

National Conference of State Legislatures Legislative Summit: Clearing the Air About E-Cigarettes

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What Are E-Cigarettes?

Aka Electronic Nicotine Delivery Systems (ENDS) Or Electronic Vapor Products

- *E-Cigarettes are a diverse category of rapidly evolving products. Most, but not all, deliver nicotine or are made to use cartridges that may contain nicotine at varying dosages or to be refilled with nicotine and/or non nicotine “e-liquids.”*
- *Due to their diversity and the fact that they are not cigarettes by common definitions (they do not burn tobacco), the World Health Organization refers to them as Electronic Nicotine Delivery Systems (ENDS); “Vapor Products” is also gaining widespread use*
- *Many mainstream products are closer to nicotine gum with respect to contaminants than they are to cigarettes, but some ENDS products are more poorly made and/or can be manipulated to produce higher levels of toxicants.*
- *FDA is expected to soon release its final regulatory rule, the “Deeming Rule,” that will enable FDA to set standards for:*
 - *What types of products can be legally marketed;*
 - *Levels of toxicants, addictiveness and other product attributes;*
 - *Labeling and warnings; and*
 - *Marketing restrictions.*

E-Cigarettes/Vaping Devices

Electronic Nicotine Delivery Systems (ENDS)

*Cigalike / Mini /
Fix-Dose Cartomizers*
disposable & refillable



*Mid or cigar-size / eGo
/ tank / open systems*
More power, vapor &
nicotine possible



*Advanced Personal Vaporizers (APV)
/ mods – Flexible & programmable*
high power vaping systems



E-hookahs
& waterpipe inserts



Delivery by Major Brands & Better Quality Custom Products

Nicotine: Less efficient & generally lower than cigarettes – APV's come closer to cigarettes

Carbon Monoxide: None (no tobacco no combustion)

Carcinogens & Other Toxicants: Overall more similar to nicotine replacement medicines (e.g., nicotine gum) than cigarettes. New generation APVs include programs to modulate power and heating element temperature so as to minimize toxicant production in actual use

Flavor: Need acceptable flavors (e.g., menthol for menthol smokers) that are not youth-targeted (e.g., "crazy bubble gum smash) or toxic (e.g., cinnamaldehyde & diacetyl/"butter"³)

Societal Costs of Combustible Tobacco

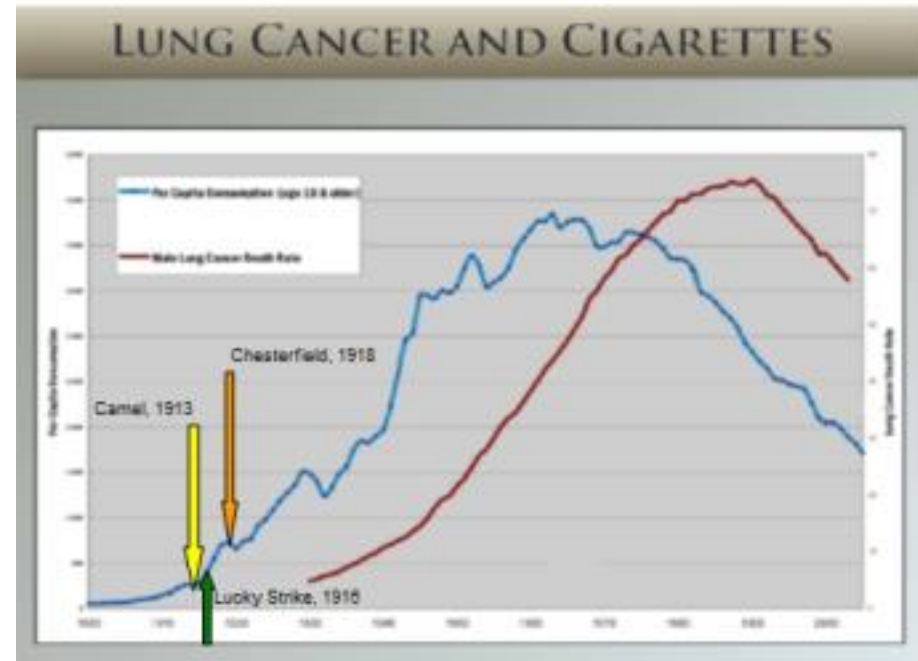
Most “tobacco” harms & costs are specific to cigarettes – with half a million deaths per year for decades to come unless the exodus from cigarettes accelerates far beyond current projections

“Death... is overwhelmingly caused by cigarettes and other combustibles... promotion of e-cigarettes and other innovative products is... likely to be beneficial where the appeal, accessibility and use of cigarettes are rapidly reduced.”

