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Electronic Cigarettes

POSITION STATEMENT

This position statement about electronic cigarettes is issued in the context of the following concerns about the devices and how they are regulated in Canada:

- There is emerging evidence of health and safety risks associated with e-cigarette devices, vaping, and exposure to second-hand vapour;
- Rapidly growing youth use of e-cigarettes, is concerning because it may lead to nicotine addiction and smoking initiation in young people;
- Quality control and manufacturing standards for e-cigarettes are lacking;
- E-cigarette use could impair denormalization of smoking behaviour and undermine quit attempts;
- Although many smokers are interested in using e-cigarettes as a cessation aid, they have not been proven to be effective and are not approved for this purpose.

In the absence of sufficient evidence of safety and emerging concerns about health risks, Toronto Public Health recommends that the federal and provincial governments subject electronic cigarettes (with or without nicotine) to the following regulatory controls:

- E-cigarette use should be prohibited wherever smoking is prohibited through the 2006 *Smoke-Free Ontario Act*, including in indoor public places and workplaces and on school property;
- E-cigarette sales to minors (people under age 19) should be prohibited;
- Youth friendly flavours of e-cigarettes, cartridges and liquids should be prohibited, as has been proposed for tobacco products;
- E-cigarettes should be subject to restrictions on marketing, promotion and advertising;
- E-cigarette devices, cartridges and liquids should be subjected to strict consumer safety standards including ensuring manufacturing consistency, regulating the maximum quantity/dosage of nicotine they contain, stipulating labelling and reporting requirements and requiring that e-liquid is sold in child-proof bottles.

Until these recommendations are implemented, Toronto Public Health encourages businesses and organizations to adopt similar policies regarding the use of e-cigarettes on their property. These internal policies should prohibit e-cigarette use (vaping) wherever tobacco smoking is prohibited by provincial or municipal law including:

- in indoor public places and workplaces, such as restaurants, stores, universities and colleges, offices, hospitals and common areas of residential buildings;
- on indoor or outdoor school property;
- within nine metres of an entrance or exit of any building that is used by the public.

Businesses and organizations are invited to contact Toronto Public Health for assistance in developing an internal policy that addresses e-cigarette use on their property.

DEFINITIONS AND ACRONYMS

Electronic cigarettes (e-cigarettes) are battery operated devices that mimic the use and sometimes appearance and taste of conventional cigarettes. They do not contain tobacco and produce vapour (also referred to as aerosol) instead of smoke when used. A typical e-cigarette consists of a battery, a cartridge containing (sometimes) nicotine, water and flavouring in a base of propylene glycol and vegetable glycerine and an atomizer that heats the liquid and produces a vapour. E-cigarettes may or may not contain nicotine. The act of using an e-cigarette is often referred to as **vaping**.

Other names for e-cigarettes include **electronic nicotine delivery systems (ENDS)** and **vapour pens**.

BACKGROUND

Awareness, use and availability of e-cigarettes has rapidly increased in Toronto, across Canada and globally. The safety of e-cigarettes and the vapour they emit has not been scientifically demonstrated, although, e-cigarettes are almost certainly less harmful than traditional cigarettes. However, local and international public health experts note important concerns about the following:

- **Health and safety risks**

The emerging evidence on e-cigarette safety is concerning. E-cigarette parts, liquid and vapour have been found to include harmful and carcinogenic (cancer causing) components, although in much lower levels than in cigarette smoke.^{1,2,3} Inhaling e-cigarette vapour can irritate airways, mouth and throat, or cause allergic reactions and respiratory inflammation.^{1,3} Improper use of e-cigarettes and ingestion of e-liquids has also accounted for cases of nicotine poisoning and other injuries among children and adults. US health authorities have reported a dramatic increase in e-cigarette-related calls to poison centres across the US with most cases involving children under 5 years old.⁴ Second-hand (exhaled) vapour may also contain harmful chemicals, although in relatively lower levels than in second-hand tobacco smoke. Long-term studies are needed to further assess the safety of e-cigarettes to both users and those exposed to e-cigarette vapour.^{1, 5, 6}

- **E-cigarettes are accessible and attractive to youth**

In 2013, approximately 15% of Ontario's youth in grades 9 – 12 used e-cigarettes in their lifetime, and nearly 5% of them used nicotine-containing e-cigarettes.⁷ There are currently no age restrictions to purchase e-cigarettes, making them easily accessible to youth and young adults. Furthermore, there are no restrictions on e-cigarette marketing and promotion, or on youth friendly flavours, which may be used by manufacturers to target youth. Studies indicate that e-cigarettes are particularly popular among youth smokers (13-18 years of age) and those who intend to or have tried to quit.^{8,9} The evidence remains inconclusive regarding e-cigarettes being a gateway to youth smoking uptake or nicotine addiction. However,

recent data indicates that 10% of non-smoking adolescents (16-18 years) in Canada have tried e-cigarettes in their lifetime.¹⁰

- **Regulatory gaps have led to lack of consumer protection**

Currently, e-cigarettes that contain nicotine cannot legally be sold or marketed in Canada. Under the Canada *Food and Drugs Act*, e-cigarettes that contain nicotine and/or make a health claim require approval as a new drug before they can legally be sold or marketed. To date, none have been authorized for sale. Nevertheless, e-cigarettes with nicotine appear to be easy to obtain in Canada, whether through certain retailers or online. Moreover, studies indicate that some e-cigarette cartridges that are labeled as nicotine-free actually contain nicotine.^{11,12} E-cigarettes without nicotine and that do not make a health claim can be legally sold in Canada. No e-cigarette product is subject to the consumer safety standards required of traditional cigarettes, including ingredient disclosure and labeling requirements.

- **E-cigarette use could increase social exposure to smoking**

E-cigarette use indoors may also increase social exposure to smoking, which can have a powerful influence on the urge to smoke, particularly among children and youth who are tempted to start and current or former smokers who are trying to quit.¹³

- **E-cigarette use could undermine smoke-free legislation**

E-cigarettes are not currently subject to the 2006 *Smoke-Free Ontario Act (SFOA)*, which prohibits smoking in restaurants and other public places and workplaces, on school and daycare property and near the entrances to health care facilities. Vaping appears very similar to smoking and some smokers use e-cigarettes in places where regular smoking is prohibited,^{14,15} which is creating confusion and challenges for business operators, enforcement staff and the public. Toronto's Tobacco Enforcement Officers receive frequent inquiries from businesses and organizations that are concerned about e-cigarette use on their property.

- **E-cigarettes are not approved as a cessation aid**

Most e-cigarette users use them to quit or reduce cigarette smoking.^{14, 15, 16} The limited research examining e-cigarettes as a smoking cessation tool has not demonstrated their effectiveness in helping people quit smoking regular cigarettes,^{17, 18, 19, 20} and they have not been approved for this purpose in Canada. Furthermore, several studies have identified high rates of dual use of e-cigarettes and cigarettes, which means that smokers tend to continue smoking conventional cigarettes while using e-cigarettes. This may undermine their efforts to quit smoking.^{15, 13, 16, 21, 22, 23}

A growing number of jurisdictions have addressed these concerns by prohibiting e-cigarette use in places where smoking is already prohibited, including New York City, Chicago, Los Angeles, San Francisco, Innisfil, Ontario and Red Deer, Alberta. School boards in York Region, Ontario and Edmonton, Alberta prohibit e-cigarette use on school property.

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