

Tobacco products and their regulation

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Tobacco and nicotine today

A plethora of products

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 - ▶ Western/Global: Cigarettes, cigars, pipes, chewing tobacco, snuff, etc.



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 - ▶ Non-Western: water pipes, bidis, paan, gutkha, kreteks, betel quid & tobacco



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A plethora of products *and* a continuum of risk

- ▶ Novel products: Reduced risk products (RRPs)
 - ▶ Note: Some of these are “tobacco products” only in a regulatory sense. E-cigs & pouches have no tobacco leaf and the nicotine may be synthetic.
 - ▶ E-cigarettes/Electronic nicotine delivery systems: Juul, Vuse, Elf Bar, Blu...



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 - ▶ Nicotine pouches: Zyn, On!, Velo.

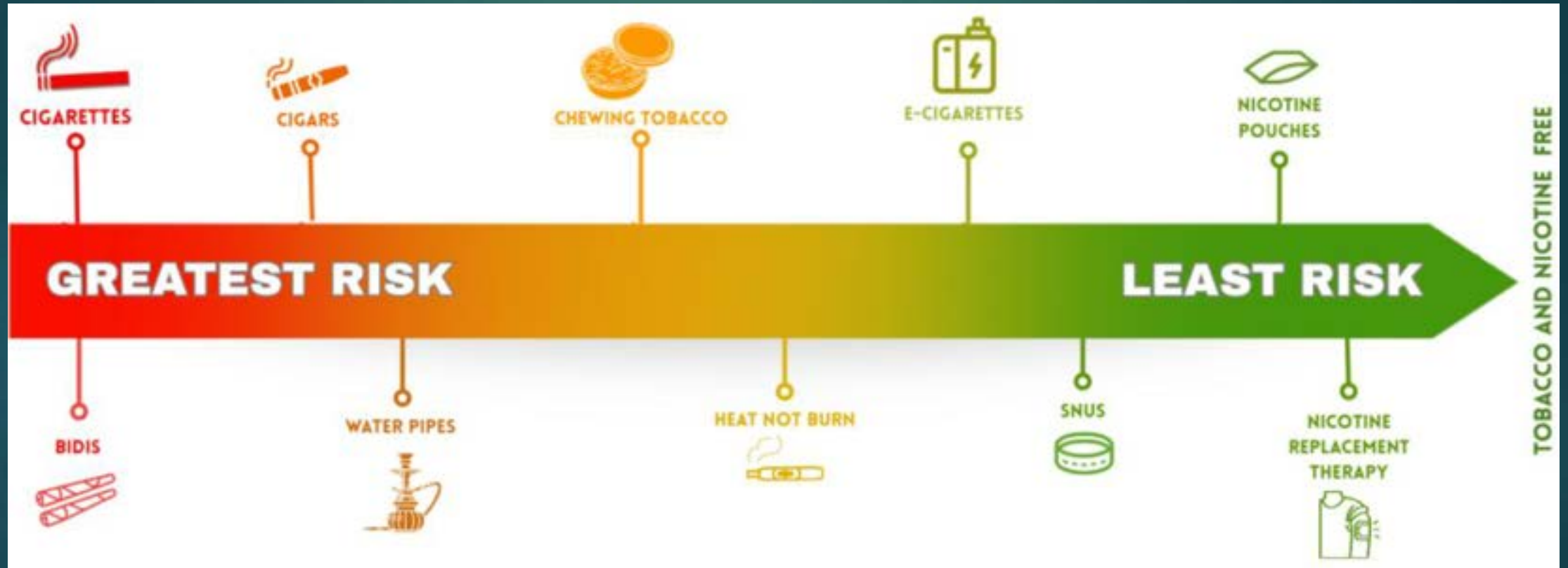


Harms differ among products

- ▶ It is important to focus on how to best improve public health
- ▶ Foundational premises affect public health messaging, regulation, and health outcomes.
- ▶ Premise Option 1: *No tobacco product is risk-free.*
 - ▶ Binary, absolutist
 - ▶ Leads to prohibitionist or abstinence-only stances.
 - ▶ In other words, “business as usual” for tobacco control developed for smoking: “quit or die”
- ▶ Premise Option 2: *Some products have reduced risk*
 - ▶ Continuum of risk
 - ▶ Leads to harm-reduction approach (as in other areas of public health): encourage switching to RRP through differential taxation, etc. (see my later session this afternoon)
 - ▶ Less common, with UK as notable example

A continuum of risk

- ▶ Risks are not fully known, but a rough sketch may look like this:



- ▶ The fact that there exists a continuum of risk is more important than knowing exactly where each product is located along it – don't get sidetracked (e.g. PHE's "e-cigarettes are 95% safer")

Regulation of e-cigarettes

▶ Leading forms of regulation

1. Prohibition. India, Brazil, Singapore
 - ▶ Enforcement issues, problems with illicit markets...
2. Medical approach: Prescription or therapeutic use only. Australia, S. Africa
 - ▶ In practice, may be similar to a ban. See Japan (no e-cigs approved for Rx)
 - ▶ Requires smokers to see themselves as “sick”
3. Tobacco regulation: “Deem” and treat as tobacco products. USA, Indonesia, Russia
4. Specific regulation: Separate category, separate rules. EU (Tobacco Products Directive (TPD II)), UK, Canada
5. No or minimal regulation. Most common in Africa and SE Asia.

