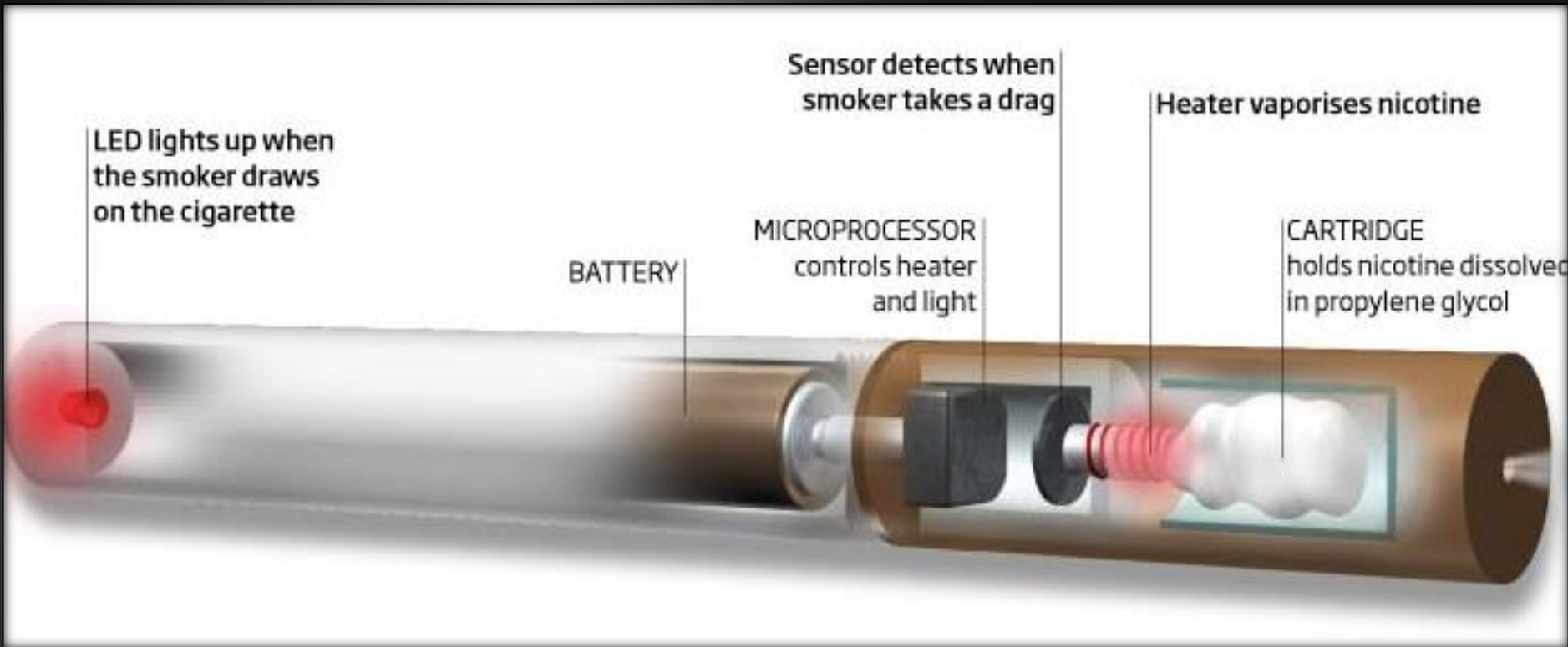


# E-Cigarettes: No Smoke, But Plenty of Fire!

Melodie Tilson  
Non-Smokers' Rights Association  
4 December 2012



Basic e-cigarette:  
battery, vaporizing chamber, cartridge

# Burgeoning popularity

- ▶ Ruyan, 2007
  - ▶ Crown 7
  - ▶ Njoy
  - ▶ SmokeStik
  - ▶ Smoking Everywhere
  - ▶ Gamucci
- Now, too many to list ...
- 
- New brands  
New products  
New technologies  
New flavours

Most brands manufactured in China, not in approved manufacturing facilities



Convenient USB Charger



Just 84mm long!



