

**Debates in the ENVI Committee, European Parliament
18 February 2020**

1. Exchange of views with Stella Kyriakides, EU Commissioner for Health (morning)

Three issues were singled out in the Exchange of Views with EU Commissioner for Health, Stella Kyriakides: Europe Beating Cancer Plan, the state of play of the Coronavirus outbreak and the Farm to Fork Strategy.

On the Beating Cancer Plan, the Commissioner focused on prevention and research for treatments. She said that the Cancer Strategy aimed to be inclusive and she hoped everyone was on board and that looking at the whole disease pathway as regards Cancer would be crucial. She highlighted the need to tackle discrimination against cancer sufferers who survived and faced, in particular, workplace discrimination and the Cancer strategy would tie in with other areas such as Horizon Europe, the pharmaceutical strategy, Farm to Fork, and the EU health data space. These were all part of her mission and tied in with the Cancer Strategy. In the end, she welcomed the MEPs against Cancer group that now numbered over 100 members.

From the MEPs side, **Ms Jytte Guteland (Sweden, S&D)** - who is the ENVI coordinator for the S&D - asked how the causes of cancer such as alcohol (tobacco was not mentioned at this stage) would be addressed in the context of the EU Beating Cancer plan? And the increasing presence of endocrine disruptors and chemicals? She also invited the Commission to combine the “farm to fork” strategy and the chemicals strategy?

Ms Véronique Trillet-Lenoir (France, Renew) enquired about financing sources for treating cancer while **Ms Dolors Montserrat (Spain, S&D)**, former state secretary for Health, put a stronger focus on prevention of mental health. “We need to teach people to deal with stress so that won’t lead to other diseases and addictions”, she said.

Ms Miriam Dalli (Malta, S&D) raised the issue of a common “data space” for health and **Mr Fredrick Federley (Sweden, Renew)** focused on the “farm to fork” strategy. On cancer and the number of deaths caused by smoking, there was a big anomaly between Sweden and Norway. Sweden had a product that was banned in the rest of Europe and he asked if the Commission would consider harm reduction and other ways of combating cigarettes.

2. Cancer Prevention – Modifiable Risk Factors debate

Dr. Joachim Schulz, Head of Section, Environment and Radiation, International Agency for Research on Cancer (IARC) and Chair of Cancer Prevention Europe, stated that “100 million new cases of cancer in Europe were predicted over the next 22 years”. He also focused on cancer prevention, because cancer burden is too big to rely only on progress in treatment. The biggest cause of cancer in Europe is tobacco. “Tobacco is responsible for about 50% of cancer in Europe in 2020”, said Dr. Joachim Schulz.

Dr. Schulz also mentioned the [European Code Against Cancer](#) that on e-cigarettes reads that “E-cigarettes have the potential to reduce the enormous burden of disease and death caused by tobacco smoking if most smokers switch to e-cigarettes and public health concerns are properly addressed.”

He concluded by saying that lung cancer has the “biggest imbalances of all cancers”. 9 out of 10 lung cancers patients die within 5 years and 9 out of 10 cancers can be prevented. Smoking is the new smoking. It still represents 50% of all preventable causes for cancer. We need a shift. We need to re-shift from only smoking cessation to stop taking up smoking measures. Cancer prevention can reduce burden by more than 40%.

Mr Peter Liese (Germany, EPP) stated that more than 40% of cancers are preventable, but 60% are not, so we really need to also focus on treatment. Are e-cigarettes an issue of harm reduction? Or would you not agree due to what happened in the US?

Ms Jytte Guteland (Sweden, S&D) said that she wanted to ask the same about e-cigarettes as Mr Peter Liese. Are they a tool for harm reduction?

