

To: Mr Martin Schulz,
President of the European Parliament
CC: Members of the European Parliament
From: Specialists in tobacco and public health
Date: 25 November 2013

Sir,

Smoking is the leading cause of preventable death and disease in the EU. Smoking rates average 29% of the adult population, 50% in some EU countries, with 700,000 premature deaths each year. Anti-tobacco programmes are making small inroads into reducing this toll. But where conventional quit smoking approaches have lingered, e-cigarettes are helping smokers move to a safer alternative. E-cigarettes are an attractive alternative to cigarettes for established smokers, with an estimated 7-12m users in the EU.

Much needs to be done to encourage this trend. But the positive story of the e-cigarette could be about to come to an end. The EU Tobacco Products Directive proposed to regulate e-cigarettes as medicines. Medicines regulation is in fact costly, lengthy, stifles innovation, and anti-competitive. It would drive many current products off the market. The European Parliament wisely turned down this proposal, favouring consumer regulation. The Council and Commission (which are pro medical regulation) now have to negotiate with the Parliament (which has rejected it).

We now understand that the Commission proposes a new amendment that would define e-cigarettes as tobacco-related products (which they are not) and include: bans on flavourings (an important part of the user experience); arbitrary limits on the strength and content of nicotine allowed (which would drive most of the existing products off the market); bans on refillable products (which many consumers prefer); and advertising bans as tough as for conventional cigarettes. These proposals will all work to limit the market and consumer appeal.

Regulating e-cigarettes in such a quasi-medicines framework would - perversely - make it easier to make and market tobacco cigarettes than the much safer e-cigarettes. We urge the European Parliament to resist this attempt to introduce medicines regulation by the back door.

Yours truly,

Prof Gerry Stimson, Emeritus Professor, Imperial College London, London, UK

Prof Riccardo Polosa, Full Professor of Internal Medicine, University of Catania, Italy.

Prof Peter Hajek, Wolfson Institute of Preventive Medicine Barts and Queen Mary University, London, UK

Dr Lynne E. Dawkins, University of East London, UK

Dr Mirosław Dworniczak, Poznan, Poland

Dr Konstantinos Farsalinos, Onassis Cardiac Surgery Center, Greece and University Hospital Gathuisberg, Belgium

Dr Michał Kozłowski, Poland

Prof Demetrios Kouretas, School of Health Sciences and Vice Rector of University of Thessaly, Greece

Dr Jacques Le Houezec, Consultant in Public Health, Rennes, France

Dr Gérard Mathern, Saint-Chamond, France

Dr Philippe Presles, Institut Moncey, Paris, France

Prof Andrzej Sobczak, Poland

Prof Aristides Tsatsakis, University of Crete, Greece