

# Vaping vs tobacco: a smokin' hot issue

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Johannesburg - The electronic cigarette industry is cranking up its lobbying efforts to pre-empt a range of possible regulations expected this year.

The newly established Vapour Product Association (VPA) is trying to recruit producers and retailers of e-cigarettes and their components under a single umbrella.

“We need to look at what regulation we want,” said Kabir Kaleechurn, a VPA director. “The key is to ensure that the category does not die from overregulation,” he told City Press this week. The regulatory framework for e-cigarettes is slowly developing across the world, with expert opinion massively divided on what to do about the new nicotine industry. The association already endorses banning sales of e-cigarettes to people under the age of 18.

According to Kaleechurn, it also supports making child-proofing a standard feature, barring certain hazardous chemicals and establishing standards for batteries and the formulation of the fluids. What the industry is desperately trying to avoid is sin tax.

The excise tax currently applied to tobacco sets the total tax burden, including VAT, at 52% of a product's value. On the other hand, the industry also wants to avoid being classified as a medicinal item in the same way that nicotine patches or gums are.

This leads to a tricky public relations balance, because the supposed health benefits of e-cigarettes over tobacco are key to this market. If companies make therapeutic claims, these will need to fall within the ambit of the Medicines Control Council.

For e-cigarettes to be regulated by the council, costly conditions will apply, such as clinical trials backing up health claims. This week, the VPA hosted an event to highlight the relative virtues of e-cigarettes, signalling a strategy to get its members out of the inability to make health claims by popularising claims on their behalf. The event hosted three enthusiastic e-cigarette crusaders, who have been involved in promoting the technology internationally.

Also present was Richard van Zyl-Smit, a leading South African pulmonologist based at the University of Cape Town's lung clinical research unit. “No one is suggesting that nonsmokers should take them up,” said Clive Bates, a long-time anti-smoking campaigner. Bates said the “overregulation” of e-cigarettes was akin to automatically promoting tobacco. He suggested that it would be reckless not to promote e-cigarettes as an alternative to smokers. Delon Human, a South African doctor based in Switzerland, is another active e-cigarette proponent. He said opposition to e-cigarettes from global agencies such as the World Health Organisation was on “ideological” grounds rather than realistically based.

Human and Bates argued for little or no taxation on e-cigarettes. Kgosi Letlape, president of the Health Professions Council of SA, compared moves to restrict e-

cigarettes with the effect superstitions had on the fight against HIV/Aids in South Africa. “There is nothing in medicine like waiting to be sure,” he said. Kgosi claimed that companies wanted regulatory burdens to keep out competition from the e-cigarette industry. “This is not about those who do not smoke. If you don’t smoke, don’t start,” he said. “The fundamental question is to compare e-cigarettes to combustibles. The fact is, they are less harmful than combustibles.”

### **The health claim**

A central claim, echoed by the pro-vaping speakers at this week’s event and repeated in leaflets handed out by the VPA, is that e-cigarettes are “95% safer” than tobacco. This contentious statistic stems from a modelling exercise published in 2014, and has sparked debate worldwide. At this week’s event, Bates attributed this percentage to the “consensus of top physicians”. Letlape was a co-author of this estimate and the work was funded by a company tied to Human, according to a critical article in the British Medical Journal.

The research does not actually say that e-cigarettes are 95% safer than cigarettes – at least, not in the way that most people would interpret this statement. The “harm” estimated includes harm to other people and problems not directly related to the health effects of cigarettes. The same paper, for instance, indicates that tobacco cigars are 85% “less harmful” than cigarettes, while small cigars are 35% less harmful. The ratings of these products as more or less harmful are the sole opinion of the experts involved, notes another recent criticism in the Journal of Lung, Pulmonary and Respiratory Research. Despite the huge uncertainties about e-cigarettes, even critics admit that they are almost certainly less harmful than tobacco cigarettes.

“No matter what anyone says, you will not know what vaping does for 30 years,” said Van Zyl-Smit, adding that the 95% safer claim was “far from a proven fact”.

“It is very likely that e-cigarettes are better than tobacco. It is exceptionally unlikely that they are worse,” he said. “I would be astounded [to discover] they were not safer. The debate is around how much better they are,” he told City Press.

“Being safer than cigarettes is not hard. Even if e-cigarettes only killed every third user, they would still be safer than tobacco.” He was quick to add that the notion of safe was relative. “If I develop a blood pressure medicine that someone will take for 20 years, I have no tolerance for any safety risk,” he said.

“But if I am developing a short-term treatment for terminal cancer, my tolerance for risk is very different.”

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