

# E-CIGARETTES AND VAPING

A new challenge to Public Health





What are  
E-cigarettes?

Tanks & Mods



Rechargeable e-cigarette



Disposable e-cigarette



E-cigarettes or Electronic nicotine delivery systems (ENDS) are battery powered smoking devices.

They have cartridges filled with liquid that usually contains nicotine, flavorings and chemicals.



The liquid is heated into an **aerosol**, which the person inhales.

Because the aerosol produced resembles vapor, using E-cigarettes is called **VAPING**.

# THE EMERGENCE



After repeated unavailing attempts, which dates back to 1930s, E-cigarettes were first created in 2003 in China by Hon Lik, a 52-year-old pharmacist, inventor and smoker.

It was sold as a healthy alternative to tobacco.

# E-cigarettes are often called e-cigs, e-hookahs, vapes, vape pens, tank systems or mods



E-pipe



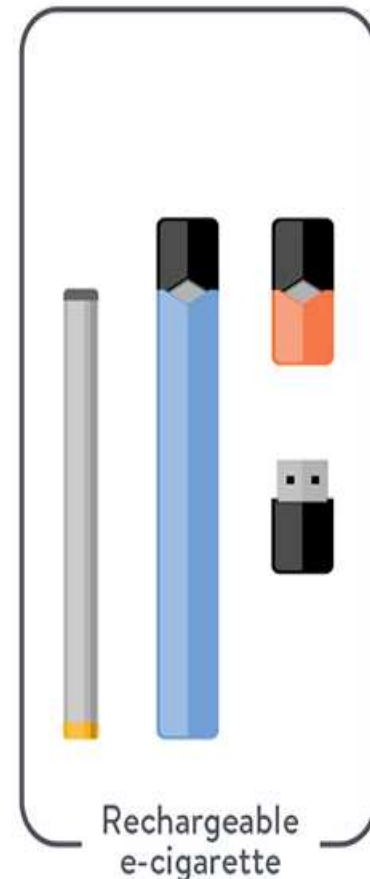
E-cigar



Large-size  
tank devices



Medium-size  
tank devices



Rechargeable  
e-cigarette

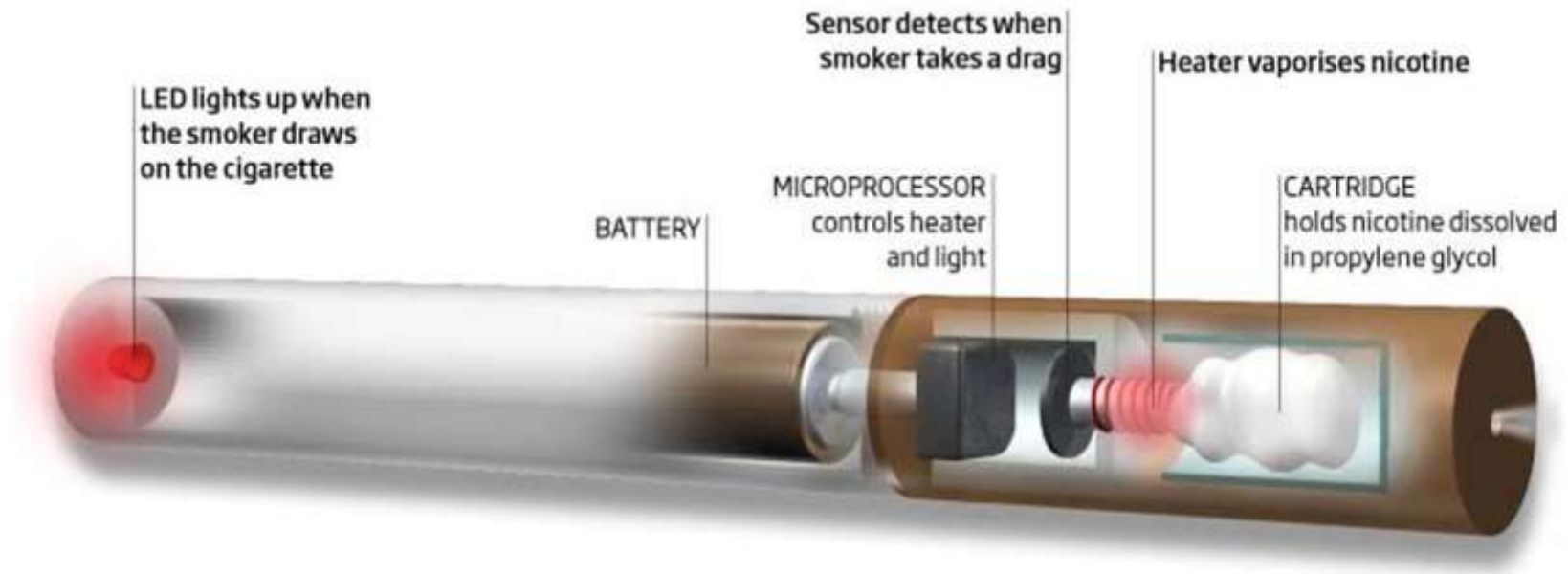


Disposable  
e-cigarette



# Working of an E-cigarette

Upon inhalation the heater known as the atomiser vaporises the nicotine solution turning it into vapour. The user in turn inhales this to get the similar nicotine hit as a normal cigarette, and a real smoking satisfaction.





# Why are E-cigarettes unsafe?



E- cigarette solution contains Nicotine, Propylene glycol and/or vegetable glycerin, may contain heavy metals like nickel, tin and lead, volatile organic compounds, flavoring chemicals and formaldehyde.

# How are these chemicals harmful?



Nicotine is highly addictive and can effect the brain and cardio vascular system.

Nicotine addiction may increase the vulnerability for addiction to other drugs and dual use.



Heavy metals can damage the liver, lungs, immune system, cardiovascular system and nervous system.



Some of the flavoring chemicals in E-cigarettes are toxic and can cause serious lung diseases.

Formaldehyde is a potential cancer causing chemical

Second hand exposure to E-cigarettes is potentially harmful as the aerosol produced can contain toxic cancer causing chemicals

Accidental poisoning, fire and explosions by defective E-cigarette batteries.



