

BIGMUN 2020

Commission on Narcotic Drugs (ECOSOC4)

# Research Report

Topic 1: The question of banning e-cigarettes in public spaces and advertisement



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## Introduction:

The United Nations has been very concerned about the explosion of the e-cigarette markets for many years. The e-cigarette industry has grown immensely over the past few years, thus has sparked a wave of concern around the world. E-cigarette related deaths have struck countries with a sudden realization that something has to be done about the serious consequences of smoking e-cigarettes. However, e-cigarettes also have certain benefits to them, they originally were introduced to help people quit smoking, and have managed to do so, the industry also has a huge economic impact on the countries who produce and market them. Therefore, the UN calls on this topic to be discussed and evaluated in order to find a suitable solution. This research report should help you find adequate information on the topic and help give you an understanding of the issue and the different possible courses of action.

## Definition of Key Terms:

**E-cigarette:** an electronic device, shaped like a cigarette that contains nicotine that you can take into your lungs through your mouth, and that produces vapour that looks like cigarette smoke<sup>1</sup>

**Public Spaces:** A public space refers to an area or place that is open and accessible to all people, regardless of gender, race, ethnicity, age or socio-economic level<sup>2</sup>

**Advertisement:** a notice, picture or film telling people about a product, job or service<sup>3</sup>

**Illicit Drugs:** Substances not allowed by the law<sup>4</sup>

## Background Information:

<sup>1</sup> IBID

<sup>2</sup> Inclusion Through Access to Public Space: United Nations Educational, Scientific and Cultural Organization. *Inclusion Through Access to Public Space / United Nations Educational, Scientific and Cultural Organization*

<sup>3</sup> “Oxford Learner's Dictionaries: Find Definitions, Translations, and Grammar Explanations at Oxford Learner's Dictionaries.” *Oxford Learner's Dictionaries / Find Definitions, Translations, and Grammar Explanations at Oxford Learner's Dictionaries.*

<sup>4</sup> IBID

In 2003, Hon Lik from Beijing China, developed and manufactured the first modern e-cigarette. Lik's father died of lung cancer due to years of heavy smoking, after his death, Lik wanted to create a form of cigarette that his dad could've used to quit smoking or to simply just have a healthier way to feed his addiction.<sup>5</sup> Little did he know his invention to help people like his father would turn into a global problem. The case is similar to that of cigarettes, they were "good" until it was discovered that they have long term damaging effects, as they increased cancer risk. Early research did suggest that e-cigarettes would give smokers an opportunity to quit regular smoking, hence benefitting their long-term health. However, in the past years the market for these products has exploded due to the young people, who have never smoked, taking up e-cigarettes due to their "fun" 1,500 flavors.<sup>6</sup> The UN, specifically The World Health Organization (WHO) has grown deeply concerned with the dangerous path today's world is heading down and has called several times for action to be taken against the boom of e-cigarettes.<sup>7</sup>

## **Significant events:**

**1963** - first prototype of the e-cigarette was designed but failed to sell to the public was made by Herbert A Gilbert.<sup>8</sup>

**1979** - Phil Ray and Norman Jacobson created the first variation of commercialised e-cigarette. However, they didn't feel the tobacco delivered enough and never finalized the product. This was when the investors coined the term "vape".<sup>9</sup>

<sup>5</sup> "History and Evolution of e-Cigarettes." *Nicorex*

<sup>6</sup> Martin, Lorraine, et al. "An Increasing Number of Countries Are Banning e-Cigarettes – Here's Why." *The Conversation*, 26 Sept. 2019

<sup>7</sup> "UN Health Agency Calls for Regulation of 'e-Cigarettes,' Curbs on Advertising, Sales to Minors | UN News." *United Nations*, United Nations,

<sup>8</sup> "Evolution of e-Cigarettes: A Timeline of the Rise of Vaping Devices and Subsequent Ban in Multiple Countries." *Firstpost*, 19 Sept. 2019,

<sup>9</sup> *IBID*

**1990s** - The chemical reaction based system “heat not burn” was invented. The major US tobacco companies requested permission from the US Food and Drug Administration (FDA) to introduce a version of an e-cigarette on the market but was denied.<sup>10</sup>

**2003** - The first modern e-cigarette was developed and manufactured in 2003 by Hon Lik in China.<sup>11</sup>

**2006** - E-cigarettes are introduced in Europe.<sup>12</sup>

**2007** – E-cigarettes are introduced in the Americas.<sup>13</sup>

**2008** - Turkey's health ministry suspends sale of e-cigarettes. September of that year, The WHO released a statement disregarding e-cigarettes to be any kind of safe or effective.<sup>14</sup>

