Cigarette smoking is responsible for nearly 700,000 deaths in the EU every year and eliminating smoking has been at the core of Europe’s Beating Cancer Plan.

Electronic cigarettes and novel tobacco products have been around for more than a decade as alternatives to cigarette smoking, but the European Commission is still cautious about how to legislate their use as they remain a controversial and polarising issue.

This may come to an end next month, when the Commission is expected to publish a much-awaited report about the implementation of the 2014 Tobacco Product Directive (TPD), which will determine whether e-cigarettes will be treated the same way as traditional cigarettes.
Debate heats up over electronic cigarettes in Europe

By Sarantis Michalopoulos | EURACTIV.com

Electronic cigarettes and novel tobacco products have been around for more than a decade as alternatives to cigarette smoking, which kills nearly 700,000 people in the EU every year. However, they remain a controversial issue and the EU is still hesitant about how to treat them legally.

The latest Eurobarometer survey in 2020 found that one in seven (14%) have at least tried e-cigarettes, which are mainly used by smokers.

“Unsurprisingly, smokers are much more likely than those who have never smoked or who have quit to have tried e-cigarettes (36% of smokers, compared with 8% of non-smokers),” the report reads.

“Almost half of the respondents who have attempted to quit smoking have also tried e-cigarettes (47%), compared with 30% of those who have not attempted to quit this habit,” the report added.

The European Commission is expected to publish next month a much-awaited report about the implementation of the 2014 Tobacco Product Directive (TPD), which will determine whether e-cigarettes will be treated the same way as traditional cigarettes.

The opinion by the Commission’s Scientific Committee on Health, Environmental and Emerging Risks (SCHEER) on novel tobacco products as part of the TPD assessment is due on Friday.

However, its preliminary opinion published in September 2020 drew strong criticism of several stakeholders who accused the EU of being selective in its findings when it comes to their health implications.

EURACTIV has seen another study supporting the TPD assessment, which is also very cautious toward e-cigarettes and novel tobacco products. The study

Continued on Page 5
Continued from Page 4

says that although the current size of the market for e-cigarettes and novel tobacco products is relatively small, it has quadrupled since the current TPD came into force.

The study stressed that there have been problems with the EU directive maintaining its relevance for novel and innovative products, for example with regard to marketing and sales methods, or packaging and labelling requirements.

“Strengthening and adapting regulation of these products may therefore help to ensure the TPD remains relevant to future market developments,” the study reads.

EU’S APPROACH IS ‘BIASED’

A part of the scientific community considers the EU’s precautionary approach toward e-cigarettes as excessive or even “biased”, according to Dr Konstantinos Farsalinos from the department of pharmacy at the University of Patras in Greece.

“Research in recent years, after the adoption of TDP in 2014, has become increasingly positive about e-cigarettes, always as a substitute for smoking. The EU evaluation of scientific data is biased, and this was shown in the SCHEER report,” Dr Farsalinos told EURACTIV.

He referred to studies suggesting that even the function of blood vessels improves as soon as one quits smoking and switches to electronic cigarettes, regardless of whether someone uses nicotine in their electronic cigarettes.

“Compared to 2014, one would expect a more positive attitude. On the contrary, EU policymakers remain scientifically unsubstantiated with the risk of sabotaging the efforts to replace smoking with e-cigarettes,” he said.

Farsalinos also dismissed the argument that e-cigarettes are a “gateway” for non-smokers to start smoking, citing as an example the US, where the use of e-cigarettes has increased. “The US is moving toward a smoke-free generation. Since 2010, every year, smoking rates decrease [...] they do not increase as could have been expected if there was a gateway effect.”

The expert insisted that there should be rules making e-cigarettes more attractive than cigarettes.

“Obviously, we do not want the product to be attractive to teenagers, we have to impose a sales ban on youngsters. But making it expensive causes more harm to smokers,” he said.

