

# Vaping Position Statement



## November 2023

### Version control

Version	Description
V.1	Signed off by East Midlands Directors of Public Health and their Tobacco Control leads
V.2	Signed off by East Midlands Trading Standards leads

This statement was developed by the East Midlands Tobacco Control Community of Improvement which is a network of professionals who aim to reduce smoking prevalence across the East Midlands through regional collaboration. Tobacco Control representatives from the East Midlands Public Health teams, Trading Standards and OHID came together in response to the rapidly growing evidence base, ever changing policy environment, increasing rates of youth vaping and growing public interest in the use of electronic cigarettes and similar products. This position statement aims to:

- Dispel misconceptions
- Aid discussions on delivering smoking cessation and tobacco control policy drivers e.g smokefree target by 2030 and tackle illicit vapes.
- Support smokers to quit smoking by switching to vaping.
- Help enforce existing regulations around the sale and use of e-cigarettes.
- Co-develop with, and have sign off from, EM DsPH, OHID, NHSE.
- Help advocate for change and influence national policy on vaping through various avenues.
- Facilitate the development of a communication strategy.
- Exercise a regional collective voice.
- Inform the regional work around vaping and contribute to the successful implementation of national programmes including Swap to Stop
- Support stop smoking services looking to utilise the recently launched e-cigarette procurement portal.

### The East Midlands picture:

In the East Midlands 13.4% of adult's smoke, down from 20.2% in 2011, but despite good progress in reducing prevalence across the region an inequalities gap remains. The smoking rate among routine and manual workers is 23.6%, resulting in a significantly negative impact on income as well as employment, due to ill health and disability. Among those with mental health conditions, the smoking rate is 25.5%, with smoking being a leading cause of reduced life expectancy. Smoking in pregnancy can cause serious health problems including risk of miscarriage, premature birth, low birth weight and other complications. In 2021, 11.8% of pregnant women smoked at the time of delivery (SATOD) compared to 15.8% in 2011. Whilst the regional SATOD rate has fallen, it has not fallen fast enough to meet the national ambition of 6%, and there are several areas in the East Midlands where rates significantly exceed the national average. Overall, smoking costs the East Midlands nearly £1.55 billion every year, £118 million of which is spent on smoking-related social care and £217 million on health care. Based on the national vaping prevalence data, approximately 444,000 East Midlands residents use e-cigarettes.

### Key messages / Our position on nicotine vaping

- Smoking tobacco will kill up to 2 out of 3 long term users. Tobacco remains the single biggest cause of preventable illness and death with approximately 10,800 people in the East Midlands dying each year from smoking.
- Smoking tobacco products is a significant driver of health inequalities. Our priority for tobacco control must be to reduce the number of people who smoke a known uniquely lethal product.
- The evidence is clear that, for smokers, vaping is a far less risky option and, in the short and medium term, vaping poses a small fraction of the risks of smoking. Vaping is an alternative for smokers who want to reduce their risk of dying from a smoking-related disease and protect others from second-hand smoke.

- A critical recommendation to the government from Dr Javed Khan OBE’s independent review on making smoking obsolete is to promote vaping as an effective tool to help people to quit smoking tobacco, outlining the role that vaping can play in an effective tobacco control strategy.
- At the same time, we recognise that vaping is not risk-free and therefore vaping must be presented as an alternative to or replacement for smoking, not an activity which is appealing to the wider non-smoking population.
- Vaping is not for children and whilst it can help people quit smoking, those who don’t smoke should not vape. We need to reduce the number of young people accessing vape products and the amount of non-compliant products available for sale. We will work to ensure compliance with regulations and to take enforcement action when necessary. We also need to continue to advocate for tighter e-cigarette regulations where needed, ensuring the right balance is taken around protecting young people and supporting smokers to quit.
- The rise in the popularity of disposable e-cigarettes has also raised concerns around the negative impact these products have on the environment. Whilst we recognise that single use e-cigarettes are useful for some smokers looking to switch, they are not environmentally sustainable and we should encourage smokers to use reusable devices where possible. Potential approaches to addressing the use of disposable devices are explored by ASH in a recently released options briefing, a link to which can be found in the footnotes of this statement.
- In households where tobacco smoking occurs, vaping offers a less harmful alternative for non-smokers. Exposure to second-hand tobacco smoke is dangerous. Compared with cigarettes, vaping products produce no or little side-stream emissions. The evidence update found that there is no significant increase of toxicant biomarkers after short-term second-hand exposure to vaping among people who do not smoke or vape.
- There are concerns that only a small proportion of adults who smoke accurately believe that vaping is less harmful than smoking. We therefore support the delivery of evidence-based communications among stakeholders and the public to widen understanding and to ensure smokers understand that switching to vaping is a significantly less harmful option than continuing to smoke.

