



**Remarks before the Connecticut Public Health Committee
by Jake Butcher, State Affairs Manager, Vapor Technology Association**

March 4, 2019

Dear Chairwoman Abrams, Chairman Steinberg, Ranking Members Somers and Petit and members of the Public Health Committee, my name is Jake Butcher. I am the State Affairs Manager of the Vapor Technology Association. I want to thank you for giving me the opportunity to present this written testimony on behalf of the thousands of small and mid-sized businesses, across the country and here in Connecticut.

The Vapor Technology Association is the leading national trade organization representing manufacturers, wholesalers, distributors, small business owners, and entrepreneurs who have developed innovative and quality vapor products. Our members employ thousands of people around the country and in the state of Connecticut. Any ban or limitation on access to vapor products directly jeopardizes the businesses that Connecticut taxpayers have built and are still building, not to mention the consumers who are reliant upon vapor products as an alternative to combustible cigarettes.

**SCIENCE DEMONSTRATES THAT VAPOR PRODUCTS
ARE AT LEAST 95% SAFER THAN CIGARETTES**

The leading rationale for taxing cigarettes is discouraging their use because of the proven negative consequences for the user (death and disease) and the associated costs to society (such as medical treatment costs). However, there is no comparable justification for banning flavoured vapor products which leading scientific bodies around the world have concluded are at least 95% safer than combustible cigarettes.

E-CIGARETTES: AN EVIDENCE UPDATE:

A Report Commissioned by Public Health England, February 2018

In 2015, United Kingdom's Department of Health - [Public Health England](#) (PHE) - performed a landmark independent evidence review concluding that e-cigarettes are significantly less harmful to health than traditional combustible cigarettes.¹ With respect to e-cigarettes, PHE concluded that "most of the chemicals causing smoking-related disease are absent and the chemicals present pose limited danger," and that "the current best estimate is that e-cigarette use is around 95% less harmful than smoking" cigarettes.²

¹ McNeill A, Brose LS, Calder R, Hitchman SC, Hajek P, McRobbie H. E-cigarettes: an evidence update; A report commissioned by Public Health England. August 2015.

² <https://www.gov.uk/government/publications/e-cigarettes-an-evidence-update>

On February 6, 2018, PHE issued a new report, updating the 2015 findings.³ The new report found, among other positive attributes, that “vaping poses only a small fraction of the risks of smoking and switching completely from smoking to vaping conveys substantial health benefits, e-cigarettes could be contributing to at least 20,000 successful new quits per year and possibly many more, e-cigarette use is associated with improved quit success rates over the last year and an accelerated drop in smoking rates across [the UK].⁴ Further, the report documents the issues with misperceptions about nicotine and vaping: “[T]here is much public misunderstanding about nicotine (less than 10% of adults understand that most of the harms to health from smoking are not caused by nicotine).”⁵ Efforts to equate vapor products with combustible cigarettes work to further erode the public’s ability to understand that “people smoke for the nicotine but they die from the tar.”⁶

NICOTINE WITHOUT SMOKE: TOBACCO HARM REDUCTION:

Royal College of Physicians, April 2016

This 200-page report provides an update on the science of tobacco harm reduction, in relation to all non-tobacco nicotine products but particularly vapor products. The Royal College of Physicians concluded that e-cigarettes, at most, have only 5% of the risk profile of combustible cigarettes.⁷

NICOTINE, CARCINOGEN, AND TOXIN EXPOSURE IN LONG-TERM E-CIGARETTE AND NICOTINE REPLACEMENT THERAPY USERS: A CROSS-SECTIONAL STUDY

Annals of Internal Medicine, February 2017

In February 2017 researchers from the US Centers for Disease Control and Prevention, the Roswell Park Cancer Institute in New York, and the University College London concluded yet another study finding that using e-cigarettes is far safer and less toxic than smoking conventional tobacco cigarettes. **The study concluded that long-term NRT-only and e-cigarette-only use is associated with substantially reduced levels of measured carcinogens and toxins relative to smoking only combustible cigarettes.**⁸

One of the study’s lead authors, Dr Lion Shahab, senior lecturer in the department of epidemiology and public health at UCL, said: “Our study *adds to existing evidence* showing that *e-cigarettes and NRT are far safer than smoking*, and suggests that there is a *very low risk associated with their long-term use*.”

