The Petrol Retailers Association (PRA), would like to thank the Science & Technology Select Committee for the opportunity to respond to the E-cigarettes inquiry. PRA requests that the following submission is considered during the review process as reflective of PRA member views.

Overview

PRA is a trade association representing independent forecourt retailers across the UK, with a membership totalling over 70% of all Petrol Filling Stations (PFS). The association sits within the Retail Motor Industry Federation (RMI).

PRA members range from small rural PFS facilities to larger convenience retail outlets and Motorway Service Areas (MSA). These include the majority of MSA operators, such as Welcome Break, Moto Hospitality, Euro Garages, Rontec, Westmorland and MRH. Additionally, PRA represents the interests of 90% of the Top 50 Independent forecourt owners/operators.

Due to the importance of the subject matter, the PRA has consulted its Executive Committee; Technical Committee and many members who are potentially affected. Those consulted include businesses operating across each of the UK’s devolved nations.

Executive Summary

- The dramatic increase in E-cigarette use over the past five years has coincided with a notable drop in the consumption of traditional tobacco products over the same time period.
- E-cigarette use has proven to be significantly less harmful than traditional tobacco consumption.
- E-cigarettes can be an effective ‘stop smoking’ tool.
- Brexit presents the UK Government with an excellent opportunity to modernise legislation to more easily promote the use of e-cigarettes.
- It is important to provide greater information to consumers of both traditional tobacco products and e-cigarettes of the differentiating health impacts of using the two products.

Inquiry Response

The below response is representative of PRA members:

E-Cigarettes consumption vs. Traditional tobacco products

1.1 The growth in e-cigarette use in Great Britain was considerable between 2012 and 2014, increasing threefold from 700,000 users to as many as 2.1m with a further increase of 800,000 users by 2017. This continued growth in E-cigarette use correlates with a decline in the consumption of traditional tobacco products with smoking rates dropping by 4.3% between 2012 and 2016, twice as fast between 1993 and 2011.

1.2 Frontier Economics has recognised that this significant uptake in e-cigarettes has made a “material contribution” to the trend of declining smoking rates and that promoting measures to encourage current smokers to switch to alternatives such as e-cigarettes could result in England being smoke free by 2029. The suggestion that e-cigarettes are an effective tool in

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4 Ibid
enabling smokers of tobacco to quit is supported by the Office for National Statistics (ONS) study into e-cigarettes, which found that the reason 46.6% of e-cigarette users were consuming the product was as an aid to stop smoking\textsuperscript{5}.

1.3 It is worth noting that the UK is one of the most prominent consumers of e-cigarettes in the world with 5.6% of the adult population (approximately 2.9 million individuals) using them, equating to 13.7% of all smokers\textsuperscript{6}. In addition, the UK leads the way on developing e-cigarette technology

Impacts on Consumer Health

2.1 There is an increasingly common consensus amongst health experts that e-cigarettes are significantly less harmful than tobacco products. Public Health England’s (PHE) review in 2015 estimated that they were 95% less harmful than traditional tobacco products\textsuperscript{7}, whilst The Royal College of Physicians (RCP) found similar results and recommend that it is,

\begin{quote}
  \textit{in the interests of public health it is important to promote the use of e-cigarettes, NRT and other non-tobacco nicotine products as widely as possible as a substitute for smoking in the UK\textsuperscript{8}.}
\end{quote}

2.2 Because of the significantly reduced dangers in using e-cigarettes as opposed to traditional tobacco products, alongside the fact that e-cigarette use better replicates smoking than other nicotine substitutes such as patches or chewing gum, e-cigarettes are correctly being promoted as an effective tool for quitting smoking\textsuperscript{9}.

2.3 PRA does not subscribe to the theory that e-cigarette use is a ‘gateway’ for young people into traditional cigarette smoking. There is a lack of credible and concrete evidence to support this theory.

Regulation

3.1 EU Tobacco Products Directive (TPD)

E-cigarette regulation is predominantly governed by the TPD formulated in 2014. The primary concern with this directive is that it lacks the differentiation in the treatment of and access to traditional tobacco products and e-cigarettes.

3.2 TPD was implemented prior to much of the research that has been conducted into the health and safety risks associated with using e-cigarettes. TPD was intended to focus on tobacco products, but has placed several restrictions on e-cigarettes, including on nicotine concentration, tank size and refill container size. Whilst the UK is bound to the regulations set out by TPD until March 2019, the UK’s departure from the European Union provides the Government an opportunity to draft a new legislative framework, designed to encourage the uptake of e-cigarettes as an effective replacement for tobacco consumption.

\textsuperscript{5} ONS, E-cigarette use in Great Britain, Dataset, published 15/06/17, https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/drugusealcoholandsmoking/datasets/ecigaretteuseingreatbritain
\textsuperscript{6} Ibid
\textsuperscript{8} RCP, Nicotine without smoke: Tobacco harm reduction, Report, published 28/04/16, https://www.rcplondon.ac.uk/projects/outputs/nicotine-without-smoke-tobacco-harm-reduction-0
\textsuperscript{9} BBC, E-cigarettes ‘should be on prescription’, News Article, published 06/02/18, http://www.bbc.co.uk/news/health-42950607
3.3 Different Interpretations Across Devolved Nations

Increased devolution has threatened to bring about greater variation in the rules on e-cigarette use within the UK. In Scotland, several council and other public-sector bodies have banned the use of e-cigarettes in enclosed public spaces\(^\text{10}\), despite the fact research shows they have minimal negative health effects for consumers and those within their vicinity. In addition, Freedom to Vape has found that 32% of local authorities require e-cigarette users to use their products in designated smoking areas\(^\text{11}\). Given that e-cigarettes have been advocated as an effective vehicle to quitting smoking more harmful tobacco products, measures that limit e-cigarette users to consuming in the same areas as tobacco users is counter-productive.

3.4 Advertising and Marketing Regulations

Given that much of the regulations for the advertising and marketing of e-cigarettes derives from the TPD, a directive introduced in 2013-14\(^\text{12}\), PRA believes now is an appropriate time to review and amend the regulations, to ensure they are fair and applicable. This is an excellent opportunity post-Brexit, for the UK to introduce a more modern approach to e-cigarette advertising.

3.5 Currently, advertising e-cigarettes is prohibited on TV, radio, web and in the majority of printed press. This places it in a very similar category to traditional tobacco products, in spite of the fact that much of the researched cited in this response proves the contrasting health impacts the two have. Much of this research which has unveiled the minimal health impacts of e-cigarette consumption has been conducted since the directive was introduced.

3.6 Given that PHE are now promoting the use of e-cigarettes as a tool to help consumers quit smoking, the policy of banning the advertising and marketing of e-cigarettes is actually now counter-productive in the Government’s efforts to reduce traditional tobacco consumption. In addition, continuing to ban the advertising of e-cigarettes perpetuates the misconception amongst the public that the health impacts mirror those of traditional tobacco products.

3.7 Relaxing and differentiating the legislation between traditional tobacco products and e-cigarettes will make it easier for the industry to assist the Government in promoting the health benefits of transitioning between the two and make information on e-cigarettes more accessible.

March 2018

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\(^{11}\) Freedom to Vape, *2017 Vaping Policies in UK Councils Report*, Report, published 11/17, [https://d3n8a8pro7vhmx.cloudfront.net/freedomtovape/mailings/135/attachments/original/Download_File.pdf](https://d3n8a8pro7vhmx.cloudfront.net/freedomtovape/mailings/135/attachments/original/Download_File.pdf)