# Vapur



CLASSIER HEALTHIER WAY TO SMOKE. QUIT WITHOUT QUITTING

HOME ORDER VAPUR HOW IT WORKS VAPUR ADVANTAGE TESTIMONIALS CONTACT US FAQ SMOKING FACTS DISTRIBUTORS

## Vapur

### 5 DIFFERENT FLAVORS

Regular, Vanilla, Grape, Strawberry & Menthol



Vapur Atomizer's  
Creates Triple The  
Amount of Vapur

## Vapur



**100% SATISFACTION GUARANTEE**



Vapur Electronic Cigarettes Product Infos Share More info

**Vapur kits** come with everything you need to get started. Our kits also come with three different chargers so you can charge your batteries just about everywhere. Our Cartridges come in your choice of five different flavors and four nicotine strengths.



0:21 / 1:53

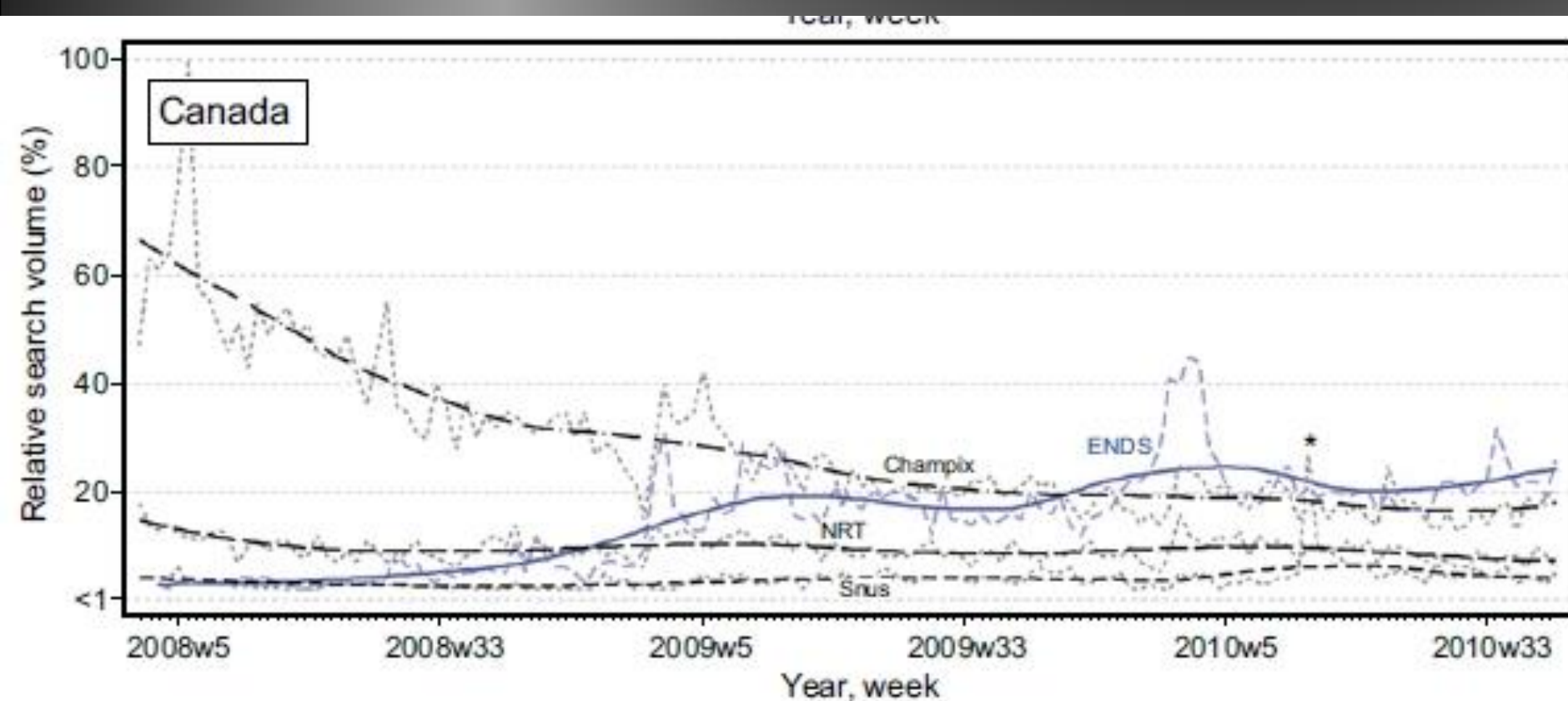


Adjustable voltage, square shape, puff counter





# Internet Searches: E-Cigarettes, Snus, NRT, Champix



(Ayers et al, *American Journal of Preventive Medicine*,  
April 2011)

# Awareness and use of e-cigarettes

- ▶ No Canadian data;
- ▶ Two large US surveys in 2010
- ▶ 40% had heard of e-cigarettes, awareness highest among current smokers (online survey)
- ▶ 11% of current smokers have ever used e-cigarette
  - Low rates of use among former smokers (2%) and never-smokers (0.5%)
  - Use inversely proportionate to age
- ▶ Strong belief among smokers that e-cigarettes are less harmful than regular cigarettes (71% online, 85% in smoker survey)

(Pearson et al, *American Journal of Public Health*, July 2011)



# Health Canada's position

March 27, 2009

## NOTICE

Our file number: 09-108446-55