“E-cigarettes should be the third choice for someone to quit smoking: if one cannot stop it by himself or with doctor’s help,” he emphasised, adding that the legislation should be balanced in order to protect both those who have never been exposed to cigarettes and have no reason to start e-cigarettes and smokers.

AVOID THEIR ‘FAKE MARKETING’

EURACTIV also contacted the European Network for Smoking and Tobacco Prevention, which said it cannot trust industry-funded studies.

“We can’t trust the studies funded by commercial companies to show results in their interests,” ENSP's Cornel Radu-Loghin said.

Referring to the idea of “less harmful”, he commented: “Let’s be clear here, those products are still also ‘more harmful’ and are still harmful. In ‘less harmful’, let’s not forget that the word ‘harmful’ is still there. We are not talking about ‘safe’ products as far as we know.”

He said the SCHEER report explicitly said that “electronic cigarettes are relatively new in terms of exposure to humans. More research is needed, in particular on long-term health effects.”

“Indeed, never before have we promoted consumer products that we know are still harmful.”

Asked whether he considered electronic cigarettes as a way to quit cigarette smoking, he replied negatively.

“In order to quit traditional smoking, we have a lot of evidence-based, well-researched solutions both at a smoker’s level (educational programmes, smoke-free environment regulations, pharmacological and behavioural support) but also at governments’ level to help people quit,” he said referring to World Health Organisation-Framework Convention on Tobacco Control, national strategies and plans.

He added that smoking tobacco is both a physical addiction and a psychological habit and the idea behind quitting smoking is not to switch to another non-safe product but to quit for good.

“Tobacco/Vaping companies are businesses thriving on people’s addiction and they make money on
hooking people into buying their harmful products. They are not interested in people quitting tobacco or vaping,” he said.

“The more people become tobacco/vaping-free, the more they will lose money. It's just mathematic and for those industries, it is a matter of survival to keep people addicted. That's why they are so aggressive. Anybody threatened to survive will be as aggressive too. Therefore, let’s not be fooled by their fake marketing to be wanting to help smokers,” he concluded.

**THE SCHEER REPORT ON FRIDAY**

Speaking to EURACTIV, MEP Pietro Fiocchi from the European Conservatives and Reformists Group, revealed that the final SCHEER opinion is expected to be published this Friday.

“_my impression is that the Commission is against a differentiation between traditional tobacco and reduced-risk products, and it will plan to apply the same limitations, through heavy regulations and fiscal impositions.”_

“We all agree that not smoking at all is the best solution, but it would be detrimental if SCHEER will ignore plenty of scientific studies that show much smaller health impact of reduced-risk products is versus traditional tobacco,” he said.

There is data, he added, showing that there is a very high number of traditional smokers switching to reduced-risk products, compared to the very small numbers going the opposite way.

“The risk is that, if the Commission decides to equate the two systems, we will see an increase in traditional smokers, an increase in illegal traffic of cigarettes and an economic damage to several EU countries.”

On the other hand, Nicolae Ștefănuță, an MEP from the liberal group Renew Europe, said he is not a friend of tobacco products, even in new forms using new technologies.

“I'm somebody who works in the cancer committee a lot and I'm on the side of Beating Europe Cancer Plan,” he said, warning that after the COVID-19 pandemic, Europe will face a cancer pandemic.

“Europe provides about 25% of the global deaths due to cancer, which is a lot, much more than we should. And many of the causes are related to lifestyle,” he said.

“So we really have to step it up in terms of style, tobacco, alcohol, unhealthy eating, etc”.
INTERVIEW

MEP: E-cigarettes have a place in EU cancer plan, but we must remain vigilant

By Sarantis Michalopoulos | EURACTIV.com

E-cigarettes “undoubtedly” reduce risks compared to traditional cigarettes and have a place in the EU’s plan to fight cancer. However, these products should not enjoy “lighter” regulation and Europe should treat them with the same vigilance as tobacco products, MEP Michèle Rivasi told EURACTIV in an interview.

“I see no reason why the electronic cigarette and its products should benefit from tax reductions or exemptions,” she said.

