Written evidence submitted by JAC Vapour Ltd (ECG0068)

JAC Vapour Ltd is an Edinburgh based e-cigarette manufacturer and retailer, established in 2010, specialised in hardware (device) manufacturing both under the JAC Vapour brand and on an OEM and ODM basis.

Key Points

1. There is clear evidence that vaping products are significantly less harmful than the tobacco products they replace.
   a. Vaping products are widely acknowledged to be at least 95% less harmful than cigarettes. This position is supported by experts in the field of respiratory health, tobacco control, and leading public health organisations.

2. The potential benefits to the public health that vaping products represent is significant but at present the potential benefits are not being fully realised.
   a. Currently at least 2.9 million people in the UK have taken up vaping of which 1.5 million have quit tobacco use entirely.

3. Regulation of the vaping market plays an important role in protecting consumers and is necessary. Regulation should however be evidence based and effective.

4. It is imperative that consumers are able to make a fully informed choice as to which product they use to quit tobacco use.
   a. In 2013 7% of the public believed that vaping products are “more or equally [as] harmful” as cigarettes. By 2016 this percentage had increased to 25%. In light of the staggering increase in public misconception it appears unconscionable that responsible businesses are prohibited, by law, from challenging this misconception.

5. As the number of Vapers increases the number of Smokers decreases, this represents not only a significant gain for the public health but also for the public purse.
   a. According to the MHRA each successful quit attempt is valued at £74,000. If this figure is correct, to date, vaping represents a public saving in the region of £111bn. With approximately 7.6 million smokers remaining in the UK the figure provided by the MHRA indicates that vaping represents a potential saving in the region of £550bn.

6. For regulation and policy to be fit for purpose it is imperative that vaping products are considered in their own light and not alongside conventional tobacco products and novel tobacco products such as ‘Heat not Burn’ devices.
   a. Vaping products are demonstrably less harmful than conventional tobacco products and the novel tobacco ‘Heat not Burn’ products. As such the risks and policy considerations for vaping products are substantially different to that of tobacco products.
**Introduction to JAC**

JAC Vapour was founded in 2010 and, almost without exception, is run by long-term heavy smokers who have now quit tobacco by using vaping products. As a result, we are quite literally run by (former) smokers, for smokers. We are a privately owned fully independent business and as such are free from any ties with either the tobacco or pharmaceutical industries.

At JAC we are passionate about our products as we know first hand the massive impact they can have on a user’s quality of life, especially if the user has tried, and failed, to quit numerous times previously using conventional quit methods such as NRT (as many of us have).

We offer our services because we want our customers to experience the same benefits we have. We feel so strongly about the future of the domestic vaping market we believe we are duty bound to respond to this inquiry in order to represent our customers and to state the case for vaping.

Our primary area of expertise is the design and manufacture of vaping devices which are engineered from the ground up at our main offices in Edinburgh. As a device manufacturer we are somewhat unique in the domestic market with the majority of mainstream devices being designed, either wholly or in part, by third party manufacturers based in China.

Our devices are known for their considered, compact, and ergonomic designs with innovative and effective feature sets. This, in conjunction with our complete control over the production and QC process, allows us to create high-quality, dependable, and effective, products which we believe in turn allows us to provide our customers with the best possible opportunity to switch from tobacco.

In addition to manufacturing and retailing products under our brand our design expertise and reputation affords us with the opportunity to assist other businesses within the industry in creating high-quality, unique, products under their own brands. As such we manufacture on an OEM and ODM basis extensively, designing and manufacturing products for quality conscious businesses in both the domestic and international markets.

At JAC we are proud of the great relationships we have built with our customers as they embark on their journey and we would like to take this opportunity to share the views of one of our long-standing customers Terry Walker who we believe truly embodies the potential vaping products represent.

*It is now 5 years since I traded tobacco for e-cigarettes, following problems with my breathing. I was diagnosed as having a borderline case of COPD (Chronic Obstructive Pulmonary Disease), the disease that killed my only son, aged 47.*

*I remember reading somewhere, that after stopping smoking tobacco, the lungs can take up to five years to recover, to a degree. As a retired R & D scientist I took steps to ensure annual monitoring of my lungs to find out how they are faring.*

*There has been much postulating, in the press, about how dangerous e-cigarettes can be to our health, and that little is known how they will affect people, so their use should be banned. Well I find my results very interesting, and in contrast with this theory.*
Background: I smoked about a quarter of a million strong, unfiltered cigarettes, over 69 years before trading tobacco for e-cigs 5 years ago due to breathing difficulties. Within 3 days I stopped using tobacco products, but lung function tests showed my breathing was only 50% of normal!