“We’ve shown that the levels of toxic chemicals in the body from e-cigarettes are considerably lower than suggested in previous studies using simulated experiments. *This means some doubts about the safety of e-cigarettes may be wrong.*”

³ New Release: PHE publishes independent expert e-cigarettes evidence review. Available at: <https://www.gov.uk/government/news/phe-publishes-independent-expert-e-cigarettes-evidence-review> (Last Visited: February 9, 2018).

⁴ *Id.*

⁵ *Id.*

⁶ Russell MJ. Low-tar medium nicotine cigarettes: a new approach to safer smoking. *BMJ* 1976;1:1430–3.

⁷ <https://www.rcplondon.ac.uk/projects/outputs/nicotine-without-smoke-tobacco-harm-reduction-0>

⁸ https://www.eurekalert.org/pub_releases/2017-02/cru-est020317.php

“Our results also suggest that while e-cigarettes are not only safer, the amount of nicotine they provide is not noticeably different to conventional cigarettes. *This can help people to stop smoking altogether by dealing with their cravings in a safer way.*”⁹

POSITION STATEMENT ON E-CIGARETTES
AMERICAN CANCER SOCIETY, FEBRUARY 2018

In a position statement released on its website, the American Cancer Society (ACS) announced a major shift in position to embrace e-cigarettes as alternatives to FDA-approved cessation aids. ACS said while it primarily recommends FDA-approved cessation aids, “some smokers, despite firm clinician advice, will not attempt to quit smoking cigarettes and will not use FDA approved cessation medications.” Adding, “These individuals should be encouraged to switch to the least harmful form of tobacco product possible.”¹⁰ ACS summarizes that while the long-term health effects are not known, “using current generation e-cigarettes is less harmful than smoking cigarettes.”¹¹

FDA COMMENTS ON PROMISE OF VAPOR PRODUCTS

As early as 2014, the **FDA’s Center for Tobacco Products Director Mitch Zeller**, a life-long anti-smoking advocate, clearly stated the potential benefits of e-cigarettes. During a Senate Health, Education, Labor, and Pensions hearing in 2014, FDA Director Zeller stated:

“If we could get all those people [who smoke] to completely switch all of their cigarettes to noncombustible cigarettes, it would be good for public health.”

On July 28, 2017, the Commissioner of the U.S. Food and Drug Administration (FDA) Dr. Scott Gottlieb announced a shift in the agency’s regulation of nicotine-containing products, placing lower risk products such as e-cigarettes at the center of the answer to the problem of combustible cigarettes.¹² Dr. Gottlieb stated that the FDA has concluded that cigarette smoking causes direct health care costs and lost productivity totaling nearly \$300 billion per year. Gottlieb concluded, we must envision “a world where “less harmful alternative [forms of nicotine delivery], efficiently delivering satisfying levels of nicotine, are available for adults who need or want them”¹³

Indeed, in September 2017 at the Chasing Cancer Summit, Commissioner Gottlieb stated that the agency must ensure that it is “providing proper avenues for [adults] who want to get access to nicotine [...] to be able to do it without having to combust tobacco.”¹⁴

⁹ <https://www.sciencedaily.com/releases/2017/02/170207104358.htm>

¹⁰ American Cancer Society Position Statement on Electronic Cigarettes. Available at: <https://www.cancer.org/healthy/stay-away-from-tobacco/e-cigarette-position-statement.html> (Last Visited: February 26, 2018).

¹¹ *Id.*

¹² News Release: FDA announces comprehensive regulatory plan to shift trajectory of tobacco-related disease, death. Available at: <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm568923.htm> (Last Visited: January 29, 2018).