Dr. Joachim Schulz answered that clearly the best would be for smokers to just stop smoking, but that is not the case. *“With all the uncertainties, this is my personal opinion, there is no way that they (e-cigarettes) are as harmful as combustible cigarettes. For non-smokers - you should not start vaping. Problem is the way you sell electronic cigarettes, basically candy shops. E-cigs can be beneficial, but we don’t need another epidemic, so we need to address the non-smoker issue. Two camps are divided on e-cigs: it is important to bring these camps together as we are on the same boat”.*

3. Exchange of Views with the Commission on e-cigarettes and heated tobacco

Presentation by Mr Andrzej Rys, Director of Health Systems, medical products and innovation, European Commission, DG Sante

Mr Ryz stated the need for regulating e-cigarettes due to the strong market growth and strong public health concerns. There was misleading information and labelling concerns.

The prevalence of use of e-cigarettes is quite significant. 15% of respondents have tried e-cigarettes and 25% amongst youth (15-24 year old), according to Eurobarometer from 2017.

How do we regulate e-cigarettes? The Directive prohibits the use of additives that harm health, including vitamin E. The Directive does not harmonise all aspects surrounding electronic cigarettes, including the use of CBD and Member States can introduce flavour bans and other have strengthened information provision.

Mr Ryz made the distinction between heated tobacco and e-cigarettes as the first ones always contain tobacco. Heated tobacco products are promoted as better products and that is simply not true.

The Commission needs to report to the EP and Council, with special attention to electronic cigarettes. We are gathering data and information sources, through expert groups, Eurobarometer. And the scientific opinion from SCHEER and should be presented to the EP in September / October 2020.

Ms. Mairead McGuinness (Ireland, EPP) – We are aware of what happened in the US, and we are dealing with it, but not completely. There is the issue of youth, and vaping being their first experience, not even smoking. Some aspects of the TPD are in the remit of Member States, but is that something that we need to look at, like the CBD? I think it is fascinating how rapidly vaping has happened. Is it the tobacco modernise?

There was an interesting research report from an Irish maternity hospital, which found that women who vaped when pregnant, their babies' size was the same as women who never smoked. This shows that research on vaping has been taken in the Member States. Do we have any way of coordinating this research?

I do think that we need to have a closer eye on what is happening on the ground and we need to know the impact on all levels of society. The impact assessment report will be very important.

Mr Peter Liese (Germany, EPP) – I have a request for the Commission. Can you explain what happened in the USA? Maybe DG Sante can explain why so many people were harmed by e-cigs and can we ensure that it won't happen in Europe. We had a survey months ago and I would like to know from the Commission. In our health Working Group this afternoon, we discussed avoidable factors that can lead to cancer. It seems that 50% of cancer cases are driven by smoking. We don't know if e-cigarettes can lead to it, but if not - maybe we need to make it easier for smokers to switch. But we need to ensure that young people and non-smokers do not start vaping. If it is possible to switch, we need to make it easier. However, there might be other problems with e-cigarettes, so we need to understand what happened in the US.

Mr Cesar Luena (Spain, S&D) – We have seen a crisis and people dying in the US and in Belgium. And we have seen an increase in young people vaping. The WHO has, on more than one occasion, warned against these products because they are harmful. It seems that European legislation is not adapted to this reality. There is a legal void regarding CBD because this is not covered in the TPD. I would also like to know if the Commission will modify the existing regulation to reflect this new reality and fix loopholes at Member State level. We need new regulation.

Ms Véronique Trillet-Lenoir (France, Renew – replacing Frédérique Ries, Belgium, Renew) – A little remark on toxic effects of any product. We need to wait at least 10 years for research on toxicity. Can the Commission confirm that no other case was reported except for the Belgian one? Is the Commission ready to prevent the tobacco industry from targeting young people? Can the Commission confirm that flavours are helping adult smokers to switch from smoking to vaping and stopping? As the Commission will report on the implementation of the TPD in 2021, can the Commission confirm that the balance will remain, namely that electronic cigarettes will continue to be an efficient tool to stopping tobacco consumption and as an alternative to traditional cigarettes.

Ms Aurelia Beigneux (France, ID) – The consumption of tobacco has decreased by 6%. E-cigarettes are a way to reduce tobacco consumption. We welcome the strengthening of this position. Regarding the liquid that is burned, some e-liquids are not in line with EU rules and can lead to poison. The synthetic CBD (budabu drug) already led to the death of young Europeans.