<table>
<thead>
<tr>
<th>DATE</th>
<th>% of normal breathing rate</th>
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<tbody>
<tr>
<td>2012</td>
<td>50%</td>
</tr>
<tr>
<td>2014</td>
<td>80%</td>
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<tr>
<td>2015</td>
<td>82%</td>
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<tr>
<td>2016</td>
<td>88%</td>
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<tr>
<td>2017</td>
<td>88%</td>
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I tried 3 suppliers of e-cigs before finding the type I enjoyed most Viz. Jac Vapour. Many of my friends are turning to electronic cigarettes in order to lead a healthier lifestyle whilst still enjoying the characteristics of smoking.

I am firmly of the belief that we are witnessing a new era in smoking reduction techniques.

Customers like Terry inspire us daily to continue our innovation, striving to create the most effective products possible in order to afford each new user the best possible opportunity to quit tobacco.
The Impact on Human Health and the benefits of vaping products as a ‘stop smoking’ tool

Vaping products are widely acknowledged to be at least 95% less harmful than cigarettes. This position is supported by experts in the field of respiratory health, tobacco control, and leading public health organisations including; Public Health England, NHS Health Scotland, UKCTAS, Cancer Research UK, and the Royal College of Physicians.

Vaping products have an incredibly important role to play in reducing the public health impact of tobacco use and it is JAC Vapour’s position that vaping products represent, in relation to public health, the most significant innovation of the 21st century.

As vaping products are promoted as, and are intended to be used as, a tool to allow current smokers to switch from tobacco it is important to consider these products from a harm reduction perspective, relative to the use of tobacco. This position is supported by the ONS data which shows that 99% of domestic vapers are either current or former tobacco users with use by ‘never smokers’ being incredibly low.

With regards to harm reduction a recent University of St Andrews study indicates the cancer risk of vaping is only 1% when compared to smoking. Furthermore, the first long-term clinical trial of vaping has led Cancer Research UK to conclude that vaping products are both “less toxic” and “safer to use” than conventional tobacco cigarettes with smokers who switched to e-cigarettes having “significantly lower levels of toxic chemicals and carcinogens compared to people who continued to smoke tobacco cigarettes”. Whilst this study not only confirms the finding of other existing research it also allows greater insight into the impact of long-term use, the lack of data thereof being a common criticism, with Alison Cox, Cancer Research UK’s director of cancer prevention stating, “This study adds to growing evidence that e-cigarettes are a much safer alternative to tobacco, and suggests the long term effects of these products will be minimal”.

In terms of efficacy as a ‘stop smoking’ tool there is a wide range of research which indicates vaping is significantly more effective than existing NRT products. The Cochrane review indicates that

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3 Comparing the cancer potencies of emissions from vapourised nicotine products including e-cigarettes with those of tobacco smoke, http://tobaccocontrol.bmj.com/content/early/2017/08/04/tobaccocontrol-2017-053808?appetoc=


5 Ibid. 4
smokers are 50% more likely to quit using a vaping product. Furthermore, Professor Robert J West notes that the “evidence to date [suggests] that use of these products in a quit attempt improves the chance of success by around 50% on average compared with use of no aid and NRT bought from a shop”.

As a result of the introduction of vaping products to the UK market vaping products are now the most popular tool used by smokers to quit tobacco and have been since 2013. Over the same time period smoking prevalence in the UK market has dropped to record lows. The BMJ, in a study that looked at the trends in quit rates over a 9 year period from 2006 to 2015, found that vaping has resulted in an increase in effective quit attempts with “about 18,000 extra people in England successfully [giving] up smoking in 2015” alone.

Currently at least 2.9 million people in the UK have taken up vaping of which 1.5 million have quit tobacco use entirely. With 7.6m adult smokers remaining in the UK market and the current weight of evidence clearly indicates that not only do vaping products represent a significantly safer alternative, but also one which is incredibly effective, in relative terms, as a tool that current smokers can use to quit tobacco use.

