Global Approaches to E-cigarette Regulation

JOHNS HOPKINS
BLOOMBERG SCHOOL
of PUBLIC HEALTH

Institute for Global Tobacco Control

Ryan David Kennedy, PhD, Ayodeji Awopegba, DMD, Elaine De Leon, MHS, Joanna Cohen, PhD

Background

- E-cigarettes—and other electronic nicotine delivery systems (ENDS)—vaporize liquid that contains nicotine and produce an aerosol inhaled by users.
- This policy scan identifies approaches countries are taking to regulate e-cigarettes.

Methods

- **123 countries** were reviewed for regulations on e-cigarettes: 90 from a 2014 World Health Organization (WHO) report on e-cigarette policies, 12 high-income (OECD) countries that were not in the WHO report, and 21 additional countries.
- We searched respective Ministries of Health websites to identify regulatory mechanisms used to regulate ENDS including legislation, decrees or resolutions issued by governments.
- **70 countries** were identified in this search as having regulations on e-cigarettes.
- In most cases direct contact (phone or email) was necessary with country bureaucrats (generally with the Ministry of Health) to clarify interpretations of regulation.

Results

Regulatory strategies:
- Product classification
- Sale: restrictions, total bans, minimum age for purchase
- Advertising, promotion and sponsorship
- Manufacturing, importation and distribution
- Use in public places
- Tax

Regulatory mechanisms:
- New law, decree, resolution, circular
- Existing legislation or existing bans on imitation tobacco products
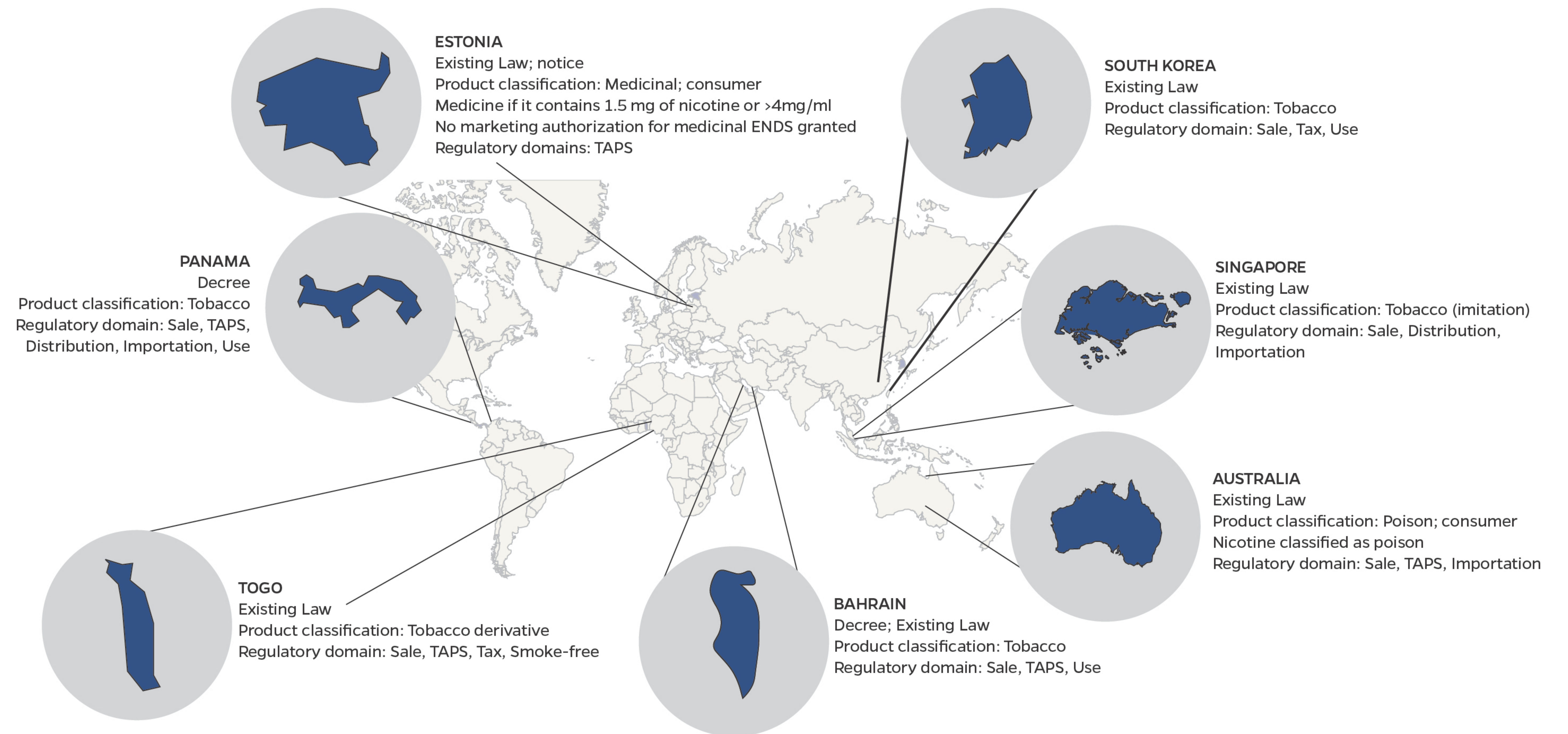- Amendments to existing legislation
- Combination of any of the above

Figure 1. Examples of country-level approaches to regulate e-cigarette and other electronic nicotine delivery systems

ESTONIA
Existing Law; notice
Product classification: Medicinal; consumer
Medicine if it contains 1.5 mg of nicotine or >4mg/ml
No marketing authorization for medicinal ENDS granted
Regulatory domains: TAPS

SOUTH KOREA
Existing Law
Product classification: Tobacco
Regulatory domain: Sale, Tax, Use

PANAMA
Decree
Product classification: Tobacco
Regulatory domain: Sale, TAPS, Distribution, Importation, Use

SINGAPORE
Existing Law
Product classification: Tobacco (imitation)
Regulatory domain: Sale, Distribution, Importation

TOGO
Existing Law
Product classification: Tobacco derivative
Regulatory domain: Sale, TAPS, Tax, Smoke-free

BAHRAIN
Decree; Existing Law
Product classification: Tobacco
Regulatory domain: Sale, TAPS, Use

AUSTRALIA
Existing Law
Product classification: Poison; consumer
Nicotine classified as poison
Regulatory domain: Sale, TAPS, Importation

Regulatory approaches taken at the national level are highlighted in Figure 1. Countries highlighted include a range of policy options including policy approaches that were less common in the global scan such as taxation or restrictions on sponsorship.

Conclusions and Discussion

- Globally there are many different approaches being used to regulate e-cigarettes and other electronic nicotine delivery systems. Many countries make a regulatory distinction between ENDS products that contain nicotine and those that do not.
- It will be important to understand how different regulatory approaches impact e-cigarette and ENDS use, as well as possible impacts on public health.
- Find the full policy scan at: http://globaltobaccocontrol.org/global-ecig-policy

www.globaltobaccocontrol.org