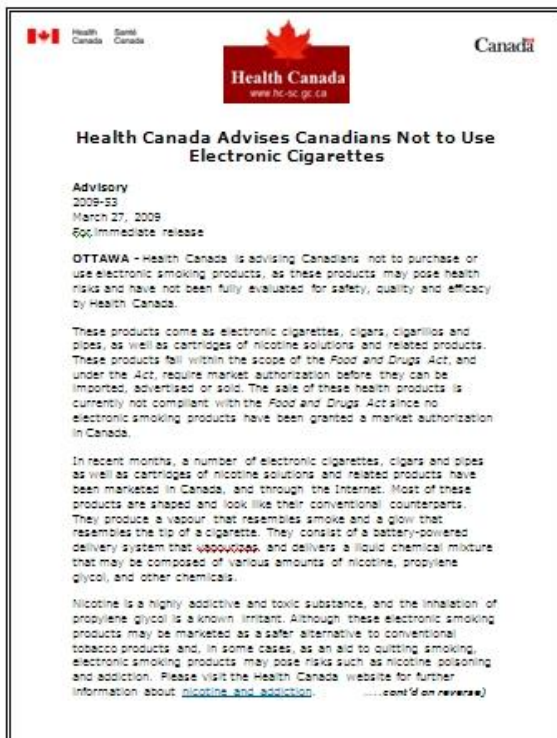
### To All Persons Interested in Importing, Advertising or Selling Electronic Smoking Products in Canada

Electronic smoking products (i.e., electronic products for the vaporization and administration of inhaled doses of nicotine including electronic cigarettes, cigars, cigarillos and pipes, as well as cartridges of nicotine solutions and related products) fall within the scope of the *Food and Drugs Act*. All of these products require market authorization prior to being imported, advertised or sold in Canada. Market authorization is granted by Health Canada following successful review of scientific evidence demonstrating safety, quality and efficacy with respect to the intended purpose of the health product authorization. To date, no e-cigarettes have been authorized in Canada.

In the absence of evidence for a health product delivering nicotine in a form that complies with *Drug Regulations*. In addition, products containing nicotine must meet the requirements of the *Food and Drugs Act* and its associated regulations. Establishment licences issued to manufacturers of electronic cigarettes are subject to the requirements of the *Food and Drugs Act*.

Health Canada is aware that some persons in Canada without market authorization are advertising or selling electronic smoking products. Health Canada has asked them to stop doing so immediately. Health Canada will take enforcement actions in accordance with the *Food and Drugs Act* and its associated regulations.