(2014 Surgeon General's Report: 50 Years of Progress)

Combustible tobacco is the leading cause of preventable morbidity and mortality and costs the U.S. more than \$300 billion a year, including:

- \$170 billion - medical care
- \$156 billion - lost productivity
(CDC, Smoking & Tobacco Use Fast Facts)



Continuum of Risk:

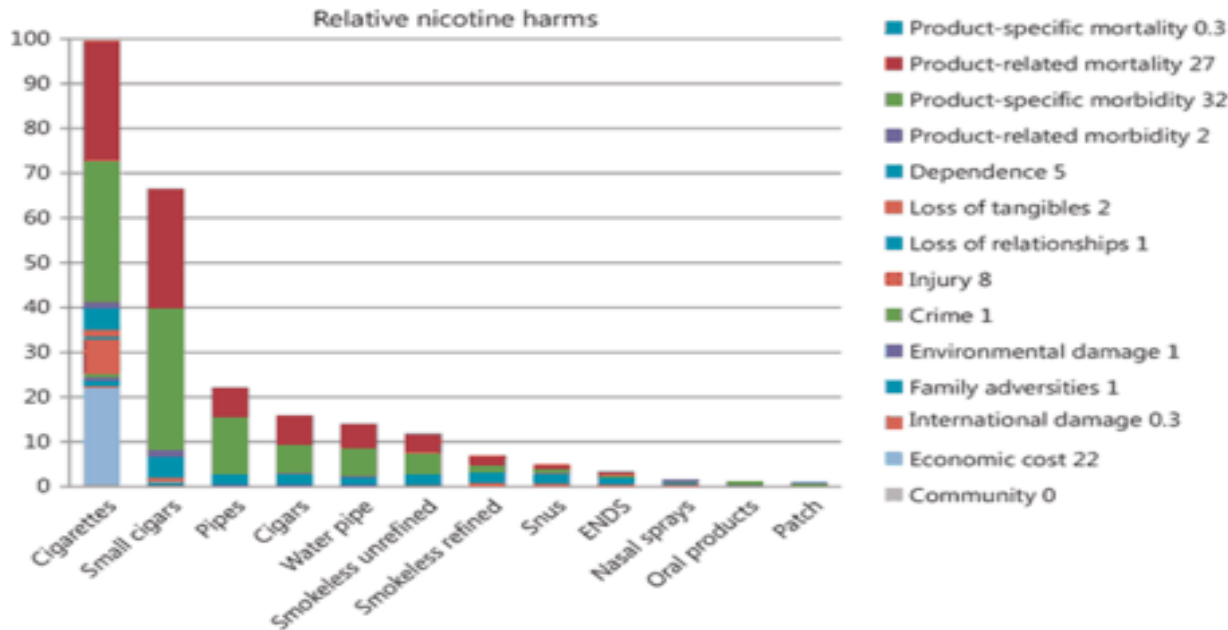
Harm and Addiction Risk vary Widely Across Products

Cigarettes are among the most addictive & deadly of all substances of abuse

“Rapid elimination of combustible tobacco products would dramatically reduce the burden of tobacco-related death and disease. The AACR and ASCO support every effort to reduce the use of combustible tobacco, and we support careful consideration of ENDS... in this regard...”

(American Association for Cancer Research / American Society of Clinical Oncology, Policy Statement, 2015); Also see American Heart Association, Policy Statement, 2014)

Expert Consensus on NCP Harms



Combustion cigarette smoke is the most addictive and deadly of all forms of nicotine delivery – ***“People smoke for nicotine but they die from the tar.”*** – Michael A.H. Russell

The Big Three Interventions That Promote Smoking Abstinence: Use with Care

Education - Smoke Free Policies - Taxes

- Tobacco control interventions should be coordinated and appropriate to the continuum of risk to maximize their impact to discourage use of the most deadly and addictive products
- Warnings, restrictions on where products can be used, and taxes should be most restrictive and strongest on cigarettes, and less so on less harmful and less addictive products (See Amer. Heart Assoc, 2014)



Lumping ENDS with cigarettes is more likely to fuel addicted cigarette smokers denial and rationalizations and keep them smoking then to switch to products that are less appealing and less satisfying for most smokers

We need balanced smart policy that supports healthier behaviors