



12 August 2016

Dear Member of Parliament,

The Victorian Tobacco Amendment Bill 2016 introduces important and reasonable safeguards around electronic cigarette (e-cigarette) purchase and use (“vaping”):

- Ban on sales of e-cigarettes to children
- Restriction of e-cigarette advertising
- Ensuring smokefree areas are also “vape-free”

These laws *will not* prevent e-cigarettes from being used as a quitting aid in future if e-cigarettes are found to be effective and safe by Australia’s medicines regulatory authority, the Therapeutic Goods Administration (TGA). However, the legislation being considered will mitigate some known risks, for children and adults, around e-cigarette advertising and use.

Some key points to consider on the proposed legislation:

- There is unanimous agreement on the need to ban e-cigarette sales to children; not even the vaping advocates want to see children or non-smokers using e-cigarettes.
- Restricting advertising will prevent children being exposed to the influences of an industry actively promoting vaping an e-cigarette as glamorous and cool (using tactics almost identical to the tobacco advertising of decades’ past).
- Restricting advertising will also help former smokers stay free from nicotine addiction. Cancer Council Victoria research has shown that brief exposure to e-cigarette advertising stimulates urges to have a regular cigarette in some former smokers, and weakens their confidence to stay quit. A separate Cancer Council study more recently found that 5% of former smokers surveyed in Victoria in 2014 used e-cigarettes in the past year. Worryingly, one-third of those former smokers had not smoked regular cigarettes for more than five years; long after their addiction to nicotine in regular cigarettes had been broken.
- Banning vaping in smokefree areas is in line with community expectations; three-quarters of Victorians do not think e-cigarettes should be used indoors. It is also important to ensure young people do not come to regard e-cigarette use as “normal”, and to support former smokers to stay quit. .

Vaping advocates and lobbyists claim e-cigarettes help people stop smoking regular cigarettes. The vaping advocacy group has called on vapers from around Australia to send their heartfelt stories to all Victorian MPs. Personal anecdotes from those who



believe e-cigarettes have helped them stop smoking regular cigarettes, however, do not constitute evidence of clinical effectiveness for the population. And anecdotes from the smokers who have used e-cigarettes—unsuccessfully—are not being heard. Quite simply, the clinical effectiveness of e-cigarettes is not yet clear. A comprehensive, international review of all published studies showed there is “low/very low evidence” that e-cigarettes help people stop smoking. If appropriate clinical trials provide the level of evidence for safety and efficacy that Australians expect of all medical devices and medicines, the Victorian legislation will not limit e-cigarette use if they are approved by the TGA for cessation.

Vaping advocates and lobbyists would also have you believe that Victorians are using e-cigarettes for health reasons. However, Cancer Council Victoria data shows that the most common reason for Victorians to use e-cigarettes in the past year was curiosity, with 30% of current smokers saying they have used e-cigarettes to get around smokefree bans.

We were heartened to see this Bill pass the Legislative Assembly with unanimous support. We urge your support in the Legislative Council for these important public health measures, which are underway or in place in other jurisdictions.

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