If you wish to submit a comment regarding market authorization, please contact Health Canada at 1-877-975-2233.



- ▶ All electronic products for administration of inhaled doses of nicotine are new drugs; thus fall under *Food and Drugs Act*
- ▶ Cannot be imported, marketed, sold in Canada without market authorization from Health Canada
- ▶ Delivery system of e-cig containing nicotine must meet requirements of *Medical Devices Regs*

# Health Canada's position

## ▶ Regulatory grey zone

E-cigarettes for nicotine use	Illegal
-------------------------------	---------

E-cigarettes not for nicotine use that make a health claim	Illegal
--	---------

Nicotine cartridges/liquid	Illegal
----------------------------	---------

E-cigarettes not for nicotine use that do not make a health claim	Legal
---	-------

# E-cigarettes: Regulatory grey zone

Vendors not permitted to explain to customers what they do—“The only thing I’m allowed to do is sell them as a novelty product”

Health Canada:  
*“The lines are blurry...”*

[www.noifsandsorbutts.ca](http://www.noifsandsorbutts.ca)

Wednesday, April 25, 2012 |    [Subscriber Services](#) [Join our research panel!](#)

**News | Columnists / Ian Gillespie**

## Enter the smoky world of e-cigarettes


THE CITY: Electronic cigarettes raise a few questions, but Craig Smith's not allowed to answer them

By IAN GILLESPIE, THE LONDON FREE PRESS

Last Updated: April 25, 2012 7:34am

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Craig Smith enjoys an “electronic cigarette,” which produces vapour, not smoke. He sells them on his website [www.noifsandsorbutts.ca](http://www.noifsandsorbutts.ca). (DEREK RUTTA, The London Free Press)

Craig Smith sells electronic cigarettes -- neat little devices that contain no nicotine, “light” with the push of a button, come in various flavours (including mango, dill pickle and peanut butter) and when “smoked” emit harmless steam vapours that leave no lingering stains or odours.

The devices, which Smith has been selling online ([www.noifsandsorbutts.ca](http://www.noifsandsorbutts.ca)) and out of his south London home for about a year, are legal.

But according to federal regulations, Smith can't explain why he sells these e-cigarettes.

“I'm not allowed to tell people what electronic cigarettes actually do,” says Smith. “The only thing I'm allowed to do is sell them as a novelty product. If you want to learn about electronic cigarettes . . . you have to do the research yourself because I'm not allowed to tell you because I sell them.”

Welcome to the convoluted world of e-cigarettes where, as Health Canada media relations officer Olivia Caron tells me, “The lines are blurry.”

For the record (and according to its stated regulations), Health Canada “advises Canadians not to purchase or use electronic smoking products, as these products may pose health risks and have not been evaluated for safety, quality and efficacy. . . . To date, no electronic cigarette product has received market authorization from Health Canada.”

# Current situation in Ontario

- ▶ Retailers in many jurisdictions are openly selling and promoting e-cigarettes and paraphernalia
  - Internet
  - Head shops
  - Flea markets
  - Mobile sales at workplaces
  - Kiosks in malls
  - Convenience stores
  - Gas stations
  - Pharmacies



**THE FUTURE OF**

*Looks like a Cigarette...  
Tastes like a Cigarette...  
Feels like a Cigarette...  
But it's NOT a Cigarette...  
It's a...*

**SMARTSMOKE**  
ELECTRONIC CIGARETTE

- Smoke Anywhere
- Tar Free
- Odorless
- Rechargeable
- Save \$\$\$



**AVAILABL**



**SMARTSMOKE**  
ELECTRONIC CIGARETTE

**ENJOY  
SMOKING  
INDOORS.  
LEGALLY.**



**AVAILABLE HERE**

**SMARTSMOKE.ORG**

Ads in shop window, Milton, ON, June 2010



Electronic Smoking- Get out of the cold!  
Smoke anywhere!- No odor - No toxic chemicals!