**Key message:** *If you smoke, vaping is much safer; if you don’t smoke, don’t vape.*

## The problem with smoking

Tobacco smoking is our biggest killer and a key contributor to avoidable health inequalities. Cigarettes are the only legal consumer product that, when used exactly as the manufacturer intends them to be used, will kill up to two thirds of long-term consumers. Tobacco and vapes both contain nicotine which is an addictive substance, but nicotine itself has been used safely for many years in medicines to help people stop smoking. However, tobacco and the smoke it produces contains a toxic mix of over 6,000 chemicals, many of which are known to cause cancer as well as other fatal and life limiting conditions such as respiratory and cardiovascular disease, not just among smokers but also among those who are exposed to second-hand smoke.

**Key message:** *Smoking is a leading cause of death and ill health in the East Midlands and is a significant contributor to health inequalities in the region.*

## The evidence base on vaping

The most robust evidence on nicotine vaping is contained within the [Nicotine Vaping in England: 2022 evidence update](#). The report is the most comprehensive to date, its main focus being a systematic review of the evidence on the health risks of nicotine vaping.

Based on the evidence within the review, a summary of conclusions is that:

- In the short and medium term, vaping poses a small fraction of the risks of smoking, but that vaping is not risk-free, particularly for people who have never smoked.
- There is significantly lower exposure to harmful substances from vaping compared with smoking, as shown by biomarkers associated with the risk of cancer, respiratory and cardiovascular conditions. However, there is similar or higher exposure to harmful substances from vaping compared with not using any nicotine products.
- There is no significant increase of toxicant biomarkers after short-term second-hand exposure to vaping among people who do not smoke or vape.

**Key message:** *Though not risk free, vaping is considerably safer than smoking. As such, we encourage smokers across the East Midlands to switch to vaping to reduce the harm from combustible tobacco.*

## The role of vaping in helping smokers to quit tobacco

Vaping products are helping people to quit smoking. The [Cochrane living systematic review on electronic cigarettes for smoking cessation](#) shows that vaping is effective at stopping people smoking. NICE recommends that smokers are encouraged to vape in their quit attempt and they are currently the most common aid used by people to help them stop. However, the majority who use them are doing so without behavioural support: quit rates will increase if behavioural support is provided alongside switching to vaping. Several stop smoking services in the East Midlands already provide these devices to their service users, and data from 21/22 indicates that smokers who used an e-cigarette alongside a licensed form of medication were more likely to quit (72%) than those who use licensed medications exclusively (60%). The recent Nicotine Vaping in England report by the Office for Health Improvement and Disparities notes that 11.9% of individuals who accessed support from an East Midlands based stop smoking service used an e-cigarette as part of their quit attempt – the highest proportion in England.

We encourage stop smoking services looking to provide e-cigarettes to use the Department of Health and Social Care procurement platform, this not only simplifies the process of securing a provider but also allows the user to identify and avoid tobacco industry owned vaping companies. Article 5.3 of the WHO Framework Convention on Tobacco Control is intended to protect public health policy from the influence of the tobacco industry. While local authorities and the NHS can purchase and supply industry owned products without breaching article 5.3, they must limit contact to the commercial relationship, shouldn't take discounts or incentives to supply products and should be transparent about all interactions with the industry.

**Key message:** *E-cigarettes are an effective stop smoking aid, especially when combined with behavioural support. We encourage smokers who want to switch to vaping to do so with the help of their local stop smoking service.*

## E-cigarette regulation

E-cigarettes are regulated in the UK through legislation relating to quality, safety, age of sale and advertising. Enforcement of laws on underage sales, sales of illegal products, and point of sale advertising is the responsibility of Trading Standards. Enforcement of other advertising and promotion of vaping to under-18s, for example on social media, is the responsibility of the Advertising Standards Authority. However, there are concerns about the attractiveness of some vaping to children, that a proportion of retailers are selling to under 18s and that products that don't comply with UK rules are easily accessed. We share these concerns and are wholeheartedly against any activity that promotes the use of e-cigarettes to children and young people. The issues noted above need to be looked at nationally to ensure the products available are compliant and aren't sold to children while at the same time ensuring that vapers can access devices that can support them to quit and stay quit. The Chartered Trading Standards Institute (CTSI) has recently launched a Vaping Resources Hub to assist Trading Standards teams in tackling this emerging issue, a link to which can be found in the footnotes of this statement. Furthermore, the CTSI has its own statement on the current issues relating to the sales of e-cigarettes, in which they call for:

- Clear direction from Government on this issue including from the Department of Health and Social Care and relevant agencies particularly in relation to non-compliant products.
- Manufacturers to publish batch numbers of non-compliant products so that retailers know what they should not be selling.
- Greater resources to support Trading Standards in undertaking enforcement work.
- A wider review of the Tobacco and Related Product Regulations to make sure they are keeping up with product development and market changes.
- The consideration of restrictions that would make vaping less attractive to children and young people
- Tougher sanctions for producers, suppliers and retailers that do not comply with the law.

