

Marketing and advertising of 'electronic cigarettes'



Key points

- 100,000 people die every year in the UK from smoking-related causes
- Electronic cigarettes are one potential tool for helping smokers to quit
- For current smokers they are a safer option than cigarettes, but there are concerns about their impact on non-smokers and young people in particular

Call to action

- Stop calling them "cigarettes"
- Clearer restrictions on their marketing and advertising
- Minimise their appeal to young people
- Conduct further research into their efficacy and safety

Background

Smoking is a key determinant of poor health. It causes a wide range of diseases including bladder, cervical, oesophageal and lung cancers, cardiovascular diseases and respiratory diseases, as well as affecting fertility and increasing the risk of foetal death and stillbirth in pregnant women (CDC, 2004). Second hand smoke can cause illness in others including lung cancer (Alberg et al, 2003), breast cancer (Terry and Rohan, 2002) and coronary heart disease (He et al, 1999).

In the UK around 22% of men and 19% of women are smokers, equating to approximately ten million people (ASH, 2014a). Around half of all regular smokers will die directly as a result of their smoking and currently 100,000 people die each year in the UK from smoking-related illnesses (ASH, 2014a).

Electronic cigarettes were invented in China, and first became available in the UK in around 2005 (RCP, 2014). They are a nicotine containing product (NCP) and there is some evidence supporting their potential effectiveness as a smoking cessation tool (Britton and Bogdanovica, 2014). It is estimated that 2.1 million people in Great Britain currently use electronic cigarettes, with approximately one third being ex-smokers and two thirds current smokers (ASH, 2014b). It appears that very few non-smokers are using electronic cigarettes (Vardavas et al, 2014) although this situation will need monitoring over time.

What is the RSPH calling for?

• Stop calling the product a cigarette

Despite the use of the term electronic or e-cigarette, these products are very different to cigarettes. They do not contain tobacco, neither are they smoked; they deliver nicotine orally to the user in the form of vapour. Electronic cigarettes are therefore significantly less harmful than smoked tobacco, and despite some products being visually similar to cigarettes, they are essentially nicotine containing products or NCPs, like nicotine patches and nicotine gum.

We also have concerns that names such as vaping or vapourisers will appeal to young people or make the product appear “cool” and therefore would call for the products to be referenced as Nicotine (Replacement) Sticks or Nicotine Control Products. This terminology would better reflect the fact that such products are medicinal.

• Clearer restrictions on the advertising and marketing of the product

While vapourisers have a role to play in helping smokers to quit as well as to reduce the harm associated with smoking, they are not a product suitable for non-smokers; nicotine is an addictive, potentially harmful chemical and vapourisers may also contain other chemicals that can cause harm (Britton and Bogdanovica, 2014). Therefore, while they are a much safer alternative to smoking tobacco products, they are not without risk and it is vital that they are marketed solely as nicotine-replacement products for smokers.

We also believe that non-smokers, and young people in particular, need to be protected from the potential glamorisation of cigarette smoking that may come from the advertisement and marketing of vapourisers.

Under the EU Tobacco Products Directive which comes into effect in mid-2016, unless regulated as medicines, sale of electronic cigarettes will be restricted to those with nicotine containing liquid not in excess of 20mg/ml (European Union, 2014). These non-medicinal products will be subject to the same cross border advertising restrictions applicable to cigarettes, i.e. no TV, radio, electronic or print advertising will be allowed. The advertising permitted will essentially be limited to advertising which only has domestic reach such as billboard, bus and point of sale. E-cigarettes that are regulated as medicines will not be subject to these controls, however they will have to comply with over-the-counter medicine rules so no celebrity endorsement or free samples will be allowed and adverts will have to be targeted at adult smokers (ASH, 2014c).

Until the Tobacco Products Directive comes into force, it is vital that any advertising of electronic cigarettes is subject to tight controls to ensure that non-smokers are not encouraged to use vapourisers and that smoking is not glamorised in any way.

We concur with ASH (2014c) that all advertisements should therefore conform to the following principles:

- 1. Regulation of un-licensed electronic cigarettes and other nicotine containing products should be consistent with that for licensed products. For example, celebrity endorsement and free samples are not allowed for licensed nicotine containing products and should not be allowed for vapourisers either.**
- 2. Vapourisers and other nicotine containing products should not be advertised or promoted in ways that could reasonably be expected to promote smoking of tobacco products.**
- 3. As far as possible, vapourisers and other nicotine containing products should be advertised as an alternative to smoking cigarettes or other tobacco products.**
- 4. Vapourisers and other nicotine containing products should not be advertised in ways or through channels that could reasonably be expected to make them appealing to non-tobacco users.**
- 5. Vapourisers and other nicotine containing products should not be advertised in ways or through channels that could reasonably be expected to make them appealing to children and young people.**

In practice, key issues will be that vapourisers are only advertised as appropriate for individuals already using cigarettes, not for those who do not currently smoke. There should also be a prohibition on any imagery that could create an association with any existing tobacco product. Advertising should also contain reference to the need to store and use electronic cigarettes, refill containers, chargers and other nicotine containing products safely and away from children.

The Committee of Advertising Practice (CAP) and the Broadcasting Committee of Advertising Practice (BCAP) are currently reviewing the regulation of e-cigarette marketing and the outcome, which we hope will reflect our views above, is due to be published in the autumn of 2014.

What is the RSPH calling for?

- **Minimise appeal of the product to young people**

Minimising the appeal of electronic cigarettes to young people is essential to ensure that these products do not begin to be associated with youth culture and become lifestyle choices. This is relevant both for advertising of the products as highlighted above, and also for the development of the products themselves.

A key concern of RSPH is that, while we view vapourisers solely as a form of nicotine replacement therapy for smokers, producers and others are not necessarily in agreement. The development of a range of flavours (for example coffee, absinthe, marmalade) alongside the opening of vaping coffee shops where you can try a range of flavours for a set price over an hour (Time Out, 2014), positions vaping as a lifestyle choice rather than a smoking cessation or harm reduction aid. Furthermore, while the sale of vapourisers is currently restricted to over 18s, we are concerned that producers are specifically targeting children through the development of brightly coloured vapourisers and flavours such as bubblegum or tutti frutti. It is clearly vital that children in particular are protected from products that are addictive and harmful, and further controls over the sale of vapourisers should be considered.

It is also relevant to consider point of sale positioning of electronic cigarettes. Although from April 2015 it will be illegal to display cigarettes in all shops (and it has been illegal in large stores since April 2012) (ASH, 2013) there are no restrictions on the positioning of electronic cigarettes. We argue that it is vital that electronic cigarettes are positioned with other nicotine replacement therapies or medicines, rather than alongside chocolate and other products that appeal to children.

- **More research into the efficacy and safety of electronic cigarettes**

It is widely acknowledged that more research is needed into the efficacy and safety of electronic cigarettes. In the UK and elsewhere, debate continues into their long term impact on public health, and as a relatively new product, it is vital to highlight that much is still unknown about how these products will evolve. Particular research emphasis needs to be put on the influence of electronic cigarettes on young people.

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