

19 March 2020

Hon KWOK Wai-keung, JP

Chairman

Bills Committee on Smoking (Public Health) (Amendment) Bill 2019

Legislative Council of HKSAR

1 Legislative Council Road

Central, Hong Kong

Dear Hon Kwok,

Take precautionary measures

Promptly enact a total ban on all alternative smoking products

The Government has introduced the *Smoking (Public Health) (Amendment) Bill 2019* (Amendment Bill) into the Legislative Council to ban the import, manufacture, sale, distribution and advertisement of alternative smoking products, which include electronic cigarettes (e-cigarettes), heat-not-burn (HNB) tobacco products and herbal cigarettes. While the Bills Committee generally agrees to ban e-cigarettes and has reflected various views on the ban of HNB tobacco products, some members suggested excluding HNB tobacco products from the definition of alternative smoking products, and regulating instead of banning HNB. We reiterate our call for an immediate total ban on all alternative smoking products, including HNB tobacco products, to effectively safeguard public health.

HNB tobacco products are harmful

Tobacco smoke is never harmless, and there is no safe level of exposure. Generated by heating rather than combustion, HNB tobacco aerosol still contains chemicals that are harmful to both users and bystanders. Level of some harmful substances of HNB tobacco aerosol could be 200% to over 1000% higher than the conventional cigarette smoke. Given the non-linear dose-response relationship between tobacco smoke and health risks, the lower level of some harmful chemicals in HNB tobacco aerosol than cigarette smoke does not necessarily mean the absence of or reduced harms on human. While there is no sufficient evidence proving the health claims of HNB tobacco products, independent studies have linked HNB tobacco product use to respiratory and cardiovascular risks, etc. More evidence of harms will emerge with wider and more use of HNB tobacco products, like the now obvious expanding epidemic of over 2,600 lung injury (EVALI) and over 60 death attributed to e-cigarettes in the US.

HNB tobacco products are neither recognized tool for harm reduction nor smoking cessation

The World Health Organization has never recommended HNB tobacco products for harm reduction or smoking cessation, but has emphasized that all forms of tobacco use are harmful. Similarly, the European Respiratory Society does not recommend the use of HNB tobacco products or other alternative smoking products to help smoking cessation. The Food and Drug Administration (FDA) of the United States, although permitting the sale of HNB tobacco products in the country, has not approved the products to be “modified risk tobacco products” as compared with cigarettes. In fact, the scientific advisory committee of FDA refuted the “less harmful” claims of HNB tobacco products in January 2018. Any claims using the case in the United States to imply HNB tobacco products are less harmful than cigarettes are misleading.

A total ban to effectively deter adolescents from using HNB tobacco products

HNB tobacco products can be appealing to adolescents as they have stylish designs, generate aerosol with less odor, and are marketed as less harmful alternative of cigarettes. In South Korea, even a ban on sales to minors is imposed, 2.8% of adolescents have used HNB tobacco products in just 1 year after the products had entered the market. With the gateway effect of emergent tobacco products demonstrated by e-cigarettes, the potential of HNB tobacco products in promoting cigarette smoking in non-smokers, especially adolescents, should not be underestimated. Although the use in Hong Kong adolescents is currently uncommon, the findings in South Korea warrant a total ban to effectively deter adolescent use of HNB tobacco products and re-normalization of smoking.

Public support for a total ban on all alternative smoking products

Different sectors of the community, including academia, medical, patient, teacher and parent, youth and community service groups have already raised their great concern over alternative smoking products, including HNB tobacco products, and called for a total ban in Hong Kong. COSH has organized a signatory campaign and collected over 110,000 signatures in support for the total ban. In the deputation meetings of the Bills Committee of the Amendment Bill conducted in April 2019, it was estimated that over 60% of the written submissions from a wide spectrum of society showed supportive views on the total ban of alternative smoking products in Hong Kong.

The epidemic of conventional cigarettes and the emergence of e-cigarettes repeatedly proved that the tobacco industry makes use of all means to conceal the hazardous health effects of tobacco use and promote the lethal products. E-cigarettes

are linked to increased risks of cardiovascular disease, respiratory disease (including chronic obstructive pulmonary disease), and cancers. In 2019, thousands of severe lung disease cases and even deaths related to e-cigarette use have aroused in United States and other countries. Over 40 countries have already banned the sale of e-cigarettes. Some places, have not yet encountered the threat of HNB tobacco products such as India, Macau and Singapore, has decisively passed the law to ban the sale both e-cigarettes HNB tobacco products to protect health of people.

HNB tobacco products and e-cigarettes are undoubtedly harmful. We strongly urge the Government as well as the Legislative Council to stand firm and take precautions to promptly enact a total ban on alternative smoking products to effectively safeguard public health. While a total ban of e-cigarettes would be most effective to prevent the e-cigarette epidemic, we must not allow novel epidemics of HNB and other novel tobacco products by allowing the latter to expand its market and harms in Hong Kong. Regulating but not banning HNB tobacco products will open a flood gate for big profits of the related industry together with expanding public health damages.

