

To combat smoking, some advocates ignore common sense

By ACSH Staff — March 5, 2012

E-cigarette use among U.S. adults increased more than three-fold from 2009 to 2010 (0.6 percent vs. 2.7 percent), according to the Centers for Disease Control and Prevention. And although ACSH staffers were delighted to hear that these effective tobacco harm reduction products are catching on, many anti-smoking groups are still [fighting](#) [1] to limit their accessibility, arguing that too little is known about the product's health effects.

E-cigarettes, which rely on battery power, do not contain any tobacco; instead, they convert nicotine-infused liquid into vapor that is then inhaled and exhaled as a mist by the user. Although the FDA originally regulated e-cigarettes as medical devices, the agency reported in April that it would regulate them as tobacco products instead although it could be months or years before the FDA issues any concrete criteria.

In the meantime, however, state and local legislatures are taking it upon themselves to speed the regulatory process by proposing their own e-cigarette legislation. For instance, lawmakers in over half a dozen states have introduced bills that would prohibit e-cigarette sales to minors. ACSH, of course, is strongly opposed to any tobacco or nicotine product sales to minors. Yet that being said, ACSH's president, Dr. Elizabeth Whelan, expresses concern that some of these measures are mere pretext for more stringent, but counterproductive, restrictions on e-cigarettes.

Some lawmakers have proposed increased taxes on these products, ostensibly to keep them away from minors, Dr. Whelan says. But sales to minors are already illegal, and the higher prices resulting from increased taxation would quite likely discourage smokers from trying these much safer devices that can help them quit, she notes. Furthermore, there is no reason, based on science or health, to bar them from public spaces as though they were actual cigarettes.

On the other hand, even though e-cigarettes pose no known adverse health effects and generate no secondhand smoke, ACSH's Cheryl Martin still believes that there may be a rationale for not allowing the use of e-cigarettes in public areas. If the point of e-cigarettes is to provide a safer alternative to smoking, but smokers are already prevented from lighting up in most public places, then it could be logical to extend such a ban to e-cigarettes if only to prevent confusion since they would not, in that instance, be serving as a replacement.

Indeed, some anti-smoking groups also point out that, because e-cigarettes look quite similar to traditional cigarettes, vaping in non-smoking places could create confusion. I would rather err on the side of caution, said state Rep. Susan Westrom, who sponsored a bill in Kentucky to ban e-cigarette use in public areas.

Such a statement left ACSH's Dr. Josh Bloom perplexed. Err on the side of caution? he asks.

Does that mean Rep. Westrom is actually suggesting that just having people continue to smoke cigarettes is being more cautious ? This is not a logical argument.

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