# Who are the most affected?



# The Industry tactics

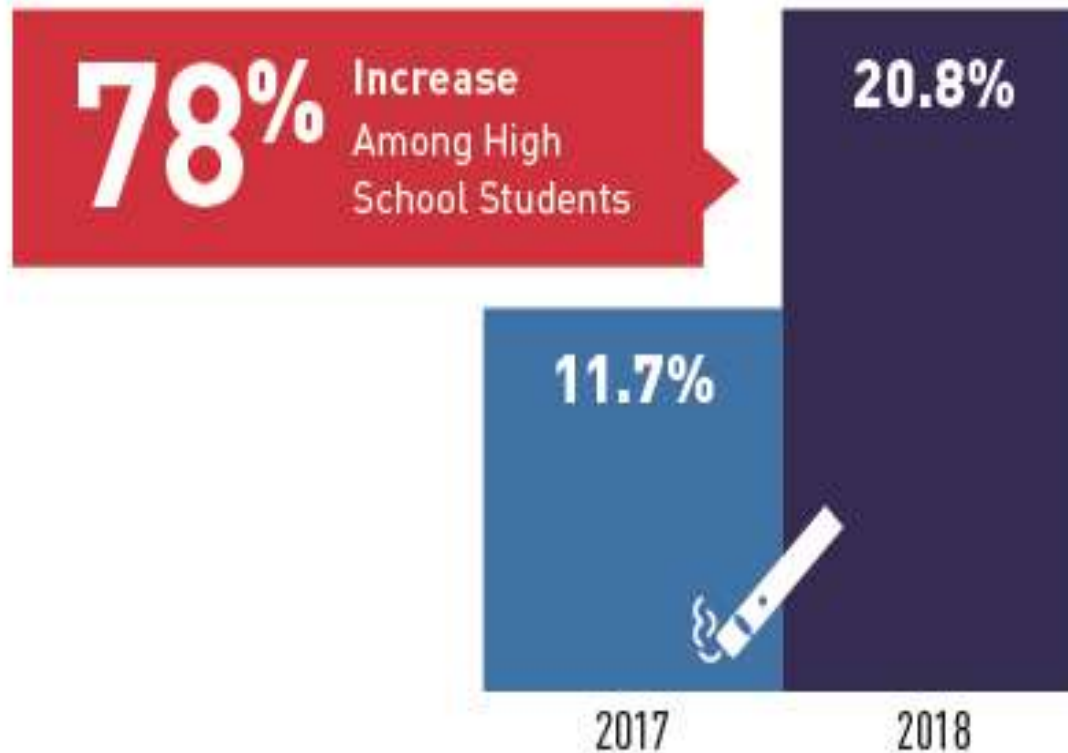


- Variety of flavors to appeal children.
- Designed to look like modern high tech gadgets to attract adolescents.
- Often advertised on social media which is more popular among young adults.

- Industry distributes free samples .
- Market E-cigarettes as a safe product.
- Increases the use of cigarettes among youth.



# SURGE IN YOUTH CURRENT E-CIGARETTE USE



Source: National Youth Tobacco Survey (NYTS) 2018

# Industry arguments on E-cigarettes

- E-cigarettes are a harm reduction product.
- **ENDS** should be viewed as a quitting device.
- Do not ban ENDS, regulate it.
- **ENDS** do not target minors







# E-cigarette regulations around the world



- E-cigarettes have been banned in 30 countries around the world.
- Several countries in the European Union, Brazil, Singapore etc. have imposed restrictions, regulated or banned ENDS.

# Legal status in India

- The sale, supply, import, manufacturing and trade of nicotine for human consumption in India is only permitted as a “drug” under “Schedule K” of “Drugs and Cosmetic Rules, 1945” as an aid for nicotine replacement therapy (NRT).
- **Nicotine is listed as a Hazardous Chemical in the rules made under the Environment (Protection) Act, 1986.**

- **Nicotine is listed as Insecticides under the Insecticide Act, 1968.**
- **Nicotine is prohibited from being used in any food item under Regulation 2.3.4 of the FSS, Regulations, 2011.**
- **Nicotine is regulated under the Drugs and Cosmetics Act 1940 and only 2 to 4 mg of nicotine is permitted in gum lozenges as a cessation drug**



# Cabinet nod for ban on e-cigarettes

EXPRESS NEWS SERVICE @ New Delhi

THE Union Cabinet headed by Narendra Modi on Wednesday decided to ban the production, import and sale of e-cigarettes and similar products in the country, citing health hazards and the need to "nip in the bud an emerging addictive habit" among youngsters. "The smoke exhaled by the users of e-cigarettes contains high level of residual nicotine... It will affect people around them," said Finance Minister Nirmala Sitharaman, who headed a Group of Ministers on the issue. "There are more than 400 brands, none of which is manufactured in India. And they come in over 150 flavours...also, it is odourless," she said.

# Govt bans e-cigs for 'health risk'

Violations will be punishable with imprisonment of up to a year or fine up to Rs 1 lakh or both

#NEWDELHI

A day after New York became the second US state to ban e-cigarettes, the Union Cabinet on Wednesday led by Prime Minister Narendra Modi put a strict ban on the manufacturing, sale, import, export, distribution and advertisement of e-cigarettes in India. Violations will be a cognisable offence punishable with an imprisonment of up to one year or fine up to Rs 1 lakh or both for the first offence and imprisonment of up to three years and fine up to Rs 5 lakh for a subsequent offence, announced finance minister Nirmala Sitharaman.



onment up to six months or fine up to Rs 50,000 or both.