We also urge the Government to formulate a long-term tobacco control policy with the blueprint to reduce smoking prevalence to 5% or below by 2027 and achieve tobacco endgame, i.e. total ban of all forms of smoking in Hong Kong. Failing to ban conventional cigarettes has turned out to be a public health disaster, and failing to ban HNB and all novel smoking products is to create a novel disaster.

Jointly submitted by:

Hong Kong Council on Smoking and Health

Asian Consultancy on Tobacco Control

Christian Family Service Centre

Clear the Air

Chairman of Committee on Home-School Co-operation, Henry TONG and the 18 Districts' Federation of Parent-Teacher Associations:

Federation of Parent-Teacher Associations of the Central and Western District

Federation of Parent Teacher Associations of Hong Kong Eastern District

Federation of Parent Teacher Associations of Islands District

Federation of Parent-Teacher Association, Kowloon City District

Federation of Parent-Teacher Associations (Kwai Tsing District) Ltd.

Federation of Parent-Teacher Associations in Kwun Tong District Ltd.

Federation of Parent-Teacher Associations of the Sai Kung District

Federation of Parent-Teacher Associations Sham Shui Po District Limited
Federation of Parent-Teacher Association Southern District, H.K.
Federation of Parent-Teacher Association, Tai Po District
Federation of Parent-Teacher Associations, Tuen Mun
Federation of Parent-Teacher Associations, Wanchai District
Federation of Parent-Teacher Associations Wongtaisin District Limited
Federation of Parent-Teacher Associations of Yuen Long District Limited
North District Federation of Parent-Teacher Associations
The Joint Council of Parent-Teacher Associations of the Shatin District Ltd.
Tsuen Wan District Parent Teacher Association Federation Limited
Yau Tsim Mong Federation of Parents Teachers Association
Community Drug Advisory Council
Hong Kong Academy of Medicine and the Constituent Colleges:
Hong Kong College of Anaesthesiologists
Hong Kong College of Community Medicine
College of Dental Surgeons of Hong Kong
Hong Kong College of Emergency Medicine
Hong Kong College of Family Physicians
Hong Kong College of Obstetricians and Gynaecologists
College of Ophthalmologists of Hong Kong
Hong Kong College of Orthopaedic Surgeons
Hong Kong College of Otorhinolaryngologists
Hong Kong College of Paediatricians
The Hong Kong College of Pathologists
Hong Kong College of Physicians
The Hong Kong College of Psychiatrists
Hong Kong College of Radiologists
The College of Surgeons of Hong Kong
Hong Kong Alliance of Patients' Organizations Limited
Hong Kong College of Cardiology
Hong Kong Dental Association
Hong Kong Doctors Union
Hong Kong Island School Heads Association
Hong Kong Subsidized Secondary Schools Council
Hospital Authority
Kowloon Region School Heads Association
LKS Faculty of Medicine, The University of Hong Kong
Life Education Activity Programme
New Territories School Heads Association

Pok Oi Hospital
Quit-Winners Club
School of Nursing, LKS Faculty of Medicine, The University of Hong Kong
School of Nursing, Tung Wah College
School of Public Health, LKS Faculty of Medicine, The University of Hong Kong
Subsidized Primary Schools Council
The Boys' & Girls' Clubs Association of Hong Kong
The Federation of Medical Societies of Hong Kong
The Hong Kong Academy of Nursing and the 14 Academy Colleges:
 Hong Kong College of Cardiac Nursing
 Hong Kong College of Community and Public Health Nursing
 Hong Kong College of Critical Care Nursing
 Hong Kong College of Education & Research in Nursing
 Hong Kong College of Emergency Nursing
 Hong Kong College of Gerontology Nursing
 Hong Kong College of Medical Nursing
 Hong Kong College of Mental Health Nursing
 Hong Kong College of Midwives
 Hong Kong College of Nursing & Health Care Management
 Hong Kong College of Orthopaedic Nursing
 Hong Kong College of Paediatric Nursing
 Hong Kong College of Perioperative Nursing
 Hong Kong College of Surgical Nursing
The Hong Kong Anti-Cancer Society
The Hong Kong Association of the Heads of Secondary Schools
The Hong Kong Medical Association
The Jockey Club School of Public Health and Primary Care, Faculty of Medicine, The Chinese University of Hong Kong
The Lok Sin Tong Benevolent Society, Kowloon
The Nethersole School of Nursing, Faculty of Medicine, The Chinese University of Hong Kong
The Society of Hospital Pharmacists of Hong Kong
Integrated Centre on Smoking Cessation, Tung Wah Group of Hospitals
United Christian Nethersole Community Health Service
Yan Chai Hospital

Copy to: Secretary for Food and Health, HKSAR Government
Director of Health, HKSAR Government