

Cancer Society of New Zealand Submission to Health Committee on Smokefree Environments and Regulated Products Amendment Bill (No 2)

About the Cancer Society of New Zealand

The Cancer Society of New Zealand is the country's leading organisation dedicated to reducing the incidence and impact of cancer in Aotearoa. We are committed to working with communities and decision makers by providing leadership and advocacy in cancer control, with core services in information and support, research and cancer prevention.

This submission has been prepared by Emma Shields. It has been approved by Nicola Coom, Chief Executive and Dr. Kate Gregory, Medical Director

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We wish to make the following comments

Cancer Society Position on Vaping

The Cancer Society is committed to reducing the incidence and impact of cancer. Tobacco remains the biggest cause of cancer death in Aotearoa New Zealand (1). The evidence so far shows that legal e-cigarettes are less harmful than smoking (2), and can help people stop smoking (3). E-cigarettes are a popular smoking cessation tool in New Zealand (4,5,6). E-cigarettes therefore provide an opportunity to help people who smoke to stop, which reduces their risk of cancer and other tobacco related diseases.

However, as they are a relatively new product, their long-term impacts are unknown so they cannot be considered to be risk-free. They should therefore not be used by people who do not smoke, and young people in particular.

Summary of the Cancer Society position on vaping is that:

1. Breathing in fresh air is best. It's best not to smoke or vape.
2. If you smoke, vaping is less harmful and could help you stop smoking. When you're confident you won't go back to smoking, we recommend getting support to stop vaping too.
3. Vaping is not for young people and the increase in vaping among rangatahi in New Zealand is concerning.

The full Cancer Society Position Statement on Vaping is available [here](#)

Youth vaping

The Cancer Society is concerned that the number of young people who are vaping is rising, particularly amongst rangatahi Māori (7,8).

Whilst vaping is likely less harmful physically than smoking, we share community concern about other aspects of harm (9). For example, from addiction and the financial burden of buying vaping products. We know from previous surveys and submissions the Cancer Society has submitted on vaping regulations that there is considerable community support for addressing youth vaping in Aotearoa. We also know that there is community support for measures that go further than those proposed by this Bill. Please see previous Cancer Society submissions on e-cigarettes [here](#).

The Cancer Society is clear that vapes should only have a role in helping people to stop smoking. Marketing strategies that have been used by vaping companies to target or appeal to children are unacceptable. These include packaging design, colours, flavours, and cheap disposable options (10).

Some research suggests that young people who vape are more likely to go on to smoke (known as the 'gateway effect') (11). So far we have not seen this occur in New Zealand,

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and smoking rates continue to decline across all age groups (12). But it's important to continue to closely monitor smoking and vaping trends.

References

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We wish to make the following recommendations

We recommend that the Government make sure our laws strike the right balance of supporting people who vape to stop smoking whilst protecting young people from vaping. We recommend considering all vaping regulations in the context of smoked tobacco regulations to ensure that tobacco is not more available than vapes.

We strongly recommend the full implementation of the Smokefree 2025 Action Plan and tobacco endgame measures including denicotinisation, smokefree generation and tobacco retail reduction. Once tobacco end game measures are implemented, the Smokefree Generation will likely make vaping's legitimacy as a cessation tool in Aotearoa redundant.

In regards to vaping, we support the following measures:

Availability

- We support **ending sale of single use disposable vapes** favoured by young people, but while tobacco can still be readily purchased, **we recommend further analysis of the definition proposed by the Bill**. The current definition includes 'pod' and 'cartridge' products favoured by adults who use vaping as an alternative to smoking, which could have unintended consequences for people who smoke including for older people and people living with disabilities.
- **Introducing and enforcing robust age verification procedures** to prevent online and in-person sales to people under 18 years old. **We support an increase in penalties for unlawful sales of regulated products to minors**, although we note that this increase should also apply to alcohol products, a known cause of at least seven types of cancer. **We also recommend funding sufficient resource to monitor compliance and enforcement**.
- Currently there are no restrictions on where smoked tobacco can be sold. So, while we support restricting proximity to Early Childhood Centres (ECE), we strongly **urge the Government to also review the retail settings of smoked tobacco**. We also recommend that the regulation for ECE be consistent with other vaping product proximity regulations and that vaping products not be sold within 300m from ECE.
- We also support **reducing the current number of places that can sell vapes** especially in low-income areas, taking into consideration the availability of smoked tobacco so that **tobacco is not more available than vapes**.

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Promotion and marketing

- **Stopping point-of-sale displays of vaping products** in generic retail outlets.
- Requiring **plain black and white packaging** for vaping products (but retaining dissuasive packaging for smoked tobacco products).
- Requiring that **vaping products are not visible** from the street.

Ongoing Monitoring and Evaluation

- We recommend **regular reporting** on the effectiveness of the legislation on reducing youth vaping and impact on smoking cessation
- We recommend that the Ministry of Health continue to **closely monitor evidence** from New Zealand and internationally on the impacts of vapes so that policy and practice can be rapidly updated if needed in light of emerging evidence.

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