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7 February 21, 2016. E-cigarettes for smoking reduction, blood pressure and more, [http://www.rjwest.co.uk/blog.php](http://www.rjwest.co.uk/blog.php)


The impact of the Tobacco and Related Products Regulations on the vaping industry and the effectiveness of regulation on the advertising and marketing of vaping products.

JAC Vapour firmly believes that regulation of the domestic vaping market is both appropriate and necessary to ensure consumers are protected from products that contain, or produce when in use, potentially harmful compounds. For this reason, we fully support the emissions testing and toxicology requirements of the Tobacco and Related Products Regulations 2016.

We are however concerned that these regulations do not require business to test and report non-nicotine containing liquids to the same standard. This has created a ‘loophole’ whereby a business can create a 0mg (non-nicotine) product for the purpose of circumventing the regulatory restrictions that the business would be obliged to comply with had the product been produced with nicotine.

The failure to hold non-nicotine e-liquid products to the same standard as nicotine containing products increases the level of risk to consumers by allowing untested e-liquid products to be brought to market whilst also putting responsible and compliant businesses such as ourselves at a commercial disadvantage. As these products do not require these same level of testing, nor are subject to the same regulatory constraints, these products are quicker to market, cheaper, and available in sizes far larger than nicotine containing variants. We firmly believe non-nicotine e-liquid products should be subject to further regulation which requires these products to be tested to the same standard as their nicotine containing counterparts in order to better protect consumers by ensuring that all e-liquid products remain free from potentially harmful compounds.

As detailed above vaping products are widely acknowledged to be at least 95% less harmful than cigarettes. Whilst the significant benefit vaping products represent to the public health may be understood by experts in the field and leading public health bodies this is not representative of the understanding of the public itself. The May 2016 ASH survey\textsuperscript{13} clearly illustrates a dramatic increase in the public perception that vaping products are more harmful, or as harmful, as cigarettes. In 2013 7% of the public believed that vaping products are “more or equally [as] harmful” as cigarettes. By 2016 this percentage had increased to 25%\textsuperscript{14}.

In light of the staggering increase in public misconception it appears unconscionable that responsible businesses are prohibited, by law, from challenging this misconception.

We at JAC Vapour believe that unless responsible businesses are able to provide the public with the ability to make an informed decision there is a significant and real risk to the public health that Smokers in the UK will make the decision to continue smoking [using a product which kills one in two] simply because they are misinformed as to the reduction in harm vaping products represent.


\textsuperscript{14} Ibid. 13
As noted above since the introduction of vaping products to the domestic market approximately 1.5 million ex-smokers have quit cigarette use by using vaping products however uptake of vaping products by current smokers has decreased to just 4% from 2016 to 2017. In contrast, uptake of vaping products by current smokers has historically been significantly higher; 86% in 2013, 62% in 2014, and 24% in 2015\textsuperscript{15}.

With approximately 7.6 million cigarette smokers remaining in the UK and uptake of vaping products by current smokers decreasing there is a clear and urgent need for greater promotion of the harm reduction benefits and relative safety of vaping products.

We know from our own sales data we see significant increases in new users following positive communications in the public domain relating to vaping. Key examples of this being the press coverage of the Royal College of Physicians report which resulted in the oft referenced 95% safer than smoking statistic, and the recent Stoptober campaign which included materials created in conjunction with the IBVTA. Both of these examples, and numerous others, resulted in significant atypical increases in the new users purchasing their first device via our retail channels. With our high retention rate for new users we are confident that a significant proportion of these new users will be successful in their switch to vaping and will thus be able to quit their use of tobacco.

\textbf{Conclusion}

Up to two of every three long-term tobacco users will die from a smoking-related disease\textsuperscript{16}.

Vaping products have proven themselves a viable solution that have already enabled 1.5 million ex-smokers in the UK alone to quit tobacco use entirely. Domestic vaping policy must reflect the harm reduction potential offered by vaping products and businesses must be provided with the ability to challenge the public misconceptions that surround vaping to allow current smokers to make an informed decision about their choice to quit.

We feel privileged to be able to provide a service which enables smokers to quit tobacco use however we believe it is imperative that more must be done if the full potential that vaping products represent is to be realised.

\textit{December 2017}

\textsuperscript{15} Ibid. 13