The move was slammed by the Association of Vapers India (AVI) and other groups promoting safer alternatives to tobacco and cigarettes. As per the World Health Organisation, India is the second largest consumer of traditional tobacco products with up to 35 per cent of adults consuming it in some form or the other. The pro-e-cigarette lobby said the latest decision was a clear indication that "the government is trying to protect the cigarette industry, rather than being guided by health concerns".

have been directed to declare and deposit them suo motu at the nearest police station from the time the ordinance comes into effect. The local police sub-inspector is designated as the authorised officer to take action under the ordinance. Storage of electronic cigarettes will also be punishable with an imprisonment up to six months or fine up to Rs 50,000 or both.

- SWETA DUTTA

# Up to 3-year jail-term, ₹5-lakh fine for vaping offences Centre bans use and sale of e-cigarettes

MADHUSUDAN SAHOO NEW DELHI, SEPT. 18



Now, the users of e-cigarettes and e-hookahs can face penalties up to three-year jail term, or upto Rs 5 lakh fine or the both, for repeat offences as the government has announced a complete ban on these items with immediate effect following a Cabinet meeting on Wednesday. The government also said first-time offenders would face a prison term of up to one year and a fine of Rs 1 lakh. The proposed ban, promulgated through an ordinance, will make it illegal to manufacture, sell, transport, distribute, advertise, export or import e-cigarettes. "The Union Cabinet has approved the Promulgation of the Prohibition of Electronic Cigarettes (production, manufacture, import, export, transport, sale, distribution, advertisement and advertisement) Ordinance, 2019 and e-cigarettes along with e-hookahs will be banned in India with immediate effect," Finance Minister Nirmala Sitharaman said, adding that an ordinance will be passed on

the same considering the seriousness of the impact of e-cigarettes on the people's health. "The Health Ministry in its draft ordinance had proposed a jail term of up to one year along with a penalty of Rs 1 lakh against first time violators. This can go up to imprisonment of three years or a fine up to Rs 5 lakh for subsequent violations," she added. "Touted as a tool to combat tobacco addiction, electronic cigarettes and other vaping products pose the risk of children increasingly taking up smoking. "There has been a substantial increase in the number of young people, including school children, taking to e-cigarettes in the US and even in India; the youth is said to consider vaping as a style statement," said Sitharaman. It is, she said, alarming that there was over 78 per cent increase in the number of school children using e-cigarettes in the US. "There are nearly 3 million e-cigarette users in the US currently and in a matter of four to five years since 2011, there has been a 100 per cent growth in use of such electronic nicotine delivery systems, or ENDS products, one of the popular brands,

between 2011 and 2016. The decision to prohibit its use would protect the population, particularly the youth and children from the risk of nicotine addiction through e-cigarettes," she added. According to media reports, on September 17, New York became the first state in the US to ban the sale of flavoured e-cigarettes following a surge of breathing illnesses linked to vaping nationally. As far as India is concerned, it has over 100 million adult smokers, second only to China in the world, making it a lucrative market for firms such as Altria and Philip Morris, the most popular ones. It is learnt that more than 900,000 people die each year in India due to tobacco-related illnesses. Sixteen state governments have prohibited e-cigarettes but there is as yet no central legislation to deal with what the health ministry termed the "hazardous product". The Health Ministry also said e-cigarettes or similar products can also be used as delivery devices for other substances such as cannabis.

# ई-सिगरेट पर होगी पाबंदी, न मानने पर जेल और जुर्माना

विशेष संवाददाता, नई दिल्ली

संस्कार ने देश में ई-सिगरेट, ई-हुकहा और ई-स्मॉक जैसे इलेक्ट्रॉनिक निकोटिन डिवाइसों के सिगरेट्स (ENDS) पर प्रतिबंध लगाने का वक्तव्य को रोजगार किया। कैबिनेट ने इस निर्णय को अल्पवय के मंत्रियों के, जैसे राष्ट्रपति को मंत्रियों के बाद देश में ENDs बेचना, बनाना, इस्तेमाल करना, स्टॉक बनाना और इनका विपणन करना अपराध होगा। पाठों को धरने के बाद एक सप्ताह तक को मंत्रियों के एक सप्ताह रूप में निर्णय, यह दोनों ही सकारण हैं। वक्तव्य को धरने के बाद तीन सप्ताह और निर्णय 5 लाख तक हो सकता है। कानून लागू होने के बाद लोगों को अपने ई-सिगरेट को स्टॉक नबंदी को धरने से



