# Challenging the proposed e-cigarette prohibition in Taiwan

written by Clive Bates | 4 March 2017



Vaping in Taiwan – the approaching darkness of prohibition or a new dawn for rational policy-making?

The government of Taiwan has been consulting on amendment its Tobacco Hazards Prevention and Control Act. Article 14 of the amendment bill bans the manufacture, import, sale, and display of e-cigarettes (unless authorised as a pharmaceutical product). See newspaper coverage. The original Taiwan Chinese language bill is available online and a vendor has produced a summary in English.

***See my full response here (PDF) and the summary below***

Obviously, I strongly advise against this measure. E-cigarettes present an important strategy to reduce the harm caused by smoking and offer a way to achieve rapid reductions in smoking through market-based means. There is no evidence anywhere in the world that e-cigarettes add to harms associated with smoking.

The danger of a prohibition of e-cigarettes is that it will protect the cigarette trade from competition, increase smoking and harm health. This is exactly the opposite of what the Act and the government are trying to achieve. The summary

page is below.

## *Summary: the benefits of the legal availability of e-cigarettes in Taiwan*

*Policymakers must base decisions with real-world life-or-death consequences on a dispassionate view of the evidence, and the scientific evidence now suggests that electronic nicotine delivery systems (ENDS) could be a benefit to millions of smokers.*

- *Smokers who switch to ENDS are likely to avoid at least 95% of the major smoking-related risks for cancer, heart disease and respiratory illness. They will also experience significant short-term gains in health and wellbeing and they are likely to be financially better off.*
- *Harm reduction strategies can contribute to meeting national health policy goals and international commitments to tackle non-communicable diseases and reduce tobacco use.It is unethical to deny a smoker access to products that are much safer than the dominant product on the market, cigarettes. Outside the field of tobacco and illicit drugs, there are no precedents for banning safer alternatives to widely used products. No government should deliberately try to deny smokers this option – now adopted by millions of smokers world-wide.*
- *It is unethical to deny a smoker access to products that are much safer than the dominant product on the market, cigarettes. Outside the field of tobacco and illicit drugs, there are no precedents for banning safer alternatives to widely used products. No government should deliberately try to deny smokers this option – now adopted by millions of smokers world-wide.*
- *The availability of e-cigarettes is not an alternative to conventional anti-smoking policy but complementary. By providing smokers with an easier way of responding to the pressures of high taxes and other measures of conventional tobacco control, the overall tobacco control policy will become both more responsive and more humane.*
- *There is no credible evidence to suggest that e-cigarettes undermine tobacco control, induce young people to smoke, or reduce the rate that adults quit smoking. The evidence, when examined dispassionately,*

*shows what a neutral observer would expect: people use much safer products to reduce their health risks or to quit smoking.*

- *E-cigarettes are an effective tool for switching from smoking at no cost to the public finances. Individual smokers bear the costs and the 'health promotion' expenditures are made by manufacturers advertising e-cigarettes as alternatives to smoking.A widespread switch to e-cigarettes would also reduce exposure to second-hand tobacco smoke. E-cigarettes pose no material risk to bystanders and it should be a matter for owners of public places, not the law, to decide if e-cigarette use should be permitted or not permitted.*
- *A widespread switch to e-cigarettes would also reduce exposure to second-hand tobacco smoke. E-cigarettes pose no material risk to bystanders and it should be a matter for owners of public places, not the law, to decide if e-cigarette use should be permitted or not permitted.*
- *The quality of products available from reputable manufacturers is now very high and they are on widespread sale in Europe, North America and throughout Asia without any major problems. Taiwan should aspire to develop this industry for exports and as a rival to the cigarette trade.*
- *There is a growing international experience with the regulation of e-cigarettes as popular consumer products, and, by changing its approach, Taiwan has the opportunity to take a leadership role in these developments.*
- *It would be better for Taiwan to have its own legitimate and properly regulated supply chain and to have responsible producers contributing corporate and sales taxes as appropriate, and less international internet trade in high strength liquids. We urge the government of Taiwan not to protect the cigarette trade in Taiwan from competition from superior low-risk products by prohibiting them. The danger of prohibiting e-cigarettes is that it will protect the cigarette sales, promote smoking and harm health.*
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## Other submissions

- International Network of Nicotine Consumers Organisations (INNCO) – submission
- R Street – Ed Anselm & Eli Lehrer – submission