



THE INTERNATIONAL NETWORK OF NICOTINE CONSUMER ORGANISATIONS

**Statement on Canada Senate Bill S-5**

**7 April 2017**

Dear members of the committee,

The International Network of Nicotine Consumer Organisations (INNCO) is a global coalition of consumer organizations from twenty different countries, which promote the interests of those who wish to switch from smoking tobacco to safer alternative nicotine delivery products, including e-cigarettes and other vapour products.

INNCO is entirely independent of tobacco manufacturers and distributors. INNCO has accepted no funding from commercial interests, including vapour product manufacturers and distributors, nor from tobacco companies.

Twenty-five national organizations are currently affiliated to INNCO. Their membership base is largely ex-smokers whose lives and health have been dramatically improved by switching from traditional cigarettes to smokeless products such as e-cigarettes.

INNCO aims to promote honest and unbiased information on safer nicotine use, and to advocate for effective and proportionate regulation of safer nicotine products. INNCO's work includes engagement with national and international health, regulatory and public health organizations concerned with nicotine consumption, and ensuring that consumers are recognized by such organizations as key stakeholders.

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INNCO is disappointed that Senate Bill S-5 doesn't recognize vapour products as a harm reduction strategy to reduce the health burden of smoking in Canada. The bill is almost exclusively concerned with potential harms, rather than the huge benefits that could accrue if Canada were to encourage smokers to switch to products that are known to pose far less risk.

About 37,000 Canadians die prematurely each year from smoking. Vaping could and should be a resource the government harnesses to lower that number substantially.

For many smokers, abstinence-only policies have not worked. Truthful information about the relative risk of vapour versus combustible tobacco, along with policies that encourage switching -- rather than adamantly clinging to the de facto proposition that all nicotine use is bad -- could save many lives, and also save considerable money spent on medical treatment for aging smokers.

INNCO agrees with the position of the British Royal College of Physicians. In their comprehensive review of the scientific literature on smoke-free nicotine products, the RCP stated that the use of tobacco-free vapour products is “unlikely to exceed 5% of the harm from smoking tobacco.”

Not only does Bill S-5 not recognize the vast difference between combustible tobacco and vapour, it also prevents sellers of e-cigarettes -- and indeed any Canadian citizen -- from honestly communicating truthful information about the relative risk of vaping. Restricting the sharing of information from scientific studies, or from articles written by proponents of harm reduction, protects the incumbent cigarette market, and denies Canadians constitutionally protected free speech.

INNCO believes that Bill S-5’s relentless focus on fears of youth uptake is misguided. There is no evidence that teenagers are regularly using e-cigarettes in large numbers. Most teenage vapers are “ever-users”; that is, they’re experimenters who may have taken no more than one puff on a friend’s e-cigarette. Very few teens are *regular* users, but most of those who are -- like most regular adult users -- are already smokers or ex-smokers.

Additionally, there is no accepted evidence that young vapers later move to use of combustible tobacco. The few studies that purport to show a “gateway” suffer from poor methodology, small sample size, or overeager conclusions designed to bolster news-making press releases. Surely if a real gateway effect existed, the “vaping epidemic” decried by anti-nicotine crusaders would have resulted in something other than the rapid decline in combustible use by young people documented in recent years, particularly in the United States and United Kingdom, where vapour products have been most widely available.

Among the concerns expressed in the bill is that certain flavours uniquely appeal to, or are aimed at attracting, youth. But there is no evidence that candy or dessert flavours, for example, are any more appealing to young people than they are to adults. All ex-smoking vapers have experienced the transition from burning tobacco to pleasant vapour flavours. New vapers need to try many flavours to find those that work best. And as tastebuds heal after quitting cigarettes, it is often necessary to experiment and find new flavours again. Sweet flavours create distance between the vaper and the experience of inhaling harsh smoke.

If the authors of the bill had consulted with experienced vapers, perhaps they would have constructed legislation based on what actually happens in a retail store that sells vapour products. Sellers need the freedom to honestly describe to their customers the flavours that they sell. There is no evidence that flavours that mimic candy uniquely attract young users. Indeed, many of the flavours that are used by opponents to provide “proof” that the products are being “marketed to youth” -- flavours like gummy bear or cotton candy -- are among the most popular among middle-aged ex-smoking vapers. And for a century, millions of teenagers have initiated nicotine use with the harshest flavour of all: burning tobacco.

INNCO doesn't believe that sellers of vaping e-liquid market their products to youth. What foolish retailer would design a business plan based on illegally selling an adult product to underage customers? Clearly, e-liquid flavours of all types are being marketed and sold to adults. If there are shops that break the law and ignore age restrictions, they should certainly be punished -- but selling to minors is not the intention of the industry at large, and it never has been. Enforcing the law against such sales is a sufficient deterrent.

INNCO encourages the Senate to rewrite Bill S-5 to focus on proactively encouraging smokers to adopt low-risk vapour products. We support the adoption of common-sense health and safety rules, centered on good manufacturing practices and testing of ingredients. Canada should grasp the opportunity to improve overall public health by letting smokers choose from a variety of high-quality, effective consumer nicotine products that present dramatically less harm than cigarettes. We trust that the Senate will choose to repair this flawed bill.

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