Electronic Cigarette, USB Charger,  
(5) Filters = 230 Cigarettes -  
Only \$25.30  
Buy direct and save - Comparable  
Product sold for as much as \$150.00  
Choose: Regular Tobacco, Menthol,  
Marlboro, Coffee, Chocolate,  
or Vanilla



With your safer, cleaner, odorless  
electronic cigarette, you will be able  
to legally smoke anywhere -  
restaurants, bars, work, and even at  
home around your spouse and  
children.

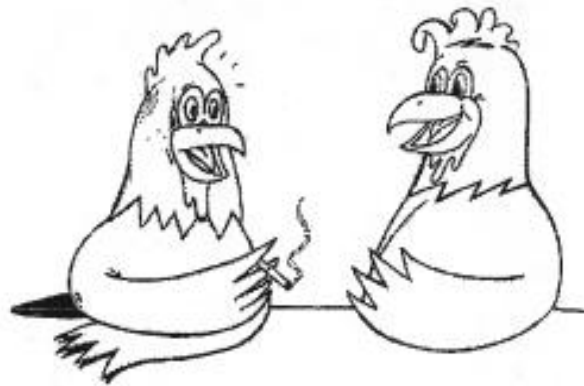
Order on Line:

[www.stopsmoking12.com](http://www.stopsmoking12.com)

Customer Service: 800-408-5840

to be removed from our fax list,

Fax back toll Free, 877-441-0162



Fax Blast  
received by  
various ON  
health units,  
March 2011

*“You will be able to  
legally smoke  
anywhere—  
restaurants, bars,  
work, even around  
you spouse and  
children.”*



# SMOKE INDOORS AGAIN

## HD SMOKE

HIGH DEFINITION SMOKING

### ELECTRONIC CIGARETTES

THE FUTURE OF SMOKING

HDSmoke™ is a revolutionary, battery powered device that resembles a traditional cigarette and fully recreates the whole smoking experience including "nicotine".

HDSmoke™ is a cleaner, smarter alternative to smoked tobacco products such as cigarettes, pipes & cigars because it is free of all carbon monoxide, tars, formaldehyde, and other harmful chemicals.

HDSmoke™ does not emit second-hand smoke. It also eliminates bad breath & yellow teeth. The disposable cartomizer contains propylene glycol (a food additive), flavoring and water. When you inhale, the battery automatically turns on and heats the liquid which is then vaporized to resemble smoke.

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PURE SMOKING SATISFACTION

Used by Celebrities like Johnny Depp, Leonardo Di Caprio, Simon Cowell, Paris Hilton, Katherine Heigl, Dr. Travis, Lindsay Lohan, Letterman & more... What are you waiting for?

# HD SMOKE

HDSmoke.com  
HDSmoke.ca



Newspaper, Windsor, ON, Aug 2011

# HD SMOKE

## HIGH DEFINITION SMOKING

**3 GREAT MONEY \$\$\$ MAKING \$\$\$ PRODUCTS**  
**STOCK THESE ITEMS TODAY!**

### HD SMOKE DELUXE STARTER KITS

- Equivalent to 9 packs of Cigarettes
- 2-piece design with Rechargeable Battery
- Lifetime Warranty
- 3 Popular Kit Flavors: Full, Robust & Menthol
- 8 Cartomizer Flavors: Full Tobacco, Robust Tobacco, Menthol, Apple, Cherry Chocolate, Coffee, Vanilla

ELECTRONIC CIGARETTES



- America's FAVORite Disposable Electronic Cigarettes
- 3 High Demand Flavors: Tobacco, Menthol, Vanilla
- 400+ Puffs
- Set your own Price
- FAV = Profits



- Popular CORONA Size
- 1500+ Puffs
- Equivalent to 35 Cigars
- Realistic Ash Tip
- Soft Plastic Mouthpiece
- Great Cigar Flavor

