

Australasian College for  
Emergency Medicine

Australian and New Zealand  
College of Anaesthetists

College of Intensive Care  
Medicine of Australia and New  
Zealand

New Zealand College of Public  
Health Medicine

Royal Australasian College of  
Medical Administrators

Royal Australasian College of  
Surgeons

Royal Australian and New  
Zealand College of Obstetricians  
and Gynaecologists

The Royal Australian and New  
Zealand College of  
Ophthalmologists

The Royal Australasian College  
of Physicians

The Royal Australian and New  
Zealand College of Psychiatrists

The Royal Australian and New  
Zealand College of Radiologists

The Royal College of  
Pathologists of Australasia

The Royal New Zealand College  
of General Practitioners

Royal New Zealand College of  
Urgent Care

Australasian College of Sport  
and Exercise Physicians

# Council of Medical Colleges in New Zealand

## Te Kaunihera o Ngā Kāreti Rata o Aotearoa

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15 March 2021

Vaping Regulatory Authority  
PO Box 5013  
Wellington  
6140

Via email: [vaping@health.govt.nz](mailto:vaping@health.govt.nz)

Tēnā koe,

### **Smokefree Environments and Regulated Products Act 1990 Proposals for regulations**

Thank you for the opportunity to provide feedback on the above consultation. The Council of Medical Colleges (CMC) is the collective voice for the medical colleges in New Zealand, and through its members aims to improve, protect and promote public health via a well-trained medical workforce providing high-quality medical care. CMC brings together 15 medical colleges who provide support to over 9000 general and specialist medical practitioners working in a range of specialties in the New Zealand health system. All colleges have an interest in public health issues, and policies that impact the wellbeing of patients, whānau and communities throughout Aotearoa New Zealand.

This submission collates the perspectives of some member colleges of CMC, who will also be making their own more detailed submissions on the proposed regulations. CMC recognises that views on use of vaping as a smoking cessation aid vary, for example the Australian and New Zealand Governments have different approaches, and in Australia e-cigarettes are not approved as a smoking cessation aid - <https://www.tga.gov.au/community-qa/electronic-cigarettes>.

The CMC considers the majority of the proposed regulations for the sale and licensing of e-cigarettes in New Zealand are reasonable. However, there are three key areas where the CMC recommends the regulations should be strengthened:

- Public health messaging for harm reduction
- Advertising and promotion of e-cigarettes
- Health warnings

### **Public health messaging for harm reduction**

The CMC notes the aim of the regulations are to:

1. better support smokers to switch to regulated products that are less harmful than smoking
2. protect children, young people and non-smokers from the risks associated with vaping and smokeless tobacco products.

To achieve these aims, public health messaging about the benefits of switching to e-cigarettes if you're a smoker, and the risks of taking up e-cigarettes if you're a non-smoker will need to be carefully balanced. The Ministry's Vaping Facts website carries both of these messages, but the CMC considers messaging discouraging vaping needs to be stronger to reduce the recruitment of non-smokers to e-cigarettes, and to counter misperceptions that e-cigarettes are safe to use. The CMC also notes the Vaping Facts website has advice and links to support on how to quit smoking but does not offer explicit advice for those who want to quit using e-cigarettes.

In summary, the CMC recommends public health messages are clearer on the risks of using e-cigarettes.

#### **Advertising and promotion of e-cigarettes**

Advertising and promotion of e-cigarettes are key factors in recruitment of non-smokers to use e-cigarettes, and the CMC supports the proposed regulations to reduce promotion, including limiting the information about e-cigarette products in retail premises and on retailers' websites to written authorised statements.

However, the CMC disagrees with the Ministry's suggestion that it is not necessary to regulate the display of e-cigarettes at this stage. Display of e-cigarette products in retail settings is a method of advertising and promotion that is likely to encourage youth and non-smokers to take up e-cigarettes (as well as smokers). Regulating display of e-cigarettes would be more consistent with the Act's intent to "protect children, young people and non-smokers from the risks associated with vaping and smokeless tobacco products."

The CMC recommends that e-cigarettes and associated products should have the same display prohibitions as smoked tobacco.

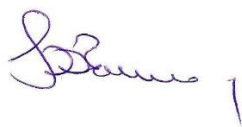
#### **Health warnings**

The CMC supports the proposed health warning for e-cigarettes that "this product contains nicotine which is a highly addictive substance." However, the CMC considers that further information is needed in the health warning. For example, it should be made clear that the long-term carcinogenic and lung function effects of e-cigarettes are unknown. It should also be made clear that e-cigarettes are harmful in comparison to not smoking.

The CMC considers that any health warning should be in both English and Te Reo Māori.

Thanks once again for the opportunity to provide feedback. If you have any questions about this submission, please contact Virginia Mills (Executive Director) at [virginia.mills@cmc.org.nz](mailto:virginia.mills@cmc.org.nz)

Nāku, nā



Dr John Bonning  
CMC Chair