वित्त मंत्री ने दी बैंक की जानकारी

## रेल-कर्मियों को 78 दिन का बोनस

कैबिनेट से रेलवे कर्मचारियों के लिए बड़ा संकल्प निकला। रेलवे कर्मचारियों को 78 दिन के बोनस के बजाय बोनस दिया जाएगा। इसका प्रायिक 11.52 लाख से ज्यादा कर्मचारियों को मिलेगा। वेटिव मंत्री प्रकाश जावड़ेकर ने कहा कि वह पहली बार है, जब लगातार छठे वर्ष रेल कर्मचारियों को यह बोनस मिलेगा। इससे सरकारी खजाने पर करीब 2,024 करोड़ रुपये का बोझ पड़ेगा। यह प्रोडक्टिविटी बोनस है। रेलवे का कहना है कि इससे कर्मचारी प्रेरित रहेंगे।

### DEADLY PUFF Experts say e-cigarettes are more dangerous

## Wape didn't help kick the butt

Indian Dental Association (IDA) says (New Delhi) "It gives a feeling of wellness to a person due to which many get addicted to it. A dose of 30-40 mg of nicotine can kill an adult human. Nicotine in pure form may also cause cancer." He said e-cigarettes are marketed in a way that makes them attractive to youngsters who are misled into believing that it is safe. Many start smoking as a symbol of social status initially and later get addicted to it. E-cigarettes consist of nicotine, tar and propylene glycol. In e-cigarettes, nicotine in liquid form when heated turns into vapour. After casual vaping, the user gets addicted to the nicotine and gradually to cigarette smoking. In short, it serves as a gateway to cigarette smoking and the cigarettes are manufactured by the same company. The quantity of nicotine inhaled by e-cigarette smokers is the same as in normal cigarettes, there is not much difference in quantity and subsequently in the adverse effects it causes. Prolonged glycol can cause irreversible lung damage. A doctor working with the Voluntary Health Association of India, Deccan branch, said, "Nearly 80 per cent of those who start using e-cigarettes in order to quit cigarettes can't quit the e-cigarette. It depresses the quality of a nicotine-free life despite quitting cigarettes successfully. It is like moving to the fire from the frying pan." In a country like India, it is difficult to find a product since it has a large consumer base and social acceptance. The latter examples are tobacco, pan masala, and alcohol. Hence e-cigarette has a small consumer base, the ban will be highly effective. Not having a ban on tobacco cannot be the justification for introducing a new addiction even though it may be less harmful. The country is already struggling to effectively control several substances (tobacco, opium, alcohol, cannabis, etc.) among the youth. There is no need to introduce any more addiction in our future generations, warns doctors fighting against e-cigarettes.

# Recent Developments on ENDS in India

F.No- P-16012/19/2017-TC  
Government of India  
Ministry of Health & Family Welfare

Dated, the 28<sup>th</sup> August, 2018

Advisory on Electronic Nicotine Delivery Systems (ENDS) including e-  
Cigarettes, Heat-Not-burn devices, Vape, e-Sheesha, e-Nicotine  
Flavoured Hookah, and the like products

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Whereas, Electronic Nicotine Delivery Systems (ENDS) are devices that heat a solution to create an aerosol, which frequently also contains flavours, usually dissolved into Propylene Glycol or/and Glycerin. Electronic cigarettes, the most common prototype, are devices that do not burn or use tobacco leaves but instead vaporise a solution, which the user then inhales. The main constituents of the solution, in addition to nicotine when nicotine is present, are propylene glycol, with or without glycerol and flavouring agents. ENDS solutions and emissions contain other chemicals, some of them considered to be toxicants. Although ENDS is generally considered a single product class, these products constitute a diverse group with potentially significant differences in the production of toxicants and mechanisms for delivery of nicotine;

The Ministry of Health and Family Welfare, Government of India, issued an Advisory on 28.08.19 that called for states and UTs to prohibit the sale, manufacture, import and advertisement of ENDS including E-cigarettes, Vapes, E-shisha and like devices that enable nicotine delivery.

