

BFTG Contribution to TRIS notifications 2022/508/NL

The German association BFTG would like to express its concerns regarding Draft Amendment of the Tobacco and Smoking Products Order for regulation of e-cigarette flavours, notified by the Netherlands to the European Commission on the 17th of March 2022, under the reference 2022/508/NL.

Many of our members in Germany maintain close business relationships with Netherlands vape shops. Therefore, the planned bans of flavouring additives in e-liquids affects us directly and we would like to comment on it.

These proposed measures will have a devastating impact on tobacco control in the Netherlands, as flavor diversity is essential for tobacco smokers to switch to harm-reduced e-cigarettes.

We would like to use the opportunity to stress the potential negative consequences of a flavour-ban and outline positive international examples successfully integrating vaping in a harm reduction approach for the benefit of public health.

Recent analysis provide the following overview on smoking, vaping and youth consumption:

- 99,8% of all Dutch users of e-cigarettes come from smoking. [1]
- Despite a growing recognition of e-cigarettes, the number of underaged tobacco smokers declined by 25% from 2015. [2]
- During the past 5 years the number of youths who ever tried e-cigarettes decreased by 25%. [3]
- Flavours other than tobacco are a significant factor of success for smokers in their attempts to quit smoking. [4]
- A study carried out in 8 EU member countries, shows that The Netherlands have the best long-term quitting success rates for smokers using e-cigarettes. [5]
- A survey by the Yale School of Public health based on more than 17,000 respondents aged from 12 to 54 years old concluded that “vaping non-tobacco-flavored e-cigarettes was not associated with increased youth smoking initiation but was associated with an increase in the odds of adult smoking cessation”. E-liquids with flavours other than tobacco are not a gateway to youth

uptake of smoking. No evidence substantiates the association between vaping flavours and subsequent smoking initiation. [6]

Vaping offers harm reduction for adult smokers

E-cigarettes offer adult smokers an alternative which is significantly less harmful than smoking as emphasized by regulators such as the French Economic, Social and Environmental Council (CESE) [7], the National Institute for Public Health and the Environment in the Netherlands (RIVM) [8], Public Health England [9] and the Royal College of Physicians [10]. Public Health England concluded in a landmark review of the available evidence, that e-cigarettes represent at least 95% harm reduction versus conventional cigarettes.

Against this background, the BfTG respectfully calls on the European Commission to examine the proportionality of the flavour ban proposed by the Netherlands, and encourage national authorities to adopt measures adapted to the pursued aim and based on thorough scientific evidence.

Sources:

- [1] Trimbos Instituut, 2019: [Cijfers roken](#); Rijksinstituut voor Volksgezondheid en Milieu, last up-dated 2020: [Leefstijlmonitor](#)
- [2] NL Statline [Dataset](#)
- [3] Trimbos Instituut, 2020: [Factsheet Elektronische Sigaretten](#)
- [4] Sundhedsstyrelsen, 2020: [The Danes' smoking habits in 2019](#), p. 20; WHO, 2020: [Electronic nicotine and non-nicotine delivery systems: a brief](#)
- [5] Hummel, K. et al., 2018: [Quitting activity and use of cessation assistance reported by smokers in eight European countries: Findings from the EUREST-PLUS ITC Europe Surveys](#)
- [6] Friedman, A.S. and X. SiQuin, 2020: [Associations of Flavored e-Cigarette Uptake With Subsequent Smoking Initiation and Cessation](#)
- [7] French Economic, Social and Environmental Council, 2019: [Les addictions au tabac et à l'alcool](#)
- [8] RIVM Netherlands, 2015: [The health risks of using e-cigarettes](#)
- [9] Public Health England, last up-dated 2020: [E-cigarettes and vaping: policy, regulation and guidance](#)
- [10] Royal College of Physicians, 2016: [Promote e-cigarettes widely as substitute for smoking says new RCP report](#)

About the BfTG

The BfTG has been representing small and medium-sized companies in the German e-cigarette industry since 2015. It represents around three quarters of the market and operates absolutely independently of the tobacco industry. In doing so, it advocates a factual dialogue on necessary regulations as well as the health and economic policy potential of the e-cigarette. Its members include well-known liquid and hardware manufacturers as well as wholesalers and retailers from all over Germany.

We remain available anytime for any further questions or comments you may have:

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