**2009** - Australia banned the possession and sale of e-cigarettes that contain nicotine. Jordan banned the import of e-cigarettes. Then Canada banned sales, adverts and imports. Hong Kong banned possession and selling. Panama banned importation distribution and sale.<sup>15</sup> The US president Barack Obama signed the Family Smoking Prevention and Tobacco Control Act which banned any flavoring of nicotine or cigarettes on June 22. California passes a bill banning sale of e-cigarettes when a report from the FDA states that a laboratory analysis of e-cigarettes has discovered hazardous chemicals such as diethylene glycol.<sup>16</sup>

**2010** - A House of Delegates in the American Medical Association (AMA) passed a policy urging the FDA to regulate e-cigarettes as a drug delivery device. Singapore bans import, distribution and sales. Vapefest is held in Richmond which ultimately, despite the world's growing concerns, led to the expansion of the market.<sup>17</sup>

**2013**- 40 American state and territorial attorneys general call for the FDA to further test e-cigarettes due to current limited knowledge.<sup>18</sup>

<sup>10</sup> IBID

<sup>11</sup> IBID

<sup>12</sup> IBID

<sup>13</sup> IBID

<sup>14</sup> IBID

<sup>15</sup>IBID

<sup>16</sup> Keneally, Meghan. “Vaping and e-Cigarette Warnings Have Been Hiding in Plain Sight.” *ABC News*, ABC News Network, 20 Sept. 2019,

<sup>17</sup> “Evolution of e-Cigarettes: A Timeline of the Rise of Vaping Devices and Subsequent Ban in Multiple Countries.” Firstpost, 19 Sept. 2019,

<sup>18</sup> Keneally, Meghan. “Vaping and e-Cigarette Warnings Have Been Hiding in Plain Sight.” *ABC News*, ABC News Network, 20 Sept. 2019,

**2014** - Cambodia and Thailand both outlaw use and import of e-cigarettes.<sup>19</sup> Vape is written in the Oxford English dictionary.<sup>20</sup>

**2015** - Public Health England announced that they made an independent review and the concluding result was that e-cigarettes are significantly less harmful to health than smoking and have the potential to help smokers quit.<sup>21</sup>

**2016**- In early 2016, a surgeon General from the US releases a report about e-cigarettes among youth: “E-cigarette use among U.S. youth and young adults is now a major public health concern. E-cigarette use has increased considerably in recent years, growing an astounding 900% among high school students from 2011 to 2015. The health effects and potentially harmful doses of heated and aerosolized constituents of e-cigarette liquids—including solvents, flavorants, and toxicants—are not completely understood. However, although e-cigarettes generally emit fewer toxicants than combustible tobacco products, we know that aerosol from e-cigarettes is not harmless," the surgeon General stated.<sup>22</sup>

**May 5th, 2016** - FDA adds requirement of being 18 or older to buy e-cigarettes.<sup>23</sup>

**Jul 7th, 2016** - American Lung Association warns about the chemical diacetyl which caused death and hundreds of cases of bronchiolitis obliterans. Diacetyl was found in 39 of 51 e-cigs brands as well as other harmful chemicals like pentamidine and acetoin.<sup>24</sup>

**Jun 8th, 2018** - A report from CDC's Morbidity and Mortality stated that, at that time e-cigarettes were the most commonly used tobacco product among middle school and high school students in the US.<sup>25</sup>

**Aug 2018** - China bans all sales of e-cigarettes to people under 18.<sup>26</sup>

<sup>19</sup> Findlay, Stephanie. “Asian Countries Move to Ban e-Cigarettes as Global Backlash Grows.” *Financial Times*, Financial Times, 19 Sept. 2019

<sup>20</sup> “Evolution of e-Cigarettes: A Timeline of the Rise of Vaping Devices and Subsequent Ban in Multiple Countries.” Firstpost, 19 Sept. 2019,

<sup>21</sup> IBID

<sup>22</sup> Keneally, Meghan. “Vaping and e-Cigarette Warnings Have Been Hiding in Plain Sight.” *ABC News*, ABC News Network, 20 Sept. 2019,

<sup>23</sup> IBID

<sup>24</sup> IBID

<sup>25</sup> IBID

<sup>26</sup> Findlay, Stephanie. “Asian Countries Move to Ban e-Cigarettes as Global Backlash Grows.” *Financial Times*, Financial Times, 19 Sept. 2019