A total of 16 states and 2 UTs have banned E-cigarettes in India post the advisory.

- The Indian Council of Medical Research (ICMR) has recommended a complete ban on E-cigarettes and other ENDS. (May 2019)

- Ministry of Health & Family Welfare brought an ordinance making the production, manufacturing, import, export, transport, sale, distribution or advertisements of e-cigarettes a cognizable offence, punishable with imprisonment and fine.

रजिस्ट्रेशन नं. जी. एल.—(एन)04/0007/2003—19 REGISTERED NO. DL—(N)04/0007/2003—19



**भारत का राजपत्र**  
**The Gazette of India**

असाधारण

EXTRAORDINARY

भाग II — खण्ड I

PART II — Section I

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No. 59] NEW DELHI, WEDNESDAY, SEPTEMBER 18, 2019/BHADRA 27, 1941 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE  
(Legislative Department)

New Delhi, the 18th September, 2019/Bhadra 27, 1941 (Saka)

THE PROHIBITION OF ELECTRONIC CIGARETTES  
(PRODUCTION, MANUFACTURE, IMPORT, EXPORT,  
TRANSPORT, SALE, DISTRIBUTION, STORAGE AND  
ADVERTISEMENT) ORDINANCE, 2019  
No 14 of 2019

Promulgated by the President in the Seventieth Year of the  
Republic of India.

An Ordinance to prohibit the production, manufacture,  
import, export, transport, sale, distribution, storage and  
advertisement of electronic cigarettes in the interest of public  
health to protect the people from harm and for matters  
connected therewith or incidental thereto;

WHEREAS India is a signatory to the World Health  
Organisation Framework Convention on Tobacco Control  
adopted in Geneva, Switzerland on 21<sup>st</sup> day of May, 2003  
which came into force on the 27<sup>th</sup> day of February, 2005;



Ministry of Health & Family Welfare  
Government of India

## Cabinet decision

### Central Government to ban e-cigarettes in the country

Cabinet clears MoHFW proposal to promulgate an Ordinance prohibiting manufacture, import, export, sale (including online sale), distribution, storage & advertisement of electronic cigarettes including Electronic Nicotine Delivery Systems, Heat Not Burn Products, e-Hookah and the like devices.

Government expresses strong commitment towards protection of public health, especially of the vulnerable groups such as children, adolescents, and young adults.

# Up in Vapour

## STRICT LAW

**Complete ban on any dealings in vaping products**

Existing e-cigarette stocks to be deposited with police

Govt to issue ordinance to implement ban immediately



## PROVISION FOR IMPRISONMENT

**First violation** Jail term of up to 1 year or fine up to ₹1 lakh or both

**Subsequent offence** Imprisonment of up to 3 years and fine up to ₹5 lakh

**Storage of e-cigarettes** Up to 6-month jail term or penalty of up to ₹50,000 or both

The government of India on Sept 18, 2019 passed the ordinance to ban E-cigarettes in India.