¹³ Remarks by Scott Gottlieb, *Protecting American Families: Comprehensive Approach to Nicotine & Tobacco*, delivered July 28, 2017, available at <https://www.fda.gov/NewsEvents/Speeches/UCM569024.htm>.

¹⁴ Transcript: Chasing Cancer Summit. *Washington Post Live*. September 19, 2017. Available at: <https://www.washingtonpost.com/blogs/post-live/wp/2017/09/19/transcript-chasing-cancer->

Flavor Bans Decimate the Vapor Industry and Leave Consumers with Fewer Alternatives to Combustible Cigarettes

Recent research has demonstrated the value of flavored vapor products in reducing adult smoking and improving health-based outcomes when compared to combustible cigarette use. The National Academies of Sciences recently found that there is conclusive evidence that completely substituting e-cigarettes for conventional cigarettes reduces users' exposure to many toxicants and carcinogens present in conventional cigarettes.¹⁵

Further, a January 2018 study published in Tobacco Control found that switching from traditional cigarettes to [vapor products] would annually prevent between 1.6 million and 6.6 million premature deaths in the United States.¹⁶ In addition, an April 2018 national study completed by J.C. Chen found that smokers who used [vapor products] with one or more non-tobacco / non-menthol flavors were significantly more likely to have reduced or quit smoking over time than non-e-cigarette users, thus suggesting that the continued availability of such flavors is important to support smoking cessation efforts.¹⁷

These findings were most recently supported by a study published in the New England Journal of Medicine which demonstrated that E-cigarettes were more effective for smoking cessation than nicotine-replacement therapy, when both products were accompanied by behavioral support.¹⁸

Simply put, scientific evidence and the most recent studies on vapor products do not support a flavor ban. For the aforementioned reasons, we respectfully ask the Honorable members of this committee to reject any flavor ban on vapor products.

TOBACCO 21 WILL ONLY INCREASE TEEN SMOKING RATES

Additionally, it is clear that vapor products are the first game-changing technology in the ongoing fight to reduce cigarette smoking. This, members of the committee, is why it is imperative that we must properly regulate vapor products based on their potential benefits to the Connecticut population. The current age for purchase and possession of vapor products in Connecticut is 18, and we believe this should remain the age for purchase and possession of vapor products.

Two recent studies, both completed by prominent U.S. academic institutions, have demonstrated that raising the age to vape actually leads to an increase in teen smoking rates. A March 2016 study by the Cornell Medical School found that e-cigarette age restrictions have led to an 11.7 percent increase in teen combustible cigarette use. Further, a Yale School of Public Health found that reducing vapor product access to 12-17 year-olds increases teen smoking rates. This is due to the fact that where there are not

[summit/?deferJs=true&outputType=default-article&utm_term=.94003084165c](#). (Last Visited: January 29, 2018).

¹⁵ National Academies of Sciences, Engineering Medicine. 2018. Public Health Consequences of E-Cigarettes. Report at 604.

¹⁶ Levy DT, et al, 2018 Potential deaths averted in USA by replacing cigarettes with e-cigarettes. Tob. Control 2018 Jan; 27(1): 18-25. Doi: 10.1136/tobaccocontrol-2017-053759. Epub 2017 Oct. 2.

¹⁷ Chen JC. 2018 Flavored e-cigarette use and cigarette smoking reduction and cessation - A large national study among young adult smokers. Subst Use Misuse. 2018 Apr 6:1-15. doi: 10.1080/10826084.2018.1455704. [Epub ahead of print].

¹⁸ Hajek et al, Original Article

A Randomized Trial of E-Cigarettes versus Nicotine-Replacement Therapy, abstract available at <https://www.nejm.org/doi/10.1056/NEJMoa1808779>

alternatives to combustible cigarettes, youth continue to experiment with and get addicted to combustible cigarettes. House Bill 7200 would stand in direct conflict with these findings by reducing access to vapor products for young adults.

Thank you for your consideration.

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