Ms Michèle Rivasi (France, Greens) – It is important to draw the line between heated tobacco and e-cigarettes. Heated tobacco contains tobacco unlike e-cigarettes, that may or may not contain nicotine. So we can follow the Lithuanian example on e-cigarettes. I want to know what the Commission has in the pipeline for the coming months. The Commission says that it is waiting for a scientific opinion. What is also interesting to know is the link between electronic cigarettes and health. In 2014, we had a debate for the TPD, and I said that we didn't know anything about the chemical additives that were being used. I want to know the true consequences of these products. Why did we have the TPD? And now we have the sexy flavours and we don't have that for tobacco. If someone wants to quit smoking, do flavours really help with that? We need to be stricter. Look at the US, the Commission needs to do the same and ban flavours. France is the 2nd biggest flavour user, after the US. What stricter measures are you going to take? Ban flavours and additives.

Mr Pietro Fiocchi (Italy, ECR) – I read 24 academic studies. In reality, there is everything in the opposite of everything. We need a scientific study on what the issue is. Is this a real danger for a teenager? The Commission needs to initiate a real scientific study.

Ms Christel Schaldemose (Denmark, S&D) – It can be difficult for the Commission to know how to act in this matter without real scientific documentation. But most documents and cancer societies

recommend a stronger approach. Does it make sense to you that the cancer societies throughout Europe propose a stronger approach? I understand that you left room for the Member States to decide on these matters, but wouldn't it be better for health reasons and also for the internal market to have a common European approach, a stronger approach based on the precautionary principle. And then, later on, with better knowledge, open the measures again.

COMMISSION

When we use statistics, we refer to the barometer. We can try to clarify the questions with the researchers.

The history of the directive, the Commission initially proposed stricter measures. We went through the whole process and ended up with this - which is a mixture of harmonization. The US situation encourages us to take this in a stronger way. We also see the actions such as messages to teachers explaining what e-cigarettes are.

On research, we try hard to get as much evidence from all sources also from the US and Japan. One of the questions we asked was regarding cessation and the evidence needs to be checked. We don't have one conclusive answer. We are implementing what was agreed with the Council and EP. The conclusions from the US regarding the vaping epidemic led us to conclude that there were illicit ingredients, such as acetate and vitamin E. The Belgian case was imported by the US.

What kind of loopholes are there in the legislation in Member States? MS have the opportunity to meet with expert groups. We try to make sure there is exchange of knowledge across the continent. We have 253,000 notifications on these products.

Every company placing the product in the market, needs to notify the authorities and MS can assess the placing in the market of the product and MS can ask for more information.

Heated tobacco is a tobacco product and is different from electronic cigarettes.

Could we be more restrictive and ban and wait? At this moment of time, we don't have that capability in our legislation. Can we move quicker with Member States? We are working together with Member States and we feel that Member States are now more interested in acting, but final decisions on what to do should be guided by evidence that we would be able to gather in the next few months. We need to collect more evidence, hopefully by next spring. And then we can discuss what to do next.

Analysis & Recommendations

The Exchange of Views was an opportunity for MEPs and political groups to express their initial views on e-cigarettes and discuss the changes that may need to be introduced. As anticipated, the S&D

and the Greens called for stricter rules while the EPP and Renew asked further questions to the Commission - pointing to the limits of the intervention by the Commission representative. All in all, we found the Exchange of Views encouraging in that:

- No MEP (except for one but indirectly) called for a ban on e-cigarettes
- The distinction between e-cigarettes and heated tobacco was made clear
- Some hinted at the harm reduction brought about by e-cigarettes
- Relevant questions were asked to the Commission in terms of studies and scientific evidence

Not surprisingly, three issues surfaced that will need to be addressed further:

- Flavour
- Toxicity
- Young people

Some of these are linked to marketing practices.

As mentioned, the IEVA Secretariat engaged in a personalized way with close to 25 MEPs and/or their advisers ahead of the ENVI debate. We will follow up with those who were interested in further data and information about your industry.