Michèle Rivasi is a French EU lawmaker from the Group of the Greens/European Free Alliance (Europe Ecologie) of the European Parliament.

INTERVIEW HIGHLIGHTS

- E-cigarettes should be treated with the same level of vigilance as tobacco products
- No tax exemptions for e-cigarettes
- Sales to minors should be banned
- Need for better regulation of sales and advertising

According to you, how should electronic cigarettes be treated in EU law? Should they be treated just like other tobacco

Continued on Page 8
I will say “yes, but... “. The electronic cigarette is a product that must be treated with the same level of vigilance as tobacco products, whilst being adapted to its specificities. This is the difficulty of this range of products that appeared about fifteen years ago. For us, the Greens, if the use of electronic cigarettes is claimed to be an alternative to tobacco, as a substitute product or as a way of reducing the ravages associated with conventional cigarettes – which kill half the people who use them and which are responsible in Europe for a quarter of cancer deaths, let us remember! – we need to consider electronic cigarettes as a medical device, in the same way as gum or patches are pharmaceutical products.

Another key aspect is flavours and refills. The 2019 health scare in the US, which affected over 2,800 people and caused 68 deaths, was the result of illicit cartridge trafficking. Here again, we Greens are particularly attentive to this risk and advocate for binding rules. We know nothing, or unfortunately very little, about the effects of the chemical additives used in e-cigarette liquids, the residues of their combustion and their combined effects, including in the long term. The industry itself acknowledges its ignorance and wants to know more about the real impact of its products.

It is not because electronic cigarettes appear less toxic than conventional tobacco products that they should benefit from ‘lighter’ regulations.

Several studies and many tobacco experts observe that the transition to the electronic cigarette allows for an easier withdrawal from traditional tobacco. There would therefore be less tobacco consumption, but not necessarily a cessation of smoking. Similarly, other figures show that only one in six young people who try electronic cigarettes become smokers, compared with the one in two who try a conventional cigarette. At the same time, we can cite a study by the Journal of the American Medical Association published in 2018 which found that non-smoking teenagers who use electronic cigarettes are two to three times more likely to start smoking tobacco than those who have never tried.

We are thus facing a product, or a use, which is simultaneously an aid to reduce the consumption of tobacco by smokers while at the same time proving to be a gateway to smoking.

These apparent contradictions explain the WHO’s statements affirming that electronic cigarettes are “unquestionably harmful” and the fact that the electronic cigarette is a full-fledged element of the tobacco universe.

The massive investments tobacco giants have made in this new sector illustrate this continuity. Besides, let’s face it, experts are still divided as to whether we are talking about risky consumption or about a population at risk, which would have tried tobacco anyway. Both sides exist, let’s acknowledge it.

**Should e-cigarettes be less taxed compared to traditional tobacco products?**

No. I see no reason why the electronic cigarette and its products should benefit from tax reductions or exemptions.

**What do you expect from the Commission’s TPD implementation report next month?**

We already know legislation’s shortcomings of heated tobacco and electronic cigarettes. We need better regulation of sales and advertising, a thorough analysis of additives and their cocktail effect, a ban on flavourings and mandatory health warnings to alert non-smokers to the risks, as is the case for traditional cigarettes. Sales to minors should also be banned. The overview of tobacco and vaping products sold in France, published in October 2020 following the health crisis in the US, noted the inconsistencies and non-conformities in the manufacturers’ declarations. We shall see whether the Commission, whose closeness to the tobacco industry has continued to be highlighted in recent years, addresses these points in its report.

**Is there a place for e-cigarettes in Europe’s beating cancer plan?**

Judging by the press and the positions taken by representatives of the e-cigarette lobby, this seems to be the case! Given the responsibility of tobacco in the development of cancer, one of the first challenges to prevent cancer is to reduce smoking. The electronic cigarette, therefore, has its place in the European plan to fight cancer. The electronic cigarette is undoubtedly a product that can reduce risks, but it is not the panacea that its followers – and the companies behind them – would have us believe. Let’s stay vigilant!