**Sept 11<sup>th</sup>, 2018** - FDA issues warning letters to retailers over unlawfully selling to minors.<sup>27</sup>

**Dec 18<sup>th</sup>, 2018** - US Surgeon General officially declares e-cigarette use among youth an epidemic in the United States.<sup>28</sup>

**Aug 14<sup>th</sup>, 2019** - Minnesota Department of Health asks health care providers to be alert for lung disease related to vaping after several severe cases were found at Children's Minnesota hospital that could be linked to the e-cigarettes.<sup>29</sup>

**Aug 18<sup>th</sup>, 2019** - Federal investigations launched concerning links between lung illness and e-cigarettes due to 94 cases with possible links since June 28<sup>th</sup>.<sup>30</sup>

**Aug 23<sup>rd</sup>, 2019** - First possible vaping death officially reported in the US.<sup>31</sup>

**Sept 9<sup>th</sup>, 2019** - New York Health Department launches an investigation into companies producing e-cigarettes.<sup>32</sup>

**Sept 11<sup>th</sup>, 2019** - United States President Trump calls for ban on flavored e-cigarettes after a 6<sup>th</sup> person dies from vaping related lung illness.<sup>33</sup>

**Sept 17<sup>th</sup>, 2019** - New York is the second US state to ban flavored e-cigarettes.<sup>34</sup> China stops any online sales of vaping products made by Juul Labs.<sup>35</sup>

**Sept 18<sup>th</sup>, 2019** - India bans manufacturing, import or selling of e-cigarettes.<sup>36</sup>

**Sept 25<sup>th</sup>, 2019** - Kevin Burns Juul CEO steps down and the company announces they will be suspending all types of advertising in the US.<sup>37</sup>

**Sept 26<sup>th</sup>, 2019** - 12 people have now died due to e-cigarette related illness<sup>38</sup>

<sup>27</sup> Keneally, Meghan. "Vaping and e-Cigarette Warnings Have Been Hiding in Plain Sight." *ABC News*, ABC News Network, 20 Sept. 2019,

<sup>28</sup> IBID

<sup>29</sup> IBID

<sup>30</sup> IBID

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<sup>32</sup> IBID

<sup>33</sup> IBID

<sup>34</sup> IBID

<sup>35</sup> Findlay, Stephanie. "Asian Countries Move to Ban e-Cigarettes as Global Backlash Grows." *Financial Times*, Financial Times, 19 Sept. 2019

<sup>36</sup> IBID

<sup>37</sup> Berke, Jeremy. "Investigators Are Homing in on a Potential Chemical Culprit behind the Mysterious Spate of Vaping-Related Illnesses and Deaths. Here's What Officials Knew and When." *Business Insider*, Business Insider, 8 Nov. 2019

<sup>38</sup> IBID

**Nov 5<sup>th</sup>, 2019** – Germany’s drug commissioner wants to ban tobacco and vape ads in outdoor areas.<sup>39</sup>

**Nov 19<sup>th</sup>, 2019** - China's National Health commission has called for the smoking of e-cigarettes to be banned in public spaces.<sup>40</sup>

The history of the e-cigarette has led to an intense debate if whether or not it should be permitted to smoke in public spaces and to what extent they should be advertised. In movies and on television, consumers are fooled into that e-cigarettes are a safe alternative to a normal cigarette. Blooming as a trend for teenagers to vape as its now seen as a normal and cool thing to do. With smoke clouds and smoke rings filling up teenagers feeds, with new cool tricks to do with the smoke, teens are told it’s all just fun and games.<sup>41</sup> The United Nations concern grows with the interest seen by the young population of the world, brainstorming for ways to stop this growing epidemic.

### Major Countries and Organizations Involved:

**United States of America:** The biggest market for e-cigarette products and also the only country with confirmed deaths associated with the products. Would like to see the end of e-cigarettes.<sup>42</sup>

**United Kingdom:** The second biggest market for e-cigarettes, however, the UK does also support the products due to their belief in it having more benefits than disadvantages. Would like to be able to continue to sell the e-cigarettes as they seen it beneficial.<sup>43</sup>

**China:** Has been one of the countries in the world with the most smokers and fears for this to continue, also wants to see the end of e-cigarettes.<sup>44</sup>

<sup>39</sup> Deutsche Welle. “German Drug Czar Calls for Tobacco Advertising Ban amid Vaping Concerns: DW: 05.11.2019.” *DW.COM*

<sup>40</sup> 马驰 . “Call for Ban on e-Cigarettes in Public Spaces to Help Protect Minors.” *Call for Ban on e-Cigarettes in Public Spaces to Help Protect Minors - Chinadaily.com.cn*

<sup>41</sup> Keneally, Meghan. “Vaping and e-Cigarette Warnings Have Been Hiding in Plain Sight.” *ABC News*, ABC News Network, 20 Sept. 2019,

<sup>42</sup> Jones, Lora. “Vaping: How Popular Are e-Cigarettes?” *BBC News*, BBC, 15 Sept. 2019

<sup>43</sup> IBID

<sup>44</sup> 马驰 . “Call for Ban on e-Cigarettes in Public Spaces to Help Protect Minors.” *Call for Ban on e-Cigarettes in Public Spaces to Help Protect Minors - Chinadaily.com.cn*

**UN:** Worries for the effects of e-cigarettes on people. Wishes to solve the issue and insure the safety of everyone.<sup>45</sup>

**WHO:** Consistently is trying to fight the epidemic of e-cigarettes releasing statements warning the people. Wishes for the ban of e-cigarettes.<sup>46</sup>

**FDA:** Has active investigations running concerning e-cigarettes, wishes to understand completely what it is that is so dangerous about them.<sup>47</sup>

### Relevant UN Resolutions:

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- Reduction of illicit drug demand  
<https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/documents/2003/resolution-2003-33.pdf>
- Sale of internationally controlled illicit drugs to individuals via the internet  
<https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/documents/2004/resolution-2004-42.pdf>
- International assistance to States affected by the transit of illicit drugs  
<https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/documents/2005/resolution-2005-27.pdf>
- United Nations system- wide coherence on tobacco control  
[https://www.un.org/ga/search/view\\_doc.asp?symbol=E/RES/2012/4](https://www.un.org/ga/search/view_doc.asp?symbol=E/RES/2012/4)
- Tobacco Control  
<https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/documents/2004/resolution-2004-62.pdf>
- Smoke-free United Nations premises

<sup>45</sup> “UN Health Agency Calls for Regulation of 'e-Cigarettes,' Curbs on Advertising, Sales to Minors | UN News.” *United Nations*, United Nations,

<sup>46</sup> IBID

<sup>47</sup> Keneally, Meghan. “Vaping and e-Cigarette Warnings Have Been Hiding in Plain Sight.” *ABC News*, ABC News Network, 20 Sept. 2019,



<https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/documents/2006/resolution-2006-42.pdf><sup>48</sup>

### Previous Attempts to Solve the Issue:

Many different nations have tried to solve the issues of e-cigarettes in open spaces and in advertisements. Individual countries have banned ads or thought about banning e-cigarettes in public spaces, for example Germany and China. The United Nations has also attempted to create resolutions like the ones above to minimize the issue at hand. Many reports and papers have been written on the topic in order to bring awareness to the importance of the topic, however, due to limited knowledge on e-cigarettes it has been hard for countries to give a proper reason for why they are so dangerous.<sup>49</sup>

### Possible Solutions:

The epidemic of e-cigarettes is a problem with many possible solutions, such as but not limited to:

- Packaging and advertising (Like in cigarettes) that “Smoking Kills” therefore, properly branding the product, and its side effects
- Banning advertising of e-cigarettes and if not possible to ban it completely then restricting the availability of them
  - There would have to be several steps taken in order to do this. Examples of these could be, firstly ban e-cigarettes usage in films / tv shows. Then moving onto advertising posters or campaigns
- Banning usage of e-cigarettes in public spaces and if not possible to ban it completely then restricting the areas in which it can be used

<sup>48</sup> “Resolutions | UNITED NATIONS ECONOMIC and SOCIAL COUNCIL.” *United Nations*, United Nations

<sup>49</sup> Board, The Editorial. “Banning E-Cigarettes Could Do More Harm Than Good.” *The New York Times*, The New York Times, 12 Nov. 2019

- Steps would have to be taken. Starting small with allowing e-cigarettes to only be smoked in specific “smoking areas” like some have public places have. Then banning them completely at very public places like train stations.
- Confiscating and fining people found with e-cigarettes in open spaces
- Funding more research into what exactly is so dangerous about e-cigarettes

These are just a few examples of how the United Nations, specifically ECOSOC4 could tackle the issue at hand. There is an abundance of opportunities to fix this problem, it is just a question of being able to find realistic solutions to a serious epidemic.

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