CORONA

HD *Biggest*

*... experience the difference!*



### WHY CHOOSE HD SMOKE ?

- Huge Profits
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- Residual Income Selling Cartomizer Refills
- We Send Customers to You
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Toll Free: 1-855-HD-SMOKE  
or: 1-855-437-6653  
Fax: 647-547-8176  
Email: [sales@hdsmove.com](mailto:sales@hdsmove.com)  
Web: [www.HDSmoke.com](http://www.HDSmoke.com)

**Distributors & Retailers Wanted**

[www.HDSmoke.com](http://www.HDSmoke.com)



# HD SMOKE

## ELECTRONIC CIGARETTES

GIVE YOUR LUNGS A BREAK

# YOU HAVE OPTIONS



For yourself... For the ones you love...

LOOKS, FEELS & TASTES LIKE A REAL CIGARETTE

**Quality, Value, Service**

For more info or to find a dealer near you, visit: [HDSmoke.com](http://HDSmoke.com) [HDSmoke.ca](http://HDSmoke.ca)

Retail trade journal, May 2012



Outdoor ad  
Brantford, ON  
October 2011



# No Ifs Ands or Butts

*Save your money, save your life!*

Electronic Cigarettes, Accessories and E-Liquid

Join us at the **Trail's End Farmers Market** in the produce building stall 40 Saturdays

or find us at the **Aylmer Sales Arena** in the center aisle Tuesdays

No Ifs Ands or Butts is a London, Ontario, Canada based Electronic Cigarette company. The company was founded by former smokers who, after using E-Cigarettes to break their own habit, felt a need to share the product with other smokers.

Home

Media

Products

FAQ

**90% cheaper than cigarettes!**

**No tobacco or harmful chemicals!**



Website, London ON-based e-cigarette retailer,  
September 2011

<http://noifsandsorbutts.ca>

Pioneer gas station, ON 2012





Ad for e-cigarettes  
on covered cigarette  
gantry, ON, 2012



# The controversy

- ▶ E-cigarettes are unproven cessation devices; should be required to undergo same rigorous testing for safety/efficacy as other NRTs
- ▶ E-cigarettes have potential to undermine major tobacco control gains

Opponents

- ▶ E-cigarettes are clean drug delivery device that can satisfy smokers' addiction to nicotine and to smoking behaviours
- ▶ Even if untested, health risks of e-cigarettes could not come close to those of cigarettes

Proponents



# Proponents

- ▶ Substantially lower health risks than cigarettes
- ▶ Main ingredient—propylene glycol—has been proven safe
  - asthma inhalers, nebulizers
  - Food additive: humectant, preservative
  - theatre fog
- ▶ No risk to others from second-hand ‘vapour’
- ▶ No deaths; only one hospitalization ever reported

# Proponents

- ▶ Effective in helping smokers ↓ cigarette use
- ▶ Effective in helping smokers quit smoking
  - Thousands of testimonials/anecdotal reports on Internet
  - Surveys of e-cig users (small samples; internet based)
    - 78% of 110 users not used tobacco in past 30 days
    - Most felt e-cig helped them quit (Foulds 2011)
  - One small, single blind study, 40 smokers (Bullen 2010)
    - 16mg nicotine scored highest for enabling participants to refrain from smoking
    - 16mg received similar ratings for satisfaction + ease of use as nicotine inhaler

# Opponents

- ▶ Long-term health risks not yet known
- ▶ Safety concerns
- ▶ Lack of quality controls
- ▶ Misleading/incorrect labelling & promotion
- ▶ Little evidence of effectiveness as cessation aid
- ▶ Tobacco control successes undermined
  - Increased social exposure to 'smoking': Will e-cigarette promotion/use re-normalize smoking?
  - Dual use = increased consumption
  - Enforcement of smoking bans complicated



# Unproven cessation claims

- ▶ No randomized, controlled trials
  - Mostly anecdotal evidence
  - Financed by e-cig manufacturers
  - Focus groups/surveys
- ▶ Much lower nicotine delivery than cigarettes
- ▶ High variability in quantity of nicotine delivered among brands and within a brand
- ▶ Amount of vapour diminishes throughout life of e-cigarette