# Challenges

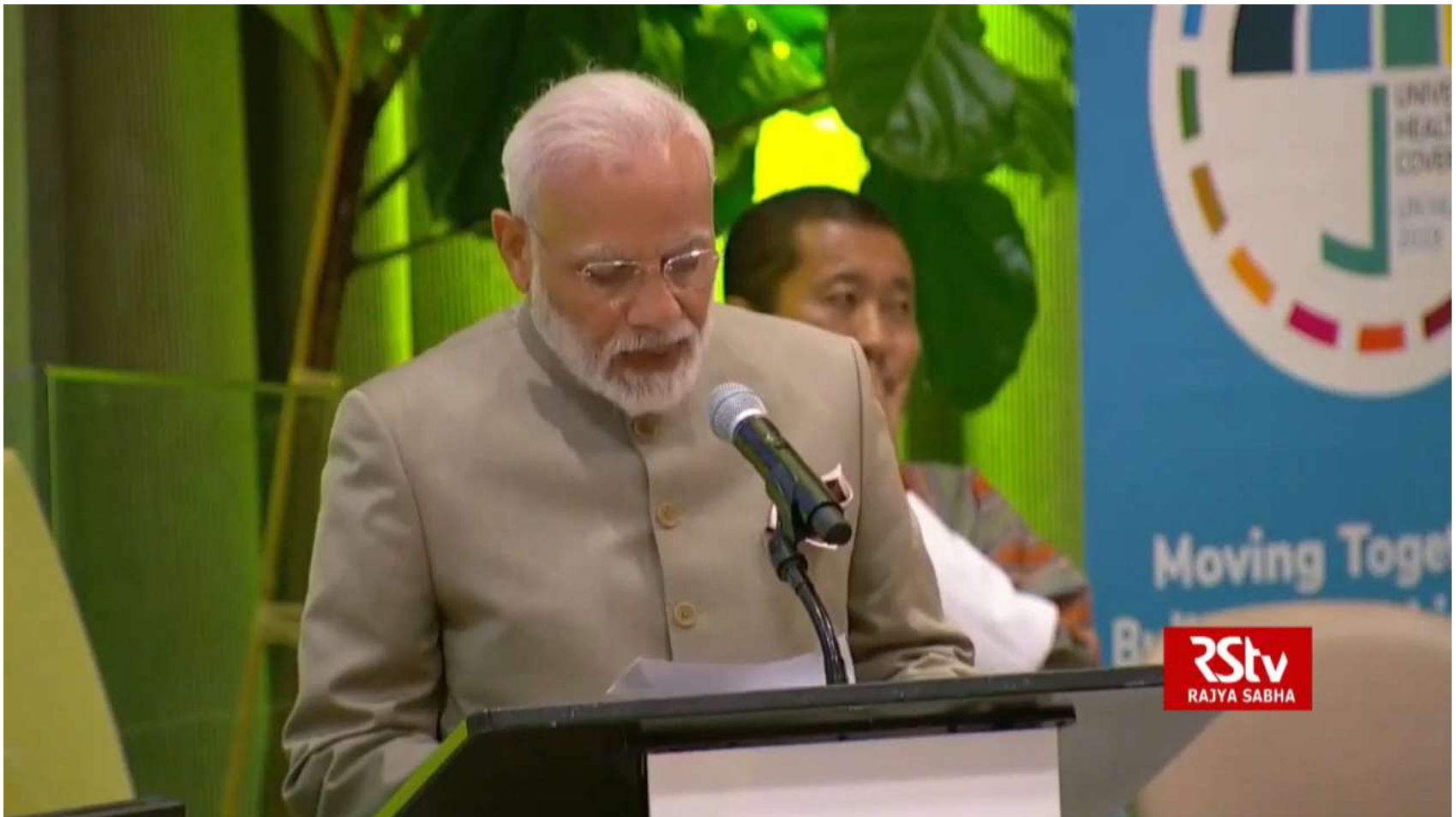
E-cigarette industry is planning a number of activities to counter the ordinance

- Networking with the MPs
- Countering through Media stories
- Challenging the decision in Supreme court and at various high courts

# Way forward

- Continuous support to the Ministry of Health and Family Welfare for ordinance ban order.
- Working with the state Govt. for effective implementation and enforcement of ban order.
- Seeking support from doctors, school community, civil society to write to the PM and Health Minister thanking the Government of India for bringing out the order.
- Filing intervention litigation in the courts

WHERE THERE IS A POLITICAL WILL, THERE  
IS A WAY...





***THANK***

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***YOU***