

## Electronic nicotine delivery systems (ENDS) for developing countries in ASEAN

Brunei, Cambodia, Singapore and Thailand in the ASEAN region have banned electronic cigarettes (e-cigarettes). Elsewhere about 30 countries have either banned or restricted e-cigarettes. A handful of countries (e.g. United Kingdom, USA, and New Zealand) allow e-cigarettes as a cessation device under the regulation of government health authorities, including restricted advertising of these products. Countries that allow e-cigarettes have advanced tobacco control and consumer protection measures, do not have street vendors selling cigarettes, and are efficient in providing tobacco cessation services.

### 1. What is the issue?

Countries still in the process of regulating e-cigarettes face tremendous pressure and opposition from proponents of ENDS who extol its advantages while simultaneously ignoring its risks and the problems faced by developing countries. The UK and New Zealand are used as exemplar countries to roll back or weaken ENDS regulation.

### 2. What does the evidence say?

The evidence says e-cigarettes and their emissions are not safe and not harmless. Many of the substances in the aerosols are toxicants with known [negative health effects](#). More evidence of their risks and harmfulness are emerging (see below). Physical injuries (e.g. head and neck wounds and fractures or hand/leg burns) caused by overheating and explosions of ENDS devices have also been documented in a number of countries; however, no product recalls have been issued.

### 3. What does the World Health Organization (WHO) say?

According to the WHO, (1) there are clear health risks related to ENDS use and secondhand exposure to nicotine and various toxicants; (2) there is insufficient evidence of ENDS as effective cessation devices; and (3) the ENDS market is increasingly being dominated by tobacco companies. Article 5.3 of the WHO FCTC should be respected when developing and implementing ENDS legislation and regulations. See WHO document on ENDS [here](#).

\* Article 5.3 protects tobacco control policies from vested interests of the tobacco industry and builds a fire wall around government officials. Tobacco companies also sell e-cigarettes which presents problems in implementing Article 5.3. ENDS proponents have not offered any procedure on applying Article 5.3 to the ENDS industry.

### 4. What does the US Food and Drug Administration (FDA) say?

According to the recently released FDA-commissioned [report](#) by the National Academies of Sciences, Engineering, and Medicine, e-cigarettes:

- Are not completely safe and still emit toxic chemicals;
- Deliver nicotine at the same levels as cigarettes hence maintaining nicotine addiction;
- May or may not help smokers to quit smoking;
- Act as a gateway to traditional cigarettes among the youth, which can lead to more youth smoking.

### 5. Are heated tobacco products also electronic nicotine delivery systems?

Yes, these are a type of ENDS that contain tobacco and should be regulated as tobacco products. Examples of heated tobacco products are *iQOS* (Philip Morris), *glo* (British American Tobacco), and Ploom TECH (Japan Tobacco).

### 6. Street vendors and regulatory enforcement

In developing countries such as Vietnam, Philippines and Indonesia, cigarette retailers are not licensed, and street vendors sell loose cigarette sticks. Clearly safety standards for nicotine – a poison – are underdeveloped. In such a situation allowing e-cigarette sales will present serious enforcement issues on checking strength of nicotine liquid and keeping tabs on only approved flavours being sold.

### 7. COP7 decision FCTC/COP7(9)

At its seventh session, the Conference of Parties (COP) to the WHO FCTC invited all Parties to consider applying regulatory measures such as those referred to in document [FCTC/COP/7/11](#) to prohibit or restrict the manufacture, importation, distribution, presentation, sale and use of ENDS/ENNDS, as appropriate to their national laws and public health objectives

### 8. Way forward

- a. Countries that have banned ENDS must be respected on the basis of the precautionary principle. They must not be pressured to undo their legislation.
- b. Developing countries must not be pressured into allowing ENDS until regulatory / governance issues are clear to protect the youth against ENDS use and safety standards are established.



## Studies on electronic nicotine delivery systems (ENDS) to assist policy development

	Health risks	Gateway to smoking	Explosion/ ingestion	Regulation
Auer, R., Concha-Lozano, et al (2017). Heat-Not-Burn Tobacco Cigarettes. <i>JAMA Internal Medicine</i> 177(7), p.1050. DOI:10.1001/jamainternmed.2017.1419	X			
Clapp, P. and Jaspers, I. (2017). Electronic Cigarettes: Their Constituents and Potential Links to Asthma. <i>Current Allergy and Asthma Reports</i> 17(11). DOI:10.1007/s11882-017-0747-5	X			
Dutra, L. and Glantz, S. (2017). E-cigarettes and National Adolescent Cigarette Use: 2004–2014. <i>Pediatrics</i> 139(2), p.e20162450. DOI:10.1542/peds.2016-2450.		X		
Harrell, M., Loukas, A., et alii (2017). Flavored Tobacco Product Use among Youth and Young Adults: What if Flavors Didn't Exist?. <i>Tobacco Regulatory Science</i> 3(2), pp.168-173. DOI:10.18001/trs.3.2.4				X
Klein, J.D. (2017). E-Cigarettes: A 1-Way Street to Traditional Smoking and Nicotine Addiction for Youth. <i>Pediatrics</i> . DOI:10.1542/peds.2017-2850		X		
Muthumalage, T., Prinz, M., et al (2018). Inflammatory and Oxidative Responses Induced by Exposure to Commonly Used e-Cigarette Flavoring Chemicals and Flavored e-Liquids without Nicotine. <i>Frontiers in Physiology</i> . DOI:10.3389/fphys.2017.01130	X			
Treitl, D., Solomon, R., et al (2017). Full and Partial Thickness Burns from Spontaneous Combustion of E-Cigarette Lithium-Ion Batteries with Review of Literature. <i>The Journal of Emergency Medicine</i> 53(1), pp.121-125. DOI:10.1016/j.jemermed.2017.03.031			X	
Vardavas, C., Girvalaki, C., et al (2017). Characteristics and outcomes of e-cigarette exposure incidents reported to 10 European Poison Centers: a retrospective data analysis. <i>Tobacco Induced Diseases</i> . DOI:10.1186/s12971-017-0141-z			X	
Wilson, N., Hoek, J., et al (2017). Should e-cigarette use be included in indoor smoking bans? <i>Bulletin of the World Health Organization</i> , 95(7), pp.540-541. DOI:10.2471/blt.16.186536				X
Zachary R.D., Ananth D., et al (2018) Lead Levels in Selected Electronic Cigarettes from Canada and the United States. <i>Int. J. Environ. Res. Public Health</i> 15(1), 154. DOI:10.3390/ijerph15010154	X			