# Labelling issues

- ▶ FDA testing found nicotine levels  $\neq$  information on labels; most e-cigs labelled as nicotine-free *did* contain nicotine
- ▶ Significant variation in contents and deliveries among cartridges/brands and within brands means nicotine dosage on label may not reflect what's inhaled
- ▶ Many brands make health claims



# Will e-cigarettes re-normalize smoking?



“Can I smoke anywhere? Technically yes. Since it is non-flammable and contains no burned dried or cured plant leaves, it is not smoking and its use is not prohibited by law. Customers have used the product in restaurants, in airports, at work and in other places where traditional smoking is banned.” ([www.smokeanywhere.com](http://www.smokeanywhere.com))



# Will e-cigarettes re-normalize smoking?

## ▶ Celebrity endorsements

- Katherine Heigl, Lindsay Lohan, Charlie Sheen, Dennis Quaid



- “The Doctors”
- Celebrity blog by Robin Sullivan (<http://www.esmokingreviews.com>)



Today's Deal

**Kijiji Exclusive**

FAQ

Sign in

**\$19 for an Electronic Cigarette Kit (\$59 Value) or \$29 for Two Kits (\$100 Value) from Kijiji Exclusive - Includes Taxes and Shipping**

VALUE	DISCOUNT	SAVINGS
\$59	68%	\$40

**\$19**

expired

NEVER MISS A DEAL AGAIN!

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## Greensmoke AND BluCigs Sponsor NASCAR Memorial Day Weekend 2011 [Pictures]

 POSTED BY SPARKY



Green Smoke's Car #50 (Click to Enlarge)

# Will e-cigarettes re-normalize smoking?

## ▶ Promotional gimmicks

- Blu allows users to communicate with each other
- LoongTotem features adjustable smoke volume
- Many brands offer cartridges in unique flavours and in flavours that appeal to kids

**NEW!**

## Smart Pack

changes electronic cigarette industry.



WATCH THE LAUNCH VIDEO ▶

**The New York Times**  
Expect the World®



“Blu has developed packs of e-cigarettes with sensors that will let users know when other e-smokers are nearby. Think of it as social smoking for the social networking era.”

- *New York Times*

**Patented electronic cigarettes with customizable smoke volumes**



Electronic cigarettes with 1,300mAh batteries and 2.5mL cartomizers



“All our E-Liquid is made from USP certified food/medical grade ingredients and do not contain any harmful chemicals.

All our E-Liquids are PG/VG blends using only vape-safe flavorings”

- ▶ American/Canadian/European Tobacco
- ▶ Menthol Tobacco
- ▶ Pipe Tobacco
- ▶ Black Cherry Pipe Tobacco
- ▶ Cuban Cigar Tobacco
- ▶ Earl Grey Tea
- ▶ Clove
- ▶ Butter Rum
- ▶ Cola
- ▶ Irish Cream
- ▶ Bubblegum
- ▶ Hot Cocoa
- ▶ Caramel Cream Liqueur
- ▶ Butterscotch Ripple
- ▶ Black Licorice
- ▶ Strawberries and Cream
- ▶ Dill Pickle
- ▶ Sweet Tarts
- ▶ Warm Apple Pie
- ▶ Peanut Butter
- ▶ French Vanilla
- ▶ Orange Creamsicle
- ▶ Chelsea Bun
- ▶ Watermelon/Mango/Grape/Strawberry/Banana/Green Apple /Blueberry
- ▶ Snicker Doodle
- ▶ Spearmint
- ▶ Cherry Blossom
- ▶ Honeysuckle
- ▶ Kettle Corn

# Will e-cigarettes re-normalize smoking?

- ▶ Big Tobacco is buying e-cigarette companies
  - BAT established Nicoventures in 2011, division devoted to smoking alternatives
  - Imperial Tobacco bought undisclosed stake in e-cigarette company in 2011 (large expansion in 2012)
  - Lorillard bought blu e-cigarettes in 2012
  - Japan Tobacco signed agreement in 2012 to commercialize e-cigarettes made by Ploom

August 12, 2012 4:45 pm

## Big Tobacco bets on e-cigarette future

By Mark Wembridge and Christopher Thompson



When a passenger on an intercity Megabus coach service reported seeing smoke emanating from a carry-on bag last month, British authorities feared a terrorist attack, and closed down a big motorway.

