

Non-Smokers' Rights Association/Smoking and Health Action Foundation

Position Statement on Electronic Cigarettes

Background

Electronic cigarettes (e-cigarettes) are designed to deliver nicotine and mimic the appearance, use, and sometimes taste of a cigarette. A typical e-cigarette consists of a battery, an atomizer that heats the liquid and turns it into a vapour, and a cartridge that contains flavouring and (usually) nicotine in a base of propylene glycol or vegetable glycerin and water.

The sale of e-cigarettes with nicotine is essentially banned in Canada, although the ban is not being actively enforced. Furthermore, e-cigarettes and related paraphernalia, ostensibly without nicotine, are being marketed and sold with virtually no restrictions, and sales have skyrocketed in the past two years. There is tremendous public confusion over the legal status of these products, and federal and provincial/territorial tobacco control legislation is being undermined by the promotion of e-cigarettes and their use where smoking is banned. The status quo is clearly not acceptable—regulations covering the promotion, sale, and use of e-cigarettes, both with and without nicotine, are urgently needed.

Most studies to date on e-cigarettes involve very small sample sizes and the study designs lack scientific rigour. While awaiting the results of further research, including several clinical trials now underway, a few conclusions can be drawn:

- E-cigarettes are almost certainly much safer than tobacco cigarettes, and to date there has been little real-world evidence of harm from e-cigarettes.
- E-cigarettes have tremendous potential to help smokers reduce their cigarette consumption and to quit smoking altogether.
- Although propylene glycol is generally considered safe for oral consumption, the long-term health impacts of inhaling it into the lungs many times a day over months or years need to be assessed.
- The health risks of second-hand vapour, while much lower than those of second-hand tobacco smoke, need to be assessed.
- E-cigarettes pose risks to public health if they undermine tobacco control in one or more ways:
 - if e-cigarettes become a gateway to cigarette smoking by youth;
 - if e-cigarettes re-normalize smoking;
 - if smokers who would otherwise have quit smoking instead switch to e-cigarettes; or
 - if former smokers begin using e-cigarettes rather than maintaining complete abstinence.

Recommendations

1. Given the limited effectiveness of smoking cessation aids and the potential of e-cigarettes to help smokers reduce their health risks, the sale of e-cigarettes should not be banned.
2. Health Canada and provincial/territorial governments should finance ongoing research—on a priority basis—to determine who in Canada is using e-cigarettes, for what reasons, and under what circumstances.

3. E-cigarette devices, parts, and cartridges should be required to meet the same minimum manufacturing standards as other products under Canadian consumer protection law. This provision should be actively enforced.
4. The sale of bottled e-liquid to consumers should be banned, given that the ingestion of a small quantity of nicotine can be lethal (120 mg for a smoking adult; 30-60 mg for a non-smoking adult; 10 mg for a child) and the increased potential for harm from homemade concoctions, such as from contamination or the addition of illicit drugs. (The sale of sealed cartridges would be legal.)
5. Health Canada should establish and actively enforce consumer safety standards for e-cigarette cartridges, including ensuring manufacturing consistency and regulating the maximum quantity/dosage of nicotine they may contain.
6. The packaging of e-cigarette cartridges and disposable e-cigarettes should include a list of all ingredients, as well as stipulating the quantity of nicotine.
7. All e-cigarettes—both with and without nicotine—should be subject to the same legal framework. This would reduce public confusion, lessen the incentive for deception, and greatly simplify enforcement.
8. The risks of e-cigarettes undermining progress in reducing tobacco use should be minimized to the extent possible. This can be achieved by ensuring that e-cigarettes are subject to the same regulatory controls as tobacco products:
 - E-cigarettes cannot be sold to minors (federal and provincial tobacco control legislation).
 - E-cigarettes cannot be sold in flavours that are appealing to children (provincial and federal).
 - E-cigarettes cannot be displayed in retail stores (provincial).
 - E-cigarettes cannot be sold wherever the sale of tobacco products is prohibited (federal and provincial).
 - E-cigarettes cannot be promoted except in adults-only venues and in direct mail to a named adult (federal).
 - E-cigarettes cannot be used in indoor public places and workplaces (primarily provincial).
 - E-cigarettes cannot be used on school grounds (provincial).
9. Health claims about e-cigarettes, including their effectiveness in helping smokers quit, should continue to be illegal—and Health Canada should actively enforce this provision—until there is adequate scientific evidence to support such claims.
10. The provisions governing the manufacture, marketing, sale, and use of e-cigarettes should be revisited within a maximum of five years and sooner if significant new research becomes available.
 - If new research determines, for example, that e-cigarettes are much safer than tobacco cigarettes and that there is no substantial risk of youth uptake, then a less restrictive regulatory framework than the one governing tobacco products should be implemented.