We are supportive of these measures and are confident that they would help further protect consumers across the East Midlands.

**Key message:** *E-cigarettes are an age restricted product, and we are against inappropriate marketing practices that promote them to under 18's. Trading Standards should be given the tools necessary to undertake enforcement work and other measures to protect children and young people across the East Midlands.*

## Youth Vaping

In 2023 there was a notable increase in the number of young people using e-cigarettes, as detailed in the 'Use of e-cigarettes (vapes) among young people in Great Britain' survey by Action on Smoking and Health. The percentage of 11–17-year-olds having tried e-cigarettes rose from 13.9% in 2020 to 20.5% in 2023. A similar trend was seen in the number of current users, increasing from 3.3% in 2021 to 7.6% in 2023. The results of the 2023 survey suggest that regular use has not increased significantly since 2022, but that trying vaping once or twice is up by 50%. Whilst this is a concerning trend, the results of this annual survey suggest that youth use does seem to be experimental in nature and confined primarily to those with a history of smoking. Further work is required on the trends of this data.

It is important that public health teams across the region continue to monitor this trend and get a better understanding of youth vaping in their local area. Similarly, Trading Standards must be given the resources to increase enforcement action, including test purchasing and testing products for non-compliance.

Finally, e-cigarettes should be made less affordable and attractive to children. Measures to meet this aim should include a review into how e-cigarettes are advertised. The Government recently completed a call for evidence which reports in Autumn 2023. This catalyst for change will identify further opportunities to reduce the number of children using vape products, and we look forward to its publication.

**Key message:** *E-cigarettes are not for children, and their use should be reserved exclusively for adult smokers. The increase in youth vaping is concerning, and public health teams across the East Midlands should continue to monitor the situation. Furthermore, those working in trading standards, and education settings, should be supported in addressing this issue.*

## Vaping in Pregnancy

Although further evidence on their safety and efficacy when used in pregnancy is needed, it is likely that e-cigarettes are just as effective at helping pregnant smokers quit as they are to other adult smokers. Providing that a pregnant smoker has been fully informed that there is not yet enough evidence to say with absolute certainty that vaping is safe during pregnancy, she should not be dissuaded from using an e-cigarette during a quit attempt.

**Key message:** *Whilst some questions remain on their safety and efficacy in pregnancy, pregnant women who want to switch to vaping should not be discouraged from doing so providing they understand that e-cigarettes are not medically licensed.*

## Footnotes

This position statement on nicotine vaping should be read in conjunction with the [ASH briefings and guidance for local authorities and schools](#), the [ADPH position statement on tobacco](#) and the ADPHNE and Fresh Vaping Communications Guide. It has been developed following publication of the [Nicotine vaping in England 2022 evidence update](#). Please note that for the purposes of this document, any references to vapes, vaping or e-cigarettes relate to nicotine-containing vapes, nicotine vaping and nicotine-containing e-cigarettes that comply with UK regulations.

## General resources

[Nicotine Vaping in England: 2022 evidence review ASH briefing for local authorities on youth vaping](#)

[Use of e-cigarettes among young people in Great Britain - ASH \(2023\)](#)

[APPG Smoking and Health report on Delivering a Smokefree 2030](#)

[Policy options to tackle the issue of disposable \(single use\) vapes - ASH](#)

[Use of e-cigarettes among adults in Great Britain - ASH \(2023\)](#)

### For smokers

[OHID Better Health pages on vaping to quit smoking](#) [Fresh Quit](#)

### For health care professional and public health colleagues

[Cochrane living systematic review on the use of e-cigarettes for smoking cessation](#)

[NICE guidance on tobacco: preventing uptake, promoting quitting and treating dependence](#) [Smokefree Action Coalition information on vaping during pregnancy](#)

[PHE guidance on using e-cigarettes in NHS mental health organisations](#)

[Statistics on NHS Stop Smoking Services in England - April 2021 to March 2022 - NDRS \(digital.nhs.uk\)](#)

### For enforcement colleagues

[ASH/ADPH webinar on e-cigarette regulation and enforcement](#)

[Chartered Trading Standards Institute Vaping Resources Hub](#)

[CTSI statement on vapes \(tradingstandards.uk\)](#)

### For schools

[ASH guidance for schools and colleges](#)