What armed police, fire crews and bomb disposal experts discovered was altogether

less sinister: the “smoke” was in fact vapour from an electronic cigarette device.

# Position of other jurisdictions—WHO

- ▶ Extent of nicotine uptake and its safety have not been established
- ▶ Insufficient scientific evidence to establish nicotine dosing capabilities, efficacy as cessation aids, safety of use
- ▶ Concern that nicotine delivery to the lung might result in stronger toxicological, physiological, and addictive effects
- ▶ Should be regulated as combination drug/medical device
- ▶ If regulated as tobacco product, manufacture/sale/import should be subject to FCTC requirements:
  - Contents and labelling (Articles 9–11)
  - Prohibition on public use that might expose others to emissions (Article 8)
  - Ban on advertising + promotion (Article 13)



# Position of other jurisdictions

- ▶ E-cigarette regulated as drug or combination drug/ medical device
  - Canada, Australia, Singapore Thailand, Brazil
  - No country has approved e-cigarette as a drug
- ▶ UK: proposed regulation to permit sale of licensed e-cigarettes as harm reduction device
- ▶ NZ: Ministry of Health says e-cigarette is “far safer than smoking,” but sales not yet permitted
  - Government-funded clinical trial of Elusion brand launched in Aug. 2011
  - e-cig part of 20-year plan to phase-out combustible tobacco

# Position of other jurisdictions—FDA

- ▶ In 2009 US FDA halted imports of e-cigarettes  
→ lawsuit by e-cig manufacturers
  - Dec. 2010 federal Court of Appeals ruled that nicotine products, including e-cigs, to be regulated as tobacco not as drugs/devices
  - April 2011 FDA decides to accept ruling; is developing guidelines on various issues

The screenshot shows the FDA website's 'Public Health Focus' section. The article title is 'Regulation of E-Cigarettes and Other Tobacco Products', dated April 25, 2011. The text begins with 'Dear Stakeholder:' and explains the purpose of the letter: to provide information regarding the regulation of tobacco products. It references the Family Smoking Prevention and Tobacco Control Act of 2009, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act). The FD&C Act defines 'tobacco products' as any product 'made or derived from tobacco' that is not a 'drug,' 'device,' or combination product. The article further clarifies the definitions of 'drug' and 'device' under the FD&C Act. It notes that between 2008 and 2010, the FDA determined that certain electronic cigarettes (e-cigarettes) were unapproved drug/device combination products and detained and/or refused admission to those offered for import by Sottera, Inc. and other manufacturers. Sottera, Inc. challenged this determination in court. The article cites a recent decision by the U.S. Court of Appeals for the D.C. Circuit in *Sottera, Inc. v. Food & Drug Administration*, 627 F.3d 891 (D.C. Cir. 2010), which ruled that e-cigarettes and other products made or derived from tobacco can be regulated as 'tobacco products' under the Act, unless they are marketed for therapeutic purposes. The article concludes that the government has decided not to seek further review of this decision, and the FDA will comply with the jurisdictional lines established by Sottera.

# So where do you stand?

How should e-cigarettes be regulated:

- As drugs?
- As tobacco products?
- Under a new nicotine regulatory framework, with controls in proportion to their risk profile?





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613.230.4211 x3

For more info:

[www.nsra-adnf.ca/cms/file/files/e-cig%20Brochure%20FINAL.pdf](http://www.nsra-adnf.ca/cms/file/files/e-cig%20Brochure%20FINAL.pdf)

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