



The Consumer Advocates for Smoke-Free Alternatives Association

<http://casaa.org>

8094 Rolling Rd., #200, Springfield, VA 22153

PHONE: 202-241-9117

March 14, 2013

Public Health Committee
Room 3000, Legislative Office Building
Hartford, CT 06106

Re: Vote No on Senate Bill 990

Via Email

Dear Committee Members:

On behalf of its Connecticut membership, the Consumer Advocates for Smoke-free Alternatives Association (CASAA)¹ urges you to report unfavorably on Senate Bill 990, which would ban the use of electronic cigarettes (e-cigarettes) in any public place where smoking is not permitted. Simply stated, e-cigarettes do not produce smoke and have never been shown to pose any risk to bystanders. Moreover, as discussed below in more detail, this legislation would have some significant unintended consequences.

I. E-cigarettes do not produce smoke and pose no risk to bystanders and, as such, should not be included in smoking bans.

Smoke-free laws were passed ostensibly to protect bystanders from the effects of second-hand smoke. However, because there is no combustion involved in their use, e-cigarettes do not produce smoke. Rather, liquid is gently heated to the point where a vapor is formed. Various studies have examined the composition of the vapor produced by e-cigarettes, and none have found any reason to believe that bystanders are at any risk.²

The vapor, which contains no products of combustion or harmful concentrations of any toxic substances, begins to dissipate almost immediately, and there is typically little or no detectable odor. (If there is an aroma, bystanders typically describe it as pleasant and smelling not at all like smoke.)

Even the American Cancer Society, the American Lung Association, and the American Heart Association acknowledge that smoke-free laws do not require a ban on e-cigarettes. Last year, those three organizations agreed to specifically exempt smoke-free e-cigarettes from a smoking ban in Springfield, Missouri so as to avoid any confusion over their legal status.³

¹ CASAA is a non-profit, all-volunteer organization with a grassroots' membership of approximately 3,000 individuals from all walks of life. CASAA is dedicated to ensuring the availability of reduced harm alternatives to smoking and to providing smokers and non-smokers alike with honest information about those alternatives. Since its founding in 2009, CASAA has educated the public and increased awareness about the benefits of reduced harm alternatives to smoking. CASAA also encourages responsible legislative policy designed to improve public health by recognizing that smoke-free tobacco- and nicotine-containing products are inherently far less dangerous than smoking.

² For example, see Goniewicz ML, et al. Levels of selected carcinogens and toxicants in vapour from electronic cigarettes. *Tobacco Control*. Published online ahead of print on March 6, 2013. doi: 10.1136/tobaccocontrol-2012-050859, where the authors note, "Our findings are consistent with the idea that substituting tobacco cigarettes with e-cigarettes may substantially reduce exposure to selected tobacco-specific toxicants. E-cigarettes as a harm reduction strategy among smokers unwilling to quit, warrants further study."

³ <http://www.scribd.com/doc/86131794/Official-Statement-03-16-12-FINAL-PDF>.

Including e-cigarettes in smoking bans when there is absolutely no proof of appreciable risk to bystanders is not only inappropriate, it represents legislative over-reaching.

II. Unintended Consequences of Senate Bill 990:

- **Discouraging smokers from switching to lower-risk alternatives:**

While CASAA appreciates the legislature's desire to protect the citizens of Connecticut, banning the use of smoke-free e-cigarettes in public places is not warranted based upon the information currently available. In fact, CASAA believes that banning the use of smoke-free e-cigarettes in public places may actually work against the legislature's stated purpose of promoting the health of its citizens.

The concept of Tobacco Harm Reduction (THR)—replacing tobacco cigarette smoking with far less hazardous sources of nicotine—is becoming increasingly recognized as a valid strategy in combating the crippling health problems associated with smoking.

As noted by the Royal College of Physicians, a large percentage of smokers may never be able to give up all use of nicotine.⁴ For those who are unable or unwilling to completely quit nicotine use, switching to a smokeless alternative can achieve substantial health benefits, with many such products carrying less than 1% of the risk posed by smoking. Low-risk products embraced by THR include smokeless tobacco products, e-cigarettes, and long-term use of Nicotine Replacement Therapy (NRT) products.⁵ Smoke-free e-cigarettes are proving to be one of the most promising of the THR products.

Rather than treat all tobacco products as equally dangerous, politicians and health care advocates should embrace THR. In fact, both Indiana and Nebraska have passed proclamations embracing the concept of THR, recognizing that current strategies simply are not effective enough.

Sound public health policy surely would encourage smokers to replace or reduce their cigarette consumption—not create obstacles to it. Banning the use of e-cigarettes where smoking is prohibited sends a message to smokers that they may as well continue to smoke, whereas allowing e-cigarette use indoors provides an incentive to switch to a far safer alternative.

- **Senate Bill 990 will effectively prohibit the use of e-cigarettes in (i) any tobacco shop that has changed its size or opened since the end of 2002, and, by definition, (ii) all e-cigarettes stores since none existed at the end of 2002.**

There is no justification for banning e-cigarette use in stores that legally sell such products. Forbidding the use of these products in those circumstances is an unreasonable restriction on businesses.

III. As a practical matter, a ban on e-cigarette use would be largely unenforceable.

As noted above, whereas cigarette smoke has an unmistakable odor and smoke lingers in the air, e-cigarette vapor is practically odorless and visible vapor begins to dissipate almost immediately. When a person using an e-cigarette

⁴ Royal College of Physicians. Harm reduction in nicotine addiction: helping people who can't quit. A report by the Tobacco Advisory Group of the Royal College of Physicians. London: RCP, 2007. <http://www.tobaccoprogram.org/pdf/4f...239b09c5db.pdf>

⁵ Rodu B. The scientific foundation for tobacco harm reduction, 2006-2011. Harm Reduct J. 2011 Jul 29;8:19. [The scientific foundation for tobacco harm reduction, 2006-2011](#)

chooses to hold the vapor in his or her mouth for several seconds, there is typically no (or very little) visible vapor upon exhale. There is a serious question of enforcement that the Committee should weigh when considering this bill.

IV. Allowing e-cigarette use where smoking is prohibited will not pose any problems with enforcing existing smoking bans and will not "normalize" smoking.

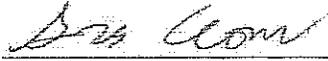
Forty-seven states do not ban e-cigarette use where smoking is prohibited, and yet there are no reports of authorities in these states having had problems with enforcement. Cigarette smoke has an unmistakable odor, and smoke lingers in the air. E-cigarette vapor is practically odorless; but, even when detectable, the odor is not unpleasant and smells nothing like smoke. Any visible vapor begins to dissipate almost immediately. Smokers who see an e-cigarette used indoors don't light up—they ask, "What is that?" and "Where can I get one?"

Moreover, e-cigarettes do not "normalize" smoking. What it actually normalizes is smoking cessation. And it de-normalizes cancer and lung disease.

For the foregoing reasons, CASAA urges the Committee to issue an unfavorable report on Senate Bill 990.

Thank you for your consideration.

Sincerely,



Gregory Conley, Legislative Director, gconley@casaa.org
The Consumer Advocates for Smoke-free Alternatives Association
CASAA - The Consumer Advocates for Smoke-free Alternatives Association
(609) 947 - 8059