



AMA submission to Senate Select Committee on Tobacco Harm Reduction's Inquiry into tobacco reduction strategies

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Overview

- The best way to reduce tobacco and e-cigarette-related harm is to reduce access to tobacco and e-cigarettes, especially for younger Australians, including by increasing funding for proven reduction strategies.
- The available evidence does not support the use of nicotine-containing vaping products as a smoking cessation tool.
- Current evidence suggests that nicotine vaping products increase the likelihood that previous non-smokers will subsequently take up tobacco smoking.
- Nicotine vaping products have proven negative effects on health and access to them should therefore be strictly regulated.
- Nicotine vaping products are growing in popularity among young Australians, putting the benefits of decades of tobacco control reforms at risk.

In making this submission, the AMA highlights that there has already been significant work to examine the evidence base around nicotine vaping products and, despite the desire of some industry interests to constantly revisit this work, the evidence base shows that nicotine is harmful to health and that there is no role for vaping products as a means of smoking cessation. This evidence is incontrovertible, despite the persistent push by tobacco companies and retail tobacconists. Their business model is based on encouraging people to smoke and their campaign insisting that vaping is an effective smoking cessation aid is simply a trojan horse designed to satisfy this business model. The tobacco industry has a long history of making misleading claims when it comes to medical evidence around the use of nicotine.

The House of Representatives Standing Committee on Health, Aged Care and Sport's 2017-18 Inquiry into [the Use and Marketing of Electronic Cigarettes and Personal Vaporisers in Australia](#) made a central recommendation that the National Health and Medical Research Council "fund a comprehensive review of the evidence relating to the health impacts of electronic cigarettes". The NHMRC's Electronic Cigarettes Working Committee is currently overseeing an update of the NHMRC's Statement on E-cigarettes, due in mid-2021, which will review new evidence on the topic.

In September 2020, researchers from the Australian National University released their [comprehensive report](#) reviewing worldwide evidence on e-cigarettes and smoking behaviour,

which was funded by the Australian Government Department of Health and has been submitted to the Government.

In parallel, the Therapeutic Goods Administration (TGA) is currently undertaking a consultation process regarding their interim decision on [proposed amendments](#) to nicotine's entry in the Poisons Standard, which includes a comprehensive outline of available evidence on e-cigarettes and their health impacts.

The AMA feels that the above three processes are more than adequate to address the Committee's Terms of Reference, but nonetheless we make a submission to this Inquiry given our strongly held position on e-cigarettes and nicotine vaping products.

- a) the treatment of nicotine vaping products (electronic cigarettes and smokeless tobacco) in developed countries similar to Australia (such as the United Kingdom, New Zealand, the European Union and United States), including but not limited to legislative and regulatory frameworks***
- b) the impact nicotine vaping products have had on smoking rates in these countries, and the aggregate population health impacts of these changes in nicotine consumption***

As stated in the AMA's 2017 [submission](#) to the House of Representatives Inquiry, "Australia is in a unique position. Low rates of tobacco smoking, access to a range of cessation options and supports as well as the caution voiced by leading authorities suggest that rather than looking to international approaches, Australia should continue to monitor the evidence around e-cigarettes. Only once safety and efficacy has been thoroughly established should consideration about changing regulatory approaches take place."

In international contexts with more lenient regulatory frameworks for nicotine vaping products, public health bodies have expressed significant concern about the health impacts of these arrangements. In late 2019, a cluster of lung illnesses linked to e-cigarette use in the United States prompted the American Medical Association to [call for](#) a total ban on all e-cigarette and vaping products other than those provided by prescription. Similarly, the European Public Health Association has recently published [guidance](#) concluding that e-cigarettes "cannot be considered safe" and mostly "depress quitting"; and that their "overall effect may well be to worsen the tobacco epidemic".

The AMA strongly advocates for and supports a precautionary approach to the regulation of nicotine vaping products, and believes that the international experience supports this approach. Until the safety and efficacy of these products has been adequately proven, they should remain strictly regulated and access to them controlled.

Indeed, based on the available evidence of harm to human health, it is strongly arguable that nicotine vaping products should be banned altogether. These products promote smoking to children and young people, and they deserve to be protected from this. Governments have previously enacted bans on confectionery cigarettes in Australia for the same reason and there is no real policy basis for not taking a similar approach to e-cigarettes.

c) *the established evidence on the effectiveness of e-cigarettes as a smoking cessation treatment*

Established evidence regarding the effectiveness of e-cigarettes in supporting smoking cessation is comprehensively outlined in the ANU's September [evidence review report](#). The AMA considers this report the highest standard of evidence currently available, given that a systematic review of randomised controlled trials is widely regarded in the epidemiological community as the gold standard for examining the relationship between an exposure (e-cigarette use) and an outcome (smoking cessation).

The report notes that there was “no significant difference in quit rates between smokers randomised to nicotine-delivering e-cigarettes versus no intervention or non-nicotine e-cigarettes, although the point estimates of risk ratios were all above 1.00.” These findings agree with comments made by the AMA previously that there is insufficient evidence to conclude that nicotine vaping products are more effective than other methods at supporting smoking cessation. Having a risk ratio above one could indicate a potential positive relationship between nicotine e-cigarettes and smoking cessation, but the authors note that this evidence is not statistically significant, which means it *cannot* warrant this conclusion. The AMA supports research in the form of large-scale, independent randomised controlled trials, as suggested by the report's authors, to further build the existing evidence base.

