

6. Takes a simplistic approach to youth risk behaviours and fails to demonstrate benefits to adolescent public health

Policy should be made using appropriate data. The memorandum does not present politicians and policymakers with the appropriate context for the youth data. The justification for the measure draws on ‘ever use’ statistics – trying an e-cigarette just once or more in a lifetime – rather than more meaningful current and frequent use, and without the data for other risk behaviours for context. This has the effect of suggesting the issue is of greater significance in the Netherlands than it really is. The government should have included an objective presentation of the data in its justification, such as the table below.

The Netherlands	
Substance use - Class 4 (age 15-16)	Per cent
Alcohol (ever) whole glass or more	48.5
Alcohol (ever) sips or whole glass	64.5
Fig. One or more glasses of alcohol for 4 weeks	40.5
5 / more drinks one gel. 4 wks.	29.4
Ever drunk or tipsy	38.2
Drunk or tipsy last 4 wks.	22.4
Smoking (ever) a whole cigarette or more	15.0
Smoking (ever) few puffs / whole cigarette	23.5
Smoking daily	4.1
Smoking weekly	6.4
E-cigarette (ever)	29.1
E-cigarette daily	0.8
E-cigarette weekly	2.1
Weed / hash ever used	14.1
Used weed / hash in the last 4 weeks	6.9

Source: Health Monitor Youth 2019, GGDs and RIVM¹

Some observations follow from this data:

- **Quoting “ever-use” statistics raises unwarranted concern.** *Potentially* problematic e-cigarette use accounts for a small fraction of those who ever tried vaping. Prevalence of ever-use at age 15-16 is 29.1%, but daily use is a tiny fraction of this at just 0.8%. The prevalence of vaping at least once a week is just 2.1%. The use of ‘ever-use’ statistics in the justification for this measure is misleading – and may simply be a marker for youthful experimentation or rebellion. This indicator signifies the

¹ National Institute for Health and Environment (RIVM), Ministry of Health, wellbeing and sports, Health Monitor Youth 2019; region. Updated 15 October 2020. Accessed 15 January 2021 [\[link\]](#)

characteristics of the individual rather than a harm pattern of substance use. It is not surprising that during the emergence of a new technology, many young people will try it. What matters is whether they develop a sustained habit. Frequent vaping is ‘potentially’ problematic if it represents additional new nicotine users who would not have otherwise used nicotine in a more harmful way, such as smoking (see below).

- **The problem remains youth smoking - and vaping may help.** Daily smoking prevalence (4.1%) is five times higher than daily vaping prevalence (0.8%). It is also quite possible that the more frequent users (daily vaping) are doing this *instead* of smoking or as part of an effort to stop smoking. *The youth nicotine problem is a smoking problem*, and youth vaping may help to mitigate this.
- **In other countries vaping may be suppressing smoking in youth.** We have been unable to find data on the proportion of Dutch adolescents who vape and have also smoked or would likely to be smokers in the absence of vaping. However, data from the United States shows that most (two-thirds) frequent teenage vapers are prior smokers², and only a small fraction of never-users become frequent vapers³. A survey of youth e-cigarette use in Britain found that “*Regular use of e-cigarettes remains largely confined to current or ex-smokers*”⁴. At present, the government does not know if youth vaping is helping Dutch youth migrate away from smoking – and so no-one can know whether this proposal will do more harm than good even if it works as intended.
- **Ignoring relative risk in youth risk behaviours.** Any view of youth risk behaviours should consider whether one behaviour (for example, vaping) may be a substitute for another and how much harm may arise from these behaviours. If the vaping is a small fraction of the risk of smoking (less than 5%), then the impact of a policy (such as a vaping flavour ban) that may conceivably lead to extra youth smoking *is dominated by its effect on smoking*. No analysis or research is presented on the possible increases in youth smoking. This perverse effect is in addition to any detriments to adults.
- **The approach ignores the most serious risks and is inconsistent with alcohol.** To avoid confronting the possible negative consequences of a vape flavour ban on youth smoking, the justification simply ignores the smoking-vaping interaction. But a further issue is inconsistency with the management of other youth risk behaviours. Alcohol presents a much greater immediate risk to young people than vaping: notably through road accidents, other accidents, violence, sexual vulnerability and assault, and incapacitation. 24.2% of teenagers reporting being “drunk or tipsy” in the past four weeks, yet there are no proposals to remove a broad category of alcoholic beverages from the market to “protect youth”. Why not? The most compelling explanation is that the government harbours misconceptions about nicotine (believing nicotine is responsible for the harms caused by smoking

² Jarvis M, Jackson S, West R, Brown J. Epidemic of youth nicotine addiction? What does the National Youth Tobacco Survey 2017-2019 reveal about high school e-cigarette use in the USA? *Qeios* [745076.5] 2020 [[link](#)]

³ Villanti AC, Pearson JL, Glasser AM, Johnson AL, Collins LK, Niaura RS, et al. Frequency of youth e-cigarette and tobacco use patterns in the U.S.: Measurement precision is critical to inform public health. *Nicotine Tob Res.* December 2016 [[link](#)]

⁴ Action on Smoking and Health (UK) and YouGov. Use of e-cigarettes among young people in Great Britain,. June 2019. [[link](#)]

when the evidence is clear that it does not) and that nicotine use is increasingly concentrated in disadvantaged groups who find it harder to resist arbitrary and capricious policies that harm them.

- **The policy analysis is unrealistic about drug use and substance markets.** Though teenage use of cannabis is illegal and access restricted, the numbers using it are relatively high. 6.9% used ‘hash / weed’ in the last four weeks (there is no comparable figure for vaping, but e-cigarette use in the last week was 2.1%). Is it possible that some teenagers would switch from vaping nicotine flavours to vaping cannabinoids (THC) rather than tobacco? The justification does not consider this, yet it is a foreseeable negative consequence of banning flavoured e-cigarettes.

The fallacy of prohibition. The persistence of illicit drug use (in the Netherlands and nearly all other countries) is a reminder that banning something by law does not make it go away; it mainly changes how it is supplied. The justification includes no evaluation of the likely supply-side response to a vaping flavour ban – but it could include a significant black market supply chain developing. It is possible that existing illicit suppliers and informal social supply networks may add vaping products to their range of drugs and increase their contact with young people, introducing them to a wider range of illicit substances and behaviours – a variant of the gateway effect, mediated by blending supply chains.⁵

⁵ Coomber R, Moyle L, South N. The normalisation of drug supply: The social supply of drugs as the “other side” of the history of normalisation. *Drugs Educ Prev Policy* [Internet] 2016 [cited 2021 Jan 22];23(3):255–263. [\[link\]](#)