

## **Opening Statement by Averil Power, CEO of the Irish Cancer Society**

### **Joint Oireachtas Committee on Health**

**17<sup>th</sup> November 2021**

Thank you Chairman and members of the Committee for inviting my colleague Paul Gordon and I to attend this meeting of the Joint Committee on Health on behalf of the Irish Cancer Society.

Firstly, I would like to recognise all the work on this Bill to date – by the Minister, yourselves and the civil servants in the Department of Health and Office of Parliamentary Counsel.

The Irish Cancer Society welcomes the Bill's provisions to ban the purchase of e-cigarettes by under-18s, to introduce a new licensing fees regime for tobacco and e-cigarettes, and to end sales of tobacco products from vending machines and at child-centred events. These changes will help to reduce children's opportunities to buy cigarettes and that is very welcome.

But unfortunately it is not enough. As we know all too well, if young people want something badly enough, they will find a way to get it. That is why the tobacco industry is spending billions making e-cigarettes attractive to children and why any legislation that does not address their aggressive advertising and child friendly flavours is destined to fail.

Ireland has a proud history of being a world leader in tobacco control. The introduction of the workplace smoking ban and plain packaging by then Health

Ministers Micheál Martin and James Reilly were courageous and important victories for public health in a world that often values commercial interests more.

But unfortunately when it comes to the regulation of e-cigarettes, Ireland is currently a laggard, not a leader.

Estonia, Finland and Hungary have banned non-tobacco flavouring in e-cigarettes and the Netherlands has announced its intention to join them. Nine EU countries have total bans on e-cigarette advertising, promotion and sponsorship<sup>1</sup>.

Right now, while young people elsewhere in Europe are being protected against e-cigarette marketing, those in Ireland are being bombarded with ads – on billboards, on buses and at checkouts. Our young people deserve better.

As the Head of the Health Research Board, Dr Jean Long, has recently stated:

*“Children and adolescents require the same protection from e-cigarettes as conventional tobacco cigarettes through a well-enforced regulatory regime of measures including age restriction on purchase, control of availability through licensing outlets, limits to product visibility and attractiveness, and appropriate pricing through taxation.”<sup>2</sup>*

I understand from speaking to policy makers about the need for tougher e-cigarette regulation that their hesitance to do so is driven by genuine concerns. They want to help adults quit smoking and believe e-cigarettes have a role to play. They know individuals, as we all do, who have moved from smoking tobacco to vaping. And they are persuaded by industry arguments that the kind of measures

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<sup>1</sup> [Countries | Global Tobacco Control](#) – Belgium, Denmark, Finland, France, Italy, Lithuania, the Netherlands, Poland

<sup>2</sup> Long, Jean, 2021. ‘E-cigarettes and smoking among teenagers’  
[<https://blogs.biomedcentral.com/bmcseriesblog/2021/06/03/ecigarettes-and-smoking-among-teenagers/>]

required to protect young people from vaping will hinder the efforts of long-term smokers to quit tobacco.

But let us not forget that all the major e-cigarette companies are owned by Big Tobacco. When a representative of PJ Carroll wrote to Members recently about this bill, they described the company as an e-cigarette company. But of course, PJ Carroll is in fact one of Ireland's largest tobacco companies and is owned by the global tobacco giant, British American Tobacco.

For years, the tobacco industry told us:

- Cigarettes didn't cause cancer
- 'Low tar' cigarettes were 'healthier' than other products; and
- Secondhand smoke was harmless

They produced their own so-called research, misrepresented the findings of genuine studies and hired persuasive lobbyists to hoodwink public representatives and block progressive public health measures.

Now they are at it again. Companies whose primary business is selling cancer-causing tobacco are trying to convince our public representatives that their primary concern is smokers' health and that they want to help smokers quit tobacco using e-cigarettes. It would be laughable if it were not so serious.

It is true that some smokers prefer vaping to the use of licenced nicotine replacement gums and other products. However, as the Health Research Board has pointed out, 'e-cigarettes are no more effective than approved and regulated nicotine replacement therapies (NRTs) to help people stop smoking'.

