



Position of IEVA on Electronic Cigarettes and COP 8 FCTC

IEVA, the Independent European Vape Alliance, representing the sector of vaping products in Europe would like to share its views and position on Electronic Cigarettes over the upcoming eighth Conference of the Parties (COP 8) in the context of the Framework Convention for Tobacco Control (FCTC) of the World Health Organisation (WHO).

- We consider that the **treatment given to Electronic Cigarettes in previous COPs has been unfair and not scientifically driven**, treating them like a threat rather than as an opportunity in the fight against smoking. Vaping devices have proven to be innovative products with enormous potential to reduce the harmful effects of smoking in those smokers which switch to vaping products, with growing scientific evidence confirming that these are not a gateway to conventional tobacco consumption but on the contrary, a facilitator to escape from its use.
- Since 2014, **the EU has one of the strictest legal frameworks in the world as regards vaping products**, including the highest standards in terms of quality, safety, consumers information, advertising and health warnings, clearly differentiated from conventional cigarettes. Most EU Member States have further regulated Electronic Cigarettes, notably as regards sales and places for their consumption, making the EU the global regulatory leader for these products.
- Given the fact that the EU regulation is applicable in Member States only since 2016, we believe that any further regulatory recommendation in COP8 on vaping products should wait until solid data is collected on whether further measures are needed, and which is the impact of our regulation in smoking prevalence in Europe. **The EU should accordingly defend its own regulatory regime as the most strict in the world and not accept additional proposals on Electronic Cigarettes which have not been agreed by the co-legislators in Europe.**
- The conclusions of COP 6 and COP 7 have agreed on the need to deepen the research and studies on electronic cigarettes, which we welcome and support. However, we regret that many of the thousands of published studies on the harm reduction potential of electronic cigarettes have been systematically ignored, and many state-of-the-art reports and research from renowned institutes and organizations, have not been taken into account by COP and FCTC Secretariat. **Organisms such as the Royal College of Physicians of the United Kingdom or the American Cancer Society are highlighting the potential of these products in the reduction of smoking habits and harm associated to smoking**, and these opinions should be reflected in COP conclusions on electronic cigarettes.
- Accordingly, **Electronic Cigarettes should be clearly treated differently than conventional tobacco**, and rules applicable to the latter should not be copy-pasted and applied to the former. Their (controlled) **promotion, within the limits of the current EU Regulatory regime, is essential to facilitate that ever more smokers switch to this less harmful alternative.**



- We welcome the suggestion included in the FCTC Secretariat Report on Electronic Cigarettes to ask WHO's IARC to prepare a report, however we believe IARC should not be limited to a monograph, as this would only address the absolute cancer risk, without comprehensively addressing the knowledge gaps on electronic cigarettes. We believe **IARC's work should be more ambitious, and the analysis should go beyond the cancer risk but focus also on the relative risk of Electronic Cigarettes in comparison to cigarette smoking**, since the nature of Electronic Cigarettes is precisely to substitute or become an alternative of the latter given their potential to be less harmful (without of course being innocuous per se).
- In addition, given the many studies and international bodies that are currently analysing the scientific evidence related to electronic cigarettes, we believe **IARC's work should count with the participation of other international medical and scientific organizations with proven track record on independent research on electronic cigarettes**.
- Lastly, we support and **encourage the creation of a group of experts that will follow and study the market evolution and social penetration of electronic cigarettes**, which should present a report to the next COP. This expert group should count with the participation of consumer organizations and representatives of (independent) industry producers.

Based on the above, we call on the European Commission and the EU Member States to take into consideration at the next COP 8, the following points:

1. **The EU should not go beyond or contradict its TPD on any measure and recommendation on Electronic Cigarettes** within the framework of the FCTC given the recent application of the European legislation on Electronic Cigarettes in the 28 Member States. Any attempt to equate vaping products with conventional tobacco in any front (places of use, promotion, health warnings, placing on the market, etc) would go against the TPD spirit and provisions, which recognize Electronic Cigarettes as a category of its own completely different than conventional cigarettes.
2. It is essential to **further collect information on both the market development of these products as well as on how Electronic Cigarettes affect** (positively or negatively) **tobacco control policies, before promoting other types of policies**, even if they are non-binding.
3. A reflection & debate should take place at COP on **the role of these devices in the fight against smoking and on the need for a different approach in tobacco control policies** which leave behind the current approach of "quite or die" and starts moving towards harm reduction strategies, which take into consideration the potential for harm reduction that these devices offer to those smokers willing to switch to these less harmful alternatives.