

China mulls regulations for e-cigarettes

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Move aimed to reduce nation's smoking rate & prevent youth from addiction



The National Health Commission, the nodal body that drafts and implements regulations for National Health policies in China recently announced its plans to initiate research on “e-cigarettes” and devise regulations for the category. The attempt is to stave off a new gateway addiction in the World’s largest smoking population. China is home to over 300 million tobacco smokers- approximately a third of the world’s total and the safer alternative Vaping trend is yet to be regulated in the country as has been in countries like UK, European Union, US ,Indonesia, Korea, Philippine, New Zealand and Canada besides others

Addressing a press conference in Beijing last week Mao Qunan, Head of National Health Commission’s Planning Department stated that **“We want to reduce the smoking rate and prevent young people from trying tobacco”**. He further stated that **“NHC is working with relevant departments to conduct research on e-cigarette supervision and we plan to regulate electronic cigarettes through legislation”** The commission is also considering tougher rules on e-cigarettes and the supervision of e-cigarettes will be severely strengthened.

Several scientific studies and research by reputed global institutes highlight that e-cigarettes are significantly less harmful than regular combustible cigarettes. A rapid reduction of smoking prevalence has been shown in all countries where the tobacco harm reduction principle, including regulating e-cigarettes, has been integrated with existing tobacco control policies.

There have been concerted efforts by opponents of vaping to denigrate such products. One area surrounds youth use of e-cigarettes. The UK has been adept at thoughtfully regulating the use of ENDS to combat underage use. Only 1.7% of the UK population under the age of 18 uses e-cigarettes weekly, and more importantly, a vast majority of them are already regular cigarette smokers. Canada has also taken progressive steps to regulate ENDS and make them accessible. In May 2018, the Canadian government amended the Tobacco Act and Non-smokers’ Health Act to establish a new legislative framework to regulate the manufacture, sale, labelling and promotion of vape products to deter underage use or uptake.

According to the World Health Organization (WHO), India is home to 12% of the world’s smokers and has the second largest smoking population after China. Currently, cigarettes and other tobacco products are completely banned in many public places and workplaces such as healthcare, educational, and government facilities and on public transport. There are some places where smoking is allowed and permitted by the law in designated smoking areas. According to recent media reports,

India is currently contemplating a potential ban on Electronic Nicotine Delivery systems (ENDS) and this has been a raging debate which is devoid of logic, rationale and scientific temperament.

A blanket ban on ENDS, when regular cigarettes are openly available without any checks, would be deterrent to the purpose reducing the tobacco disease burden as it would mean smokers will continue to smoke combustible cigarettes, putting themselves at a greater risk. It is ironic for e-cigarettes and harm reduction products to be banned while legal sales of tobacco cigarettes and other harmful tobacco products continues.

The Government of India must re-examine its stand vis-à-vis ENDS. They must objectively consider the benefits and harms related to the product and initiate open consultation, which will help to better inform its decision for the ENDS category and learn from practices and regulations that other countries have devised. An in-depth consultation of the category must consider all voices on the issue including industry players, civil society organizations, NGOs, medical experts (both who are in opposition and support), and other relevant organizations with a view to develop an appropriate regulatory framework that must be adhered to by the industry. Additionally, state governments should create independent laws to regulate the ENDS industry in two ways- The first is through an executive order exercising the power under Article 162 and secondly through legislation exercising the powers under Article 246.