The World Health Organisation has stated that electronic nicotine delivery systems ‘cannot be recommended as cessation aids at the population level’<sup>3</sup> and warned they ‘could hinder cessation in some individuals by prolonging or increasing addiction to nicotine’<sup>4</sup>.

The Irish Cancer Society is committed to doing everything we can to help people quit smoking. We constantly monitor emerging evidence both nationally and globally. We promote cessation methods that reputable independent bodies have found to be effective. We provide smokers with individual support and advice. And we have developed peer support programmes that have been proven to help people quit.

We know how hard it is to quit smoking and stand in solidarity with those who are trying. We understand why many adult smokers choose to try vaping and we respect that decision. But we will not promote something that the WHO and others have found to be harmful.

The improvements we are advocating to this bill will not hinder adult smokers who want to try vaping. But they will protect children and young people who have never smoked and would never take up the habit if it were not for e-cigarettes. They will protect children from flavours like bubblegum, tutti frutti and cola that are clearly aimed at them, not at lifetime tobacco smokers.

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<sup>3</sup> WHO report on the global tobacco epidemic 2021: addressing new and emerging products. Geneva: World Health Organization; 2021. Licence: CC BY-NC-SA 3.0 IGO

<sup>4</sup> Kalkhoran S, Glantz SA. E-cigarettes and smoking cessation in real-world and clinical settings: a systematic review and metaanalysis. *Lancet Respiratory Medicine*. 2016;4(2):116–28

It is well established that “electronic cigarettes can develop into a gateway to nicotine addiction and ultimately traditional tobacco consumption, as they mimic and normalize the action of smoking”<sup>5</sup>.

Indeed, the Health Research Board found adolescents who have ever used an e-cigarette are between three and five times more likely to start smoking tobacco products compared to those who never used e-cigarettes.<sup>6</sup>

And that, right there, is the real reason the production and sales of e-cigarettes are so important to the tobacco industry.

The tobacco industry kills 1 in 2<sup>7</sup> of its customers. Its business model is dependent on recruiting young people to replace them. It will do, and say, anything to achieve that goal.

And Ireland’s delay in effectively regulating e-cigarette sales and marketing has played right into their hands. Attracted by cool advertising, childlike flavours and aggressive point of sale marketing, more and more young Irish people are taking up vaping. And as research by Professor Luke Clancy has shown, as vaping has become more popular, the smoking rate among our 15-16 year olds has also increased - from 13.1% in 2015 to 14.4% in 2019<sup>8</sup>.

Ireland has a proud tradition of taking on Big Tobacco and putting public health first.

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<sup>5</sup> Council Directive 2014/40/EU on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC (2014) Official Journal 127/1, 3 April. Available from:[https://ec.europa.eu/health/sites/health/files/tobacco/docs/dir\\_201440\\_en.pdf](https://ec.europa.eu/health/sites/health/files/tobacco/docs/dir_201440_en.pdf)

<sup>6</sup> Quigley, Joan et al, 2020. ‘Electronic cigarette and smoking cessation: An evidence review’

<sup>7</sup> <https://www.who.int/news-room/fact-sheets/detail/tobacco>

<sup>8</sup> [Increased smoking and e-cigarette use among Irish teenagers: a new threat to Tobacco Free Ireland 2025 | European Respiratory Society \(ersjournals.com\)](https://www.ersjournals.com/doi/10.1183/14697580.2020.02111)

Let us not undermine all that by allowing tobacco companies an unlocked back door to entrapping a whole new generation into nicotine addiction.

Let us stand in solidarity with our EU partners in protecting our young people from tobacco and the devastation, disease and death it causes.

To do that, this legislation must include:

- A ban on e-cigarette flavours other than tobacco and
- A ban on e-cigarette product advertising through all communication mediums.

And Heads 16, 17 and 21 should also be amended to include nicotine inhaling products as well as tobacco products.

Together, we can help adults quit smoking through safe and effective methods while also ensuring today's young people never take up the habit.

Thank you.