

**Re: Regulation regulating e-cigarette flavors**

On behalf of the Tholos Foundation, a non-profit organization which advocates in the interests of consumers across the globe, we offer these comments to the Ministry of Health, Welfare, and Sport on the proposal to ban flavored e-liquids, other than tobacco flavored, for use in vaping products.

I would like to thank the Ministry for this opportunity to contribute to evidence-based policymaking in the Netherlands. Scientific evidence demonstrates that flavored vaping products are more effective at helping smokers make the switch than non-flavored ones. Studies also tell us that when flavored vapes are banned, consumers transition to combustible cigarettes, a choice with massive health consequences.

Additionally, there is little evidence that flavor bans are an effective method of reducing use of flavored vaping products. I'd like to draw your attention to the real-world example of Estonia, where a flavor ban was implemented in 2020. Polling [data](#) from IPSOS, commissioned by the Tholos Foundation, found that in spite of the ban, almost 60% of Estonian vapers still use banned flavors. Of those still using the prohibited flavors, 42% reported mixing their own flavors and 42% reported turning to the illegal market for their product of choice. These results should greatly concern you, as home-made mixes and illegal products are untested and unregulated, thereby exposing users to a greater risk of harm.

There is great potential for the Netherlands to embrace harm reduction, as many countries have done, and see great improvements in public health as a result. More than one in five adults in the Netherlands smokes cigarettes daily, an [estimated](#) 2.8 million people. Until recently, their chances of quitting smoking were low due to unpopular, ineffective nicotine replacements like gum, patches, or oral spray. With technological development came the e-cigarette, a product [invented](#) for smokers by smokers, that offers users the nicotine they crave without the thousands of deadly chemicals present in cigarettes.

E-cigarettes heat a nicotine liquid to create a vapor, rather than the burning process of traditional cigarettes. This results in a significantly safer alternative. The UK's Royal College of Physicians [says](#) that vaping is at least 95% less harmful than traditional cigarettes and more than one hundred of the world's leading public health organizations have [endorsed](#) vaping as safer than smoking.

The real test for e-cigarettes was whether current smokers would like the product enough to make the switch from cigarettes. The evidence thus far is overwhelming, as e-cigarettes

have quickly become the world's premier tool of smoking cessation. According to a recent [study](#), a smoker who attempts to quit with an e-cigarette has a 323% higher chance of achieving complete cessation than someone using a traditional nicotine replacement. Each year, over 50,000 smokers in Britain alone make the lifesaving [switch](#) to vaping.

E-cigarettes are products with proven lifesaving capabilities. According to a [study](#) by the American Heart Association, switching from smoking to nicotine vaping lowers the risk of stroke by 84%. The same study found that the heart health biomarkers of e-cigarette users are similar to, or indistinguishable from, people who had never smoked a cigarette. A prohibition on flavored vaping products will significantly increase the harm that vapers in the Netherlands are subject to.

The United States National Academies of Sciences, Engineering, and Medicine [stated](#) “there is *conclusive evidence* that completely substituting e-cigarettes for combustible tobacco cigarettes reduces users’ exposure to numerous toxicants and carcinogens present in combustible cigarettes”.

I would also like to point out that scientific [studies](#) have shown that e-cigarettes can “reduce health disparities”. The reason for this is smoking rates are historically highest among those with lower income and less education. This will “translate directly into lower medical costs” and would produce “an improved quality of life” for these disadvantaged populations.

A [study](#) from Dr. William Stephens of St. Andrews University, published in the British Medical Journal, showed that the risk of cancer from e-cigarettes, compared to that of smoking, is less than 0.5% percent. Increased access to e-cigarettes among people of lower incomes will come with decreased cigarette consumption. This will decrease cancer rates among these populations, many of whom would face financial or other obstacles to getting the medical care they need.

Additionally, there is scientific [evidence](#) that nicotine-containing e-cigarettes dramatically help people with mental health issues quit smoking, even when they have no desire to quit. For people who suffer from schizophrenia, vaping has a demonstrated ability to better their mood, make them feel more awake, less irritable, and have improved concentration. These communities smoke at rates three to four times higher than average. Efforts to increase smoking cessation among people with mental health issues must be a significant priority.

Implementing a flavor ban in the Netherlands will make it harder for the underserved communities who benefit most from e-cigarette use to make the switch from deadly cigarettes. This will undoubtedly lead to disastrous consequences for public health in the Netherlands.

Before concluding, I would like to draw your attention to San Francisco, where a flavor ban was implemented in 2018. A [study](#) from Yale University's Dr. Abigail Friedman found that the ban led to youth smoking rates in the city more than doubling following decades of continuous decline. While flavor prohibitions may be aimed at decreasing youth nicotine use, data from San Francisco indicates it may do the opposite.

According to a large-scale [analysis](#) from Georgetown University Medical Center, an estimated 6.6 million American lives would be saved if a majority of cigarette smokers made the switch to e-cigarettes. Extrapolating from this data, it can be estimated that e-cigarettes have the potential to save nearly 350,000 lives in the Netherlands.

For the reasons presented above, the Tholos Foundation encourages the Ministry of Health, Welfare, and Sport to consider all available evidence on e-cigarettes, a safer form of nicotine that can save millions of lives. Enacting a prohibition on flavored e-cigarettes will endanger Dutch vapers and the Dutch economy.

Sincerely,

Karl Abramson  
*Consumer Issues Fellow*  
Tholos Foundation