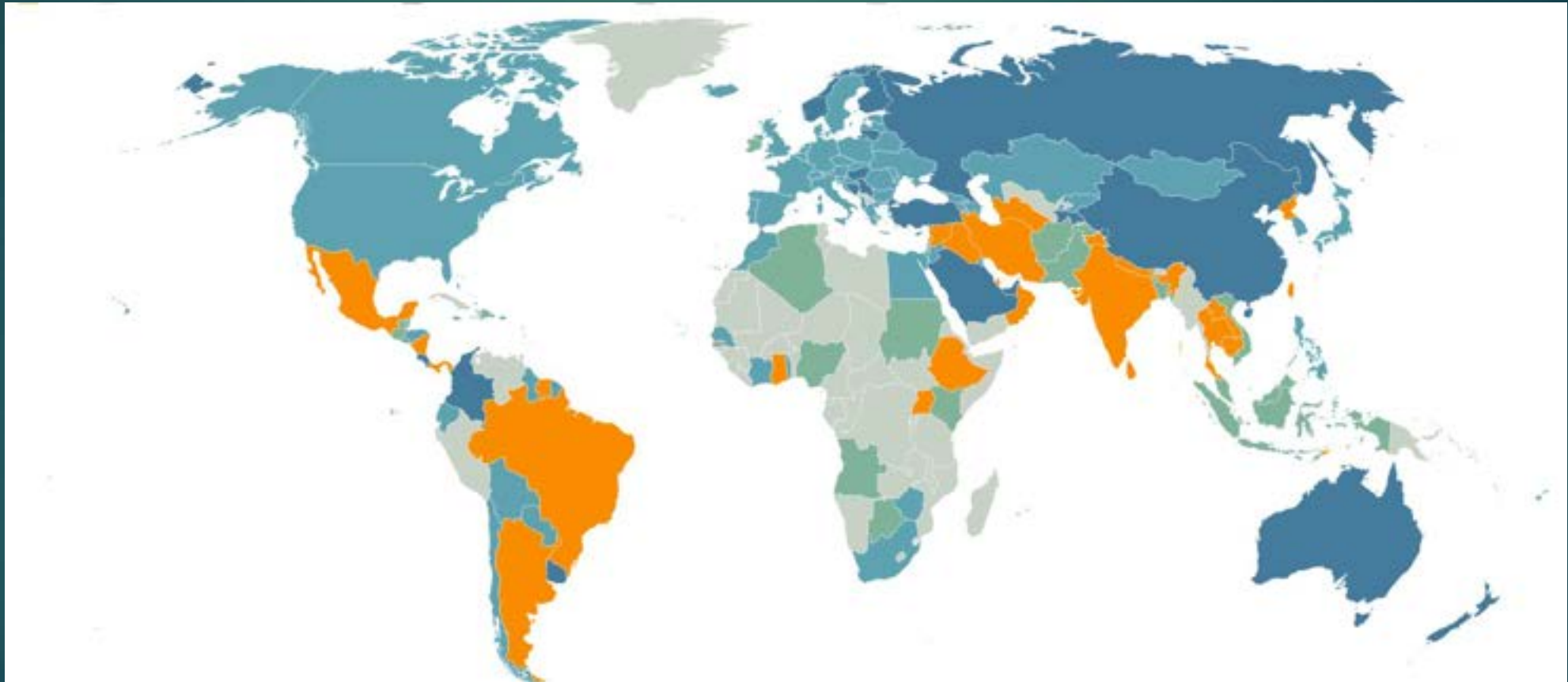
▶ How about your country?

What can be regulated?

- ▶ Age of sale, purchase, or use
- ▶ Sales and distribution
 - ▶ anywhere? vending machines?
 - ▶ specialist shops only? Internet?
- ▶ Advertising
 - ▶ Where, which media, to whom (kids)?
- ▶ Where can they be used?
 - ▶ Indoor vaping bans, private spaces with children present
- ▶ Product notification to authorities and public
- ▶ Tank capacity/e-liquid refill capacity
- ▶ Nicotine concentration
- ▶ Restricted ingredients
 - ▶ caffeine, energy supplements
- ▶ Flavors
- ▶ Medicinal vs. consumer vs. tobacco product
- ▶ Taxation
 - ▶ Level (high vs. low vs. none)
 - ▶ Structure (ad valorem, specific, combined taxes; see [WHO tax manual](#))
- ▶ Health warnings
- ▶ Plain packaging
- ▶ Refillable vs. disposable products

Variation in regulation of e-cigarettes

Illegal Insufficient data or laws are not clear Legal with high restrictions Legal with light restrictions Legal with no restrictions



Source: [MIST UK Electronics](#), 2023

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