

ANNEX 4

Email on behalf of e-cigs.co.uk titled 'Global Public Health Alert', regarding misinformation originating from LACORS' press release dated 13 May 2010

To whom it may concern

I am contacting you today about the ongoing dissemination of inaccurate information concerning electronic cigarettes. This misinformation originated from LACORS, and has been adopted by other agencies, including BBC News and ASH Scotland, who continue to publish misleading and erroneous articles and documents.

Electronic cigarettes have undergone a variety of scientific tests around the world, and have been in widespread use for several years. No ill effects have been reported **at all** to date. There is no combustion, therefore they do not release multiple toxins. There is no tobacco, except nicotine, which is regarded as safe for long-term use now, and no more carcinogens than are found in licensed NRT products, i.e. trace levels. There is no passive smoking, no fire hazard, no ash, no litter, no unpleasant (and dangerous particulate) odour, and consequently, a massively reduced risk to users and those around them.

A growing body of evidence from scientific experts, who have examined the studies which have been undertaken around the world, leads to the conclusion that electronic cigarettes offer a real opportunity to save lives: *"We have every reason to believe the hazard posed by electronic cigarettes would be much lower than 1% of that posed by (tobacco) cigarettes."* Joel Nitzkin, MD, MPH, DPA, FACPM, Chair, Tobacco Control Task Force, American Association of Public Health Physicians [read more...](#)

The Electronic Cigarette Industry is entirely separate from the Tobacco and Pharmaceutical Industries. This is a UK growth industry, bringing jobs and tax revenues to our struggling domestic economy, but it is under threat from excessive and prohibitive regulation by Labour's 'agency of control', the MHRA. This would effectively mean the destruction of an entire British industry, not to mention the public health implications, while tobacco products remain protected by layers of legislation which ensure they are the most readily available products for consumers.

LACORS has an oxymoronic attitude to tobacco products, [recommending](#) "that customers are able to buy and view [tobacco] products when they choose to" and "ensuring customers know which tobacco products are for sale in shops; that shopkeepers can continue to trade efficiently, and that customers know which products are available in tobacco vending machines" thus ensuring the continued availability of tobacco products to the public.

It is difficult to see how the threats to the Electronic Cigarette Industry can be mitigated when misinformation continues to be widely reported. It all began with a [press release](#), issued by LACORS in March 2009, which reported a simple mathematical miscalculation from a laboratory technician testing electronic cigarette cartridges. This error (explained in detail [here](#)) and the subsequent reports about 'highly toxic electronic cigarettes' have fanned the flames with misinformation and rumour – including a reiteration of the error in a further news release from [LACORS](#), and in their '[Guidance for Council Regulatory Offices](#)', together with inaccurate reports from the [Local Government Association](#), [ASH Scotland](#), [BBC News](#), the [Shropshire Star](#), [Consumer Action Group](#), the [Brunei Times](#), [GoToSee.com](#), and [Mail Online](#). All of these either directly refer to the LACORS press release, or to a third party which passed on the 'information' from the LACORS press release.

There have been unsubstantiated allegations that UK retailers of Electronic Cigarettes are trying to sell these products to children. This is simply (and literally) incredible – it lacks all credibility. In actual fact, the average age of an electronic cigarette user is around 45. No responsible retailer would sell these to children, nor would children want to buy them.

It is certainly fair to say that there were issues surrounding the correct labelling of these products, but the Industry deserves considerable credit for the efforts it has made to initiate co-operative working relationships

with individual Trading Standards Officers, and to ensure fully-compliant packaging with correct warning labels on these products. **The Electronic Cigarette Industry welcomes and encourages sensible and proportionate regulation. It already complies with the sufficient laws provided for General Sales Products.**

Prime Minister David Cameron talked of giving people 'power and control over their lives' during his first joint press conference with Nick Clegg in the gardens of 10 Downing Street. We trust this will include giving smokers access to the truth about their options, so that they can mitigate their risk to the greatest extent possible. This would be in stark contrast to the 'quit or die' mantra we heard repeatedly from the Labour government.

Quitting is all very well, until you look at the studies and evidence to find that existing smoking cessation services and products (NRT) actually FAIL (at best) 93% of the time. This cannot be a sensible policy position for healthcare regulators to adopt.

It is of the utmost importance that the **truth** about electronic cigarettes is widely published, so that the very real health benefits on offer can be enjoyed by Britain's smokers. Britain is not alone in having published such misinformation: the FDA in the United States has been similarly criticised by public health experts. *"Telling smokers they may not use electronic cigarettes until they're approved by the FDA is like telling a floundering swimmer not to climb aboard a raft because it might have a leak."* Jacob Sullum, senior editor at Reason magazine, USA.

The 'logic' the regulators use is that electronic cigarettes have not yet been proven to be 100% safe. They have misunderstood their remit entirely. Both LACORS and the MHRA have a duty of care to the public, specifically (in the case of the MHRA) to the public health. Just as in the USA: *"This is about as idiotic and irrational an approach as I have ever seen in my 22 years in tobacco control and public health. A public policy maker who touts himself as being a champion of the public's health as well as some of the leading national health advocacy organizations is demanding that we ban what is clearly a much safer cigarette than those on the market, but that we allow, protect, approve and institutionalize the really toxic ones."* Professor Michael Siegel, physician, researcher and professor at the Boston University School of Public Health, in response to Senator Frank Lautenberg's letter to the FDA suggesting the ban of electronic cigarettes [read more...](#)

We now have a real opportunity for Britain to lead the way – under the guidance of our newly-formed coalition government – in redressing the balance so that the public can be informed accurately and a good first step toward this would be for **LACORS to take the lead and publish an erratum to their press release of 13/03/09.**

Best Regards

Simon Christou

MD

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This email has been sent to:

LACORS

Trading Standards Officers

MHRA
MPs
Department of Health
MEPs
WHO
Industry experts and advocates internationally
Dispatches
Panorama
C4 news
ITN
Sky news
Radio 5 Live
C5 news
Private Eye
The Guardian
The Independent
The Telegraph
The Times
The Sun
Guido Fawkes
ASH Scotland and UK
BBC news
BBC Radio
Our industry colleagues

and is available at our websites.

Please sign [this petition](#) to ensure electronic cigarettes are classified correctly in the UK.

Follow us on [Twitter](#) for the latest stock and news updates.

We'd love for you to share in our success and join our [affiliate program](#).

For great tips and advice just visit our [e-cigs Academy](#)...

...and for the widest range of e-cig supplies in the UK & EU visit our [STORE](#)

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Filename: Annex 4 cover sheet (2)
Directory: C:\Users\Simon\Documents
Template: C:\SJB Templates\Templates\All Offices\plain.all.dot
Title: ANNEX 7
Subject: \
Author: SJ Berwin LLP
Keywords:
Comments:
Creation Date: 21/05/2010 14:14:00
Change Number: 3
Last Saved On: 21/05/2010 14:14:00
Last Saved By: SJ Berwin LLP
Total Editing Time: 8 Minutes
Last Printed On: 31/05/2010 11:02:00
As of Last Complete Printing
Number of Pages: 4
Number of Words: 1,556 (approx.)
Number of Characters: 8,873 (approx.)