The AMA was concerned with the report's additional finding that “smokers randomised to nicotine-containing e-cigarettes versus other types of nicotine replacement therapy were substantially more likely to be using any form of nicotine at follow up.” Nicotine is a highly addictive substance that has proven adverse health effects. While nicotine replacement therapy is an effective form of smoking cessation, the AMA supports as minimal use of nicotine as possible to successfully quit. The association between nicotine e-cigarettes and prolonged use of nicotine-containing products should cast further doubt on their effectiveness as a smoking cessation aid.

d) *the established evidence on the uptake of e-cigarettes amongst non- smokers and the potential gateway effect onto traditional tobacco products*

Again, evidence regarding this issue is outlined in the ANU's September report. The report's most alarming and well-publicised finding was that “never smokers who have used e-cigarettes were, on average, around three times as likely as those who have not used e-cigarettes to try smoking conventional cigarettes and transition to regular tobacco smoking”. This has been a concern of the AMA's for some time, and is raised in our Position Statement [Tobacco Smoking and E-Cigarettes – 2015](#): “e-cigarettes...concerns about their intended appeal to young people and potential to act as a gateway to tobacco smoking”.

Australia is the envy of the world when it comes to tobacco control, and has had huge success in implementing a range of strong public health tobacco reforms, halving the [national smoking rate](#) from 25% in 1991 to 11.6% in 2019. Given the above finding, the AMA is justifiably concerned that the increase in nicotine e-cigarette use among younger Australians will lead to an increase in overall smoking rates. This would reverse years of advocacy and hard-won reform in the tobacco space, and lead to significant flow-on health impacts.

e) evidence of the impact of legalising nicotine vaping products on youth smoking and vaping rates and measures that Australia could adopt to minimise youth smoking and vaping

The AMA would be vehemently opposed to legalising nicotine vaping products in Australia, given that this is likely to increase e-cigarette use for purposes other than smoking cessation, particularly among younger age groups. International experience points to the potential repercussions of legal access to nicotine vaping products as a consumer good. In the [United States](#), where e-cigarettes and other “electronic nicotine delivery systems” are legally available in retail stores to adults over 21 years, e-cigarette use among young people has risen dramatically. A [recent survey](#) by the US CDC found that 19.6% of high school students and 4.7% of middle school students reported current e-cigarette use. These alarming rates [follow an increase](#) in e-cigarette use from 1.5% of high school students in 2011 to 11.3% in 2017.

The AMA’s recommendations for how best to reduce tobacco and e-cigarette-related harm are outlined in our Position Statement [Tobacco Smoking and E-Cigarettes – 2015](#). In relation to youth smoking, a successful harm reduction campaign should include:

- Real increases in the rate of tobacco taxation;
- Efforts to reduce children’s exposure to second-hand smoke in confined environments;
- Funding for a new, widescale public awareness campaign on the harms of tobacco and e-cigarette use;
- The acknowledgement of product placement in television programs and movies with a dedicated classification symbol;
- Banning smoking by teachers, staff, pupils and visitors on school premises; and
- Subjecting e-cigarettes and vaping products to the same marketing and advertising restrictions as cigarettes.

f) access to e-cigarette products under Australia’s current regulatory frameworks;

The current regulatory framework for accessing nicotine vaping products in Australia is partially determined by the Therapeutic Goods Administration (TGA). The TGA is currently undertaking a consultation process on their interim decision regarding the scheduling of nicotine-containing e-cigarettes in the Poisons Standard. If finalised, this decision would confirm that all human use of these products in Australia requires a prescription from a medical practitioner.

This would close the current loophole whereby many Australians are able to readily access nicotine vaping products for non-therapeutic use. The AMA is supportive of the TGA’s interim decision, on the grounds that it will substantially restrict access to nicotine vaping products in Australia, noting that the AMA is not supportive of the routine use of these products for smoking cessation purposes given the lack of evidence of efficacy.

The AMA has been advised by the Commonwealth that this will have the same outcome as the Government’s previously flagged intention to prohibit the importation of e-cigarettes containing vaporiser nicotine and nicotine-containing refills, other than with a prescription from a medical practitioner. Despite this reassurance, we remain concerned as to whether this will be achieved in practical terms. Arrangements will need to be put in place to monitor the impact of the change to TGA rules and the Government will need to respond quickly if it shown that these are not having the desired policy outcome.

g) tobacco industry involvement in the selling and marketing of e-cigarettes

The AMA has raised concerns several times about the involvement of the tobacco industry in the e-cigarette market. As stated in our 2017 submission to the House of Representatives Inquiry, “Nicotine is extremely addictive, a fact the tobacco industry has capitalised on for decades. The growth in e-cigarette products has provided opportunities for sections of the tobacco industry to rebrand themselves as part of the effort to reduce smoking.” Similarly, our 2015 Position Statement notes that “there is considerable concern about the role of the tobacco industry who have invested heavily in the development and promotion of e-cigarettes”.

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