

## **Asia-Pacific Association for Control of Tobacco**

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To: Clerk to Bills Committee on Smoking (Public Health) (Amendment) Bill 2019  
Legislative Council Secretariat  
Legislative Council Complex  
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Central, Hong Kong  
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**RE: Support to ban e-cigarette and heat-notburn tobacco products to prevent it from becoming an epidemic**

Dear Legislative Councilors,

It came to our attention that the Hong Kong Government proposed a ban on alternative smoking products (such as e-cigarettes and heat-not-burn (HNB) tobacco products) and the Legislative Council of Hong Kong is collecting views on the proposed bill of the Government. On behalf of the Asia-Pacific Association for Control of Tobacco (APACT), I would like reflect our concerns on the situation of Hong Kong and recommend a bold policy to ban these products.

Regulatory approaches on e-cigarettes and the other new tobacco products are varied in different countries. There are 83 jurisdictions have laws regulating e-cigarettes, including a sale ban in 27 jurisdictions and a total ban in 16 jurisdictions<sup>1</sup>. Recommended by the Framework Convention on Tobacco Control of the World Health Organization, countries should consider prohibiting or regulating e-cigarettes by taking into account a high level of protection for human health<sup>2</sup>. An outright ban will be able to safeguard the health of the public at the highest and desirable standard.

The tobacco industry and some people adopt the argument that e-cigarettes and HNB products are less harmful. The most common “95% less harmful” citation is not based on the scientific evidence on the health consequences with objective and valid grounds. It was merely a subjective estimation and assessment of a small group of experts<sup>3</sup> on the potential problems arising from their use. Numerous scientific studies<sup>4-9</sup> proved that e-cigarettes and HNB tobacco are toxic and lead to different health risks to users, including diseases in lung, cardiovascular and respiratory systems and damages to cells and DNA, etc. As a scientist and policy-maker in public health, we must take the most cautious

approach to constitute health policies. We must only accept the “science” provided by the tobacco industry with careful and thorough reviews. Apparently, the less harmful science is not conclusive nor certain as pointed out by the World Health Organization.

Health risks and long-term health effect of these new tobacco products are yet to be fully discovered. Yet, they are not accepted as less harmful or reduced risk products so far. In January 2018, the Tobacco Products Scientific Advisory Committee of the US Food and Drug Administration (FDA) rejected the claims of the tobacco industry that “switching completely to IQOS (a brand of HNB tobacco products manufactured by Philip Morris International) presents less risk of harm than continuing to smoke cigarettes” and “switching completely from cigarettes to the IQOS system significantly reduces your body’s exposure to harmful or potentially harmful chemicals”.

Even though e-cigarettes and HNB tobacco products may be less harmful (still harmful) and produce lower level of harmful substances, they are still addictive, and can be very addictive. They can still draw health, economic and other behaviour consequences like traditional cigarettes do. The situation of the US has already showed us the failure of regulation in preventing the spread of the products and smoking behaviours. In the US, more than 3 million middle and high school students were current users of e-cigarettes and e-cigarettes were the most commonly used tobacco product by youth. The FDA Commissioner Scott Gottlieb acknowledged that e-cigarette use among youth has hit “epidemic proportion”<sup>10</sup>. The commissioner remarked that “e-cigarettes have become an almost ubiquitous and dangerous trend among teens” and “the FDA won’t tolerate a whole generation of young people becoming addicted to nicotine as a tradeoff for enabling adults to have unfettered access to these same products”. Bold measure to regulate or ban these new tobacco products are in plan.

Hong Kong is used to be leading in tobacco control in the Asia Pacific region. Today, the forerunners in the region, Macau, Singapore and Thailand have already banned e-cigarettes and/or HNB tobacco products. Hong Kong should step up to impose a ban and tighten its measures on tobacco measures to encounter the threats of new tobacco products.

We look forward to seeing Hong Kong be the next jurisdiction in banning the products and setting an example for the other jurisdictions in the Asia Pacific region as well as the world.

Yours Sincerely



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A copy is sent to Hong Kong Council on Smoking and Health ([info@cosh.org.hk](mailto:info@cosh.org.hk))

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