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## R SHEET ON TOBACCO HARM REDUCTION

May 2019

### BACKGROUND

**S**moking combustible cigarettes causes nearly 1 in 5 deaths in the United States. Decades of abstinence-only smoking interventions have reduced smoking rates, but decreases have begun to stagnate and have left many populations behind. Tobacco harm reduction provides a framework for smokers who are unable or unwilling to quit.

High-risk health behaviors are often addressed with ineffective, abstinence-only approaches. Alternatively, the primary principle of harm reduction is to ‘meet users where they are,’ rather than direct them to immediate cessation. This principle is flexible, and can be applied to a range of risky or harmful behaviors.

Innovation in the tobacco industry has produced a number of reduced-risk tobacco products that smokers can use as harm reduction tools, including electronic cigarettes, heat-not-burn products and snus. These products provide smokers a nicotine delivery system that eliminates combustion, smoke and a significant amount of the resulting chemicals, lowering the risk of negative health outcomes compared to combustible cigarettes.

### CURRENT DEBATE

Encouraging the use of reduced-risk products as a form of tobacco harm reduction has caused controversy in public health, regulatory and political communities. Opposing research conclusions, youth use and lack of data on long-term effects are some of the main factors in the tobacco harm reduction debate.

Most reduced-risk tobacco products were introduced to the United States in 2011, making it difficult to evaluate their long-term impact on health at this early stage. The evidence that does exist is often selectively interpreted by each side of the debate to support their viewpoint, further complicating the conversation. However, the National Academies of Sciences, Engineering and Medicine have now stated that there is conclusive evidence to support

### SUMMARY

- Although controversial, reduced-risk tobacco products like e-cigarettes, heat-not-burn products and snus help adult smokers minimize the risk of negative health outcomes from tobacco use.
- All proposed regulatory actions should consider the impact on adult smokers, in addition to other populations.
- Risk-proportionate tobacco taxes should be implemented at the state and local levels.
- The FDA should enforce existing minimum-age-of-purchase regulations with fines and inspections.
- Public health agencies should present accurate, unbiased information about the relative risk of e-cigarette use.

the claim that exclusive use of e-cigarettes is less harmful than combustible cigarette use. Nearly all other claims are a source of debate between tobacco control advocates and tobacco harm reduction advocates.

Since declaring a “youth vaping epidemic” in late 2018, the Food and Drug Administration (FDA) and other tobacco control groups have framed most debates to focus on preventing youth use of e-cigarettes. But ultimately, finding a middle ground between minimizing underage use and allowing adults easy access to reduced-risk products has proven challenging.

Legislative bodies across the country have crafted a patchwork of regulations to address these concerns. Flavor bans, new taxation schemes, retail permitting and fees, and geographical restrictions on store locations are some of the most commonly utilized regulatory tools at the state and local levels. “Tobacco 21,” an initiative to raise the minimum age for tobacco purchases to 21, is another regulatory policy being debated at the state and federal levels.

Another debate is grounded in the desire to completely extinguish smoking. The FDA has proposed decreasing the nicotine content of combustible cigarettes to non-addictive levels, as well as a ban on menthol cigarettes. But because nicotine is addictive, in order to prevent the proliferation of illicit tobacco markets and use of unregulated, adulterated products, harm reduction proponents stress the need to embrace reduced-risk products that provide smokers alternative methods to consume nicotine before banning or weakening tobacco products outright.

## ACTION ITEMS

Policymakers should understand that tobacco products exist along a continuum of risk and that an abstinence-only agenda is unlikely to achieve the desired results. Proceeding from this position opens the door for a number of pragmatic policy solutions.

First, the government should allow and encourage innovation, provide clear and consistent guidelines regarding product development and regulation, and deliver fact-based health information.

The FDA should clarify and streamline the processes for pursuing pre-market tobacco authorization and modified-risk tobacco product designations. This will lower barriers to entry and allow innovators to market their products more accurately based on relative risk.

The FDA must also exercise its regulatory authority to enforce existing minimum-age-of-purchase laws. Without a high penalty for selling tobacco products to underage individuals, retailers are less likely to ensure patrons are of legal age.

Second, Congress must ensure our regulatory agencies are upholding their duties and acting in the best interests of the population. They must also refrain from politicizing the tobacco control debate.

Local and state governments should adopt risk-proportionate taxes that encourage the substitution of reduced-risk tobacco products for combustible cigarettes. Ensuring compliance with local tobacco control laws is another vital function of state and local government agencies.

At the local level, policymakers should ensure a reasonable number of permits are available for vape retailers, including specialty shops. This will encourage free market competition and increase access for adult smokers. Permits should also be transferable, in case an existing permit holder closes their business.

## CONCLUSION

Reduced-risk tobacco products offer smokers a novel method to reduce the harm associated with combustible cigarette smoke. Facing the reality that the majority of smokers would like to quit but only a very small proportion achieve lasting and complete cessation, it is vital that reduced-risk tobacco products remain easily accessible to adult smokers.

Moreover, it is the responsibility of public health agencies to provide accurate information about the comparative risks of combustible cigarettes and reduced-risk products. Smokers should be provided accurate information that empowers them to choose the tobacco product that fits their needs and minimizes their health risks.

## CONTACT US

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