

What does the proposed tobacco bill mean for vaping in SA?

By [Asanda Gcoyi](#), issued by [Irvine Partners](#)

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This opinion piece is part of VPASA's (Vapour Products Association of South Africa) We Are Not Tobacco (WANT) campaign, which seeks to differentiate electronic nicotine delivery systems (ENDS) from combustible tobacco products.

With South Africa moving towards the promulgation of the Control of Tobacco and Electronic Nicotine Delivery Systems Bill (2018), health organisations and tobacco-control lobbyists are failing to acknowledge the benefits of harm-reduction products such as electronic vapour products (EVP), says Asanda Gcoyi of the Vapour Products Association of South Africa (VPASA).

As the South African government moves to fast-track the final assessment of regulations to introduce legislation to regulate ENDS under the same law as smoking, the vaping industry is alarmed by the false parallel that government and anti-tobacco activists are drawing between the different products. Accordingly, VPASA has demanded that the government appropriately differentiate EVPs from combustible tobacco in keeping with the scientifically proven view that EVPs are a less-harmful alternative to smoking. Properly regulated, EVPs can significantly contribute to reducing the harms associated with smoking; the very purpose for which the government seeks to tighten regulations.

Regulatory decisions should always be based on scientific facts rather than perception, ideological leanings or, even worse, misinformation. Unfortunately, EVPs have tended to suffer from widespread misinformation, driven in no small part by anti-tobacco lobbyists and health authorities who deem EVPs as similar in danger to smoking, despite the preponderance of scientific evidence proving the contrary. In the event, public opinion has

tended to be guided by sensationalist and inaccurate media reporting rather than the evidence of, by now, countless, highly reputable research institutions across the globe who are advising governments to harness the potential of EVPs as harm-reduced alternatives to smoking and the attendant benefits flowing from that. These institutions include Public Health England (PHE), the Royal College of Physicians, Cancer Research, Action on Smoking and Health and many others. These organisations are tied by the science that EVPs are 95% less harmful than traditional smoking, a staggering achievement.

The promulgation of the South African Bill, of course, comes in the wake of a difficult period in which the sale of vaping products was summarily banned during the country's hard Covid-19 lockdown. This was a missed opportunity as it could have offered smokers a safer route to meet their nicotine cravings during the ban rather than the consumption of illicit tobacco. At the same time, it would have contributed to many more smokers switching out of their smoking habit, thus contributing to South Africa's stated target of reducing smoking by 20%.

VPASA has consistently advised the government to carefully study the example of the UK, which is a world leader in EVP regulation. Our organisation is not anti-regulation, as some may wish to suggest. Rather, we are for sensible, measured



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and effective regulation, of which the UK seems to have found a workable model. VPASA wants to see appropriate, evidence-based policies, which enable consumers to make informed decisions about their choice of nicotine products. The bill, as it stands, runs contrary to this objective.

We believe that imposing the same restrictions on all ENDS as on traditional combustible tobacco products is problematic for a number of reasons.

For one, standardised packaging and labelling for all ENDS products will restrict the dissemination of relevant educational information. The requirement for graphic health warnings standardised across all products will represent the dangers of smokers as there are no known graphics that can be displayed on EVPs. Concealing products at point-of-sale misses an opportunity to bring awareness to smokers about the products. At the same time, banning all forms of product communication will unduly restrict the industry from communicating with smokers who wrongly believe that EVPs are equally or more harmful than smoking.

In short, vaping and EVPs offer safer nicotine-delivery products to millions of South African smokers who are at risk of developing smoking-related diseases. Preventing access to vaping products and stigmatising them in the same way as combustible tobacco products is not good regulatory practice. It denies people their right to make an educated – and less harmful – choice.

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