on the level of evidence expected in order for such claims to be considered substantiated. PAGB members believe that to take a more liberal approach to the claims that e-cigarette manufacturers can make would be inconsistent with the Tobacco Products Directive, NICE guidelines and the current regime for licensed nicotine-containing products. In addition, confusion around the difference between a substantiated health claim and a medicinal claim means that any relaxation in this area is likely to result in claims entering the public domain which may not be appropriate for an unlicensed product. This risk should be addressed and minimised before any such action is taken.

PAGB would advise particular caution with regard to the inclusion of e-cigarettes in public health advertising, such as was undertaken as part of the 2017 Stoptober campaign, the messaging for which appeared to align non-medicinal and unlicensed e-cigarettes with licensed medicinal nicotine replacement therapies (NRT).

We believe that the inclusion of e-cigarettes in public education campaigns, such as Stoptober, could confer a ‘halo’ effect on these products, suggesting they have equivalent evidence of effectiveness as licensed smoking cessation medicines. As outlined earlier in this response, the impact of long-term use of e-cigarettes is not known, and although there is evidence to suggest they are safer than tobacco cigarettes, there is no evidence to suggest they are without harm entirely. We would be concerned about any direct or indirect association of e-cigarettes with established public health campaigns focused on smoking cessation or harm reduction and we urge against any move to allow communications coming from commercial organisations or those funded by or affiliated with commercially interested parties to conduct “public health” campaigns which directly or indirectly promote the use of e-cigarettes.

6. The impact to date of the Tobacco and Related Products Regulations on the vaping industry and on the prevalence of e-cigarettes

PAGB has no comments on this.

7. The safety of e-cigarette devices, and any safety regulation requirements

Technological developments in the area of e-cigarettes and similar products means that a large variety of new products are on, or will shortly enter, the market. Regulation needs to be prepared for this in order that such products do not fall through any regulatory gaps or benefit from relaxed restrictions.
Finance

8. The economic impact of the UK’s e-cigarette industry

PAGB has no comments on this.

9. The public finances implications of e-cigarettes, including how the rise in e-cigarette consumption could affect NHS costs

PAGB is not aware of any evidence on the impact of e-cigarettes on public finances. However, members are concerned that cuts to local stop smoking services are being justified through an increase in people taking up vaping. The two issues should not be conflated, as evidence continues to show that the combination of specialist support and licensed therapies is the most effective quitting route.

Without adequate funding, local authorities are increasingly taking the decision to reduce, or even remove, funding for these specialist support services. Following the £200 million in-year cuts in the national public health budget in 2015, 59% of local authorities cut smoking cessation budgets in 2016. E-cigarettes should not be seen as an alternative to the funding of local stop smoking services, which should be adequately funded to support the delivery of the Government’s Tobacco Control Plan.

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References

1 NICE, Stop smoking interventions and services: Draft for consultation [GID-PHG94], September 2017 (final guidance expected March 2018)
2 ASH, Smoking still kills: protecting children, reducing inequalities, 2015, accessed April 2017
4 NICE, Stop smoking interventions and services: Draft for consultation [GID-PHG94], September 2017 (final guidance expected March 2018)
5 CRUK & ASH, Cutting down: the reality of budget cuts to local tobacco control, November 2016 (Accessed 17 March 2017)