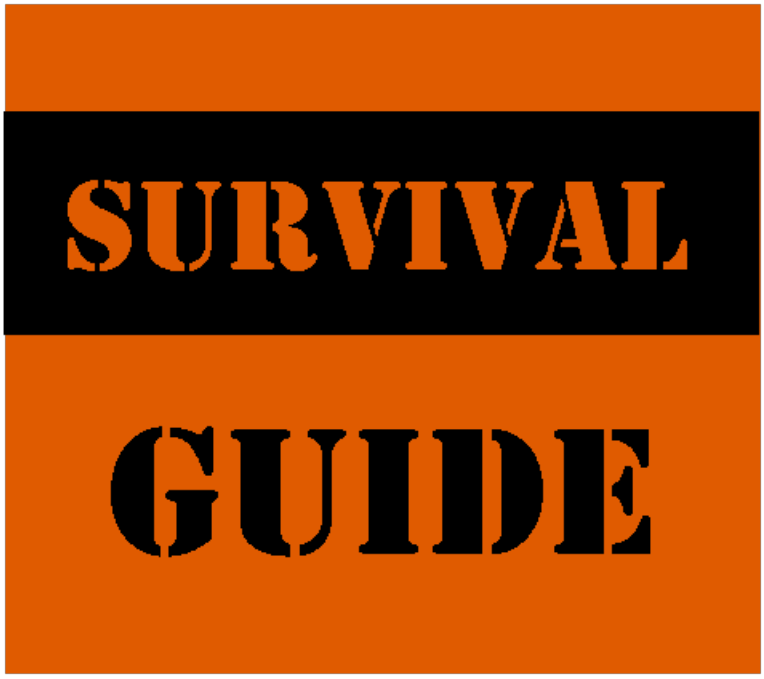
U.S. E-cigarette Summit Survival Guide

written by Clive Bates | 8 May 2017



It's the US E-cigarette Summit …and it's going to get weird

Today is the first US E-cigarette Summit in Washington DC

It is likely that some very deceptive, weird or hysterical arguments will be made the course of the day by organisations that usually avoid situations where they may be called out it. So here is a brief survival guide to the day.

1. Flavors!!!

The ultra-simplistic campaign narrative of those trying to shut down the harm reduction option in the United States is basically: *The predatory tobacco industry uses candy flavours to hook children on nicotine and capture them as users and eventually smokers.*



On the back of this, CTFK "call on FDA to Prohibit Flavored Tobacco Products", which would amount to a ban on all vaping products as they all use flavours (or possibly just leave those using tobacco flavour)

Every element of this claim is wrong.

- There is no evidence *at all* that certain flavours (i.e. those with childish associations) are a sufficiently strong attractor that they can get kids to vape who wouldn't otherwise vape. Obviously if all flavours tasted disgusting then no-one – kids or adults – would vape. So it is a non-question to ask kids if they like the flavours. Of course they do. It doesn't mean they vape because of a particular flavour.
- Adolescents actually give quite positive reasons for vaping – quitting and harm reduction (see Saul Shiffman analysis of PATH data).
- The killer point: if vaping is an *alternative* to smoking (which is more likely than not), then wouldn't attracting kids who would otherwise smoke to vape instead be a *good thing*? And – the corollary – deterring them may lead to more smoking. The flavor spinners simply cannot cope with this modest level of complexity, so they just ignore it. Wish it away.
- What most of us think of as tobacco companies (Reynolds, Altria, BAT etc) don't make anything that looks remotely childish. The claim is based on defining every vape enterprise as 'the tobacco industry' and then generalising the practices of the ones they like least to the whole industry.
- They have paid no attention to the adults, for whom flavours are an essential component of vaping

Please see my blog posting: Are e-liquid flavours really 'hooking another generation of kids'?

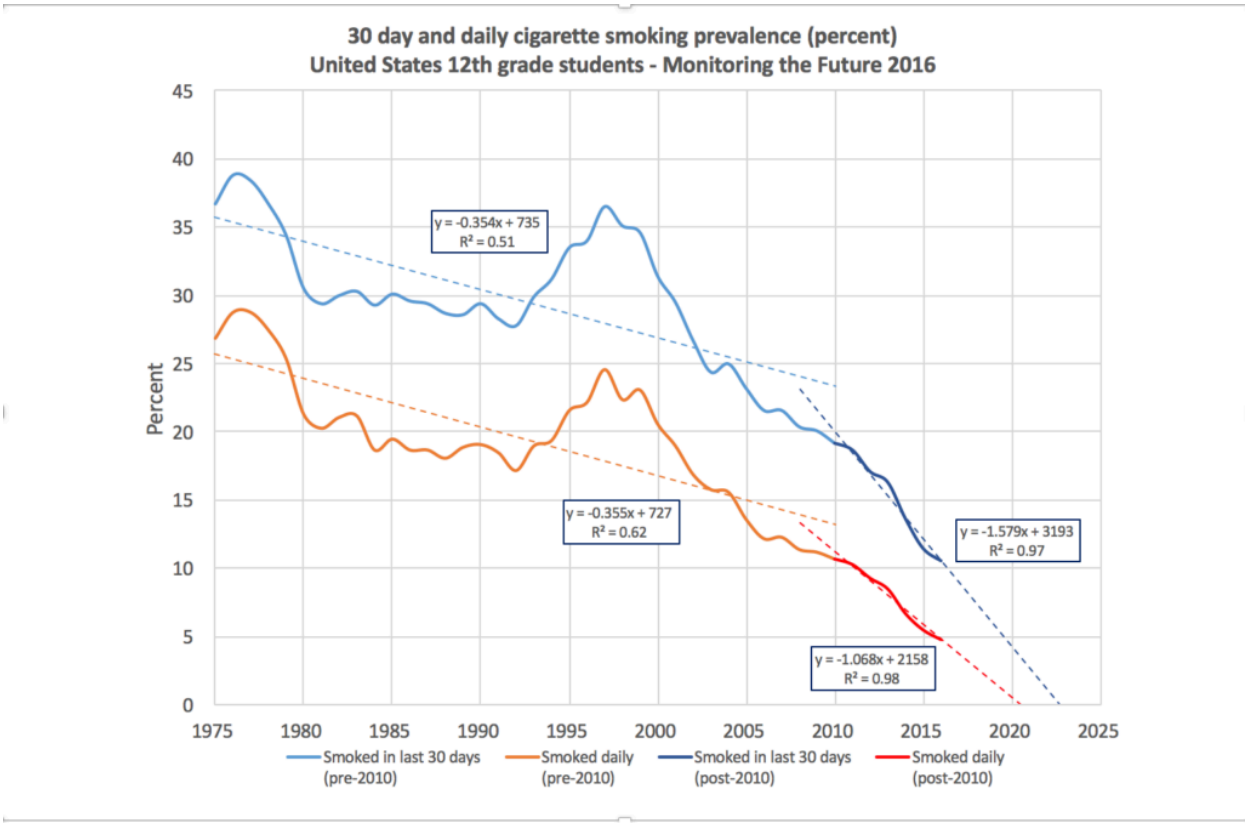
2. Children!!!

Those trying to close down the harm reduction argument point to a rapid rise in e-cigarette use among 'children' (by which they mean adolescents). However, the reality is better characterised as follows:

- Much of the e-cig use is infrequent and experimental
- Much is without nicotine
- Vast majority is concentrated among young smokers or people who would otherwise smoke
- Regular vaping is very rare among tobacco-naive users
- Teenage smoking has been falling at a rapid rate, suggesting (though not proving) vaping may be displacing smoking

Please see the presentation I last used in Washington DC to address these points – here (especially from slide 10)…

Or just consider this graphic showing 12th grade smoking for 35 years before and accelerating in 6 years after 2010. Does the trend prove vaping caused the smoking decline? No it can't do that. But does it suggest it is wise to close down thousands of vaping businesses? Absolutely not.



Accelerating decline in smoking in 12th Graders since 2010 – what could have caused this?

3. FDA!!!

For many of those trying to stop the harm reduction option, the FDA is their hammer. FDA is the means to crush the companies involved and eliminate most of the products. Its massively bureaucratic and risk-averse approach is designed to prevent innovation, and was conceived before the opportunities of harm reduction were widely recognised.

For a critique of FDA's role – please see our legal *amici curiae brief*, evaluating its cost-benefit analysis for the deeming rule suggesting FDA achieves nothing of value but creates potentially very substantial harms. FDA claims the following benefits:

- *premarket review, which will result in fewer harmful or addictive products from reaching the market than would be the case in the absence of the rule;*
- *youth access restrictions and prohibitions on free samples, which can be expected to constrain youth access to tobacco products and curb rising uptake;*
- *health warning statements, which will help consumers understand and appreciate the risks of using tobacco products;*
- *prohibitions against false or misleading claims and unsubstantiated MRTP claims lead to better-informed consumers and help prevent the use of misleading campaigns targeted to youth populations;*
- *other institutional changes, such as FDA monitoring of product developments and changes and required ingredient listings, which will enable FDA to propose more informed regulations appropriate for the protection of the public health.*

We show these purported benefits are nugatory, would happen anyway or are actually harm-causing. What FDA has not done is assess how many vapers may relapse to smoking and how many smokers will not switch. We show the numbers are completely dominated by the values that should be attributed to the costs of any extra smoking – and only a tiny amount extra blows the case completely.

There basically is no problem with vaping for a regulator to fix. So I had to tackle FDA Center for Tobacco Products Director, Mitch Zeller, quite hard when he tried to make some problems up in an interview with the New York Times. You want a debate about nicotine? Let's have one. Letter to Mitch Zeller, America's chief vape regulator

4. Matt Mayers is present!!!

The redoubtable and indefatigable President of the Campaign for Tobacco Free Kids, Matthew L. Myers, is driving much of the opposition to the harm reduction approach in tobacco control. The unfortunate thing is that Matt is wrong about just about everything and, as a result, he is in danger of doing more harm than good. As well as the sections above, please see these:

- 10 ways to improve Matt Myers' letter to the New York Times
- The tobacco control high-command has lost its way
- The wilful ignorance of tobacco control McCarthyites

5. What needs to happen

Here are eight two-page briefs on different aspects of the policy problems and opportunities at Federal level in the United States:

Reshaping American tobacco policy: eight proposals for the Trump administration

More to come on this.

6. Changing your mind about stuff you hear

- **Why is it hard changing your mind** – especially to something new? Certain instincts cut in to Defend Prior Beliefs From Outside Attack (An Oatmeal cartoon with a very serious point)
- **Are you a soldier or a scout?** Are you a soldier, prone to defending your viewpoint at all costs — or a scout, spurred by curiosity? Julia Galef asks why you think you are right – even if you are wrong (TED) and this article.

7. If bored at the conference (or ever)…

It can happen, even at a conference like this. Try my 'Rethinking nicotine' quiz…

If nothing else, it will wake you up and make you think.

If you are there, enjoy the day!