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**From:** Charles Hamshaw-Thomas <Charles@e-lites.co.uk>  
**Sent:** lundi 2 décembre 2013 10:25  
**To:** Charles Hamshaw-Thomas  
**Subject:** Regulation of E-cigarettes under the Tobacco Products Directive

We write as representatives of the major UK owned and based e-cigarette companies.

The Commission's latest proposal is worse than that which Parliament rejected on 8 October. The Commission has made no attempt to accommodate the democratic voice: just ignored it.

The new draft Article 18 would ban every electronic cigarette product currently on the market and bring innovation to an end.

These are the "lowlights":

1. Absurdly and unjustified low nicotine limits would severely undermine the attractions for adult smokers of e-cigarettes relative to cigarettes. There is no scientific or commercial basis for these low limits.
2. E-cigarettes mimic cigarettes in allowing the user to inhale as much vapour as they choose. The Commission would prohibit e-cigarettes from doing this.
3. Refillable e-cigarettes would be banned. Across Europe millions of former smokers have relied on these to replace their harmful tobacco habit.
4. Parliament recognised the importance of flavours in helping smokers to switch from tobacco. The Commission would ban anything not used in pharma products.
5. Advertising and communication would be banned. That would be nonsense for a product recognised as having a huge public health benefit in reducing smokers' tobacco dependency.

These proposals would wreck the e-cigarette market. They would deny more than 10 million European smokers the opportunity to take a step which will improve their health and potentially save lives. This product has begun to contribute significantly to history's most successful ever reduction in tobacco consumption. Don't let ignorance and misunderstanding stop it.

The Commission's proposals ignore legal advice and scientific research and treat Parliament with contempt. SANCO seems to be conspiring to turn the Tobacco Products Directive into the Anti E-Cigarettes and Anti Public Health Directive.

It would be hard to formulate a proposal that would be more in the direct interests of the pharmaceutical and the tobacco industries, or that is less aligned to scientific evidence and the public health interest. It could have been drafted by the pharma industry or the tobacco industry. Perhaps their lobbyists understand the process better than the millions of individual electronic cigarette users across Europe who are confused as to how things could change from the way Parliament voted. .

MEPs are well aware about how passionate e-cigarette users are. It's because people who have switched to electronic cigarettes know that they are improving their health and fear that without access to them they could easily slip back into smoking traditional cigarettes. With May's elections getting ever closer, those electronic cigarette users across Europe will be hoping that their initial delight that MEPs were listening has been justified.

The Commission has produced an unworkable document and ignored the due process of the European Parliament. The alternative, of most benefit to public health, has to be a workable regulatory framework based on Industry Standards which are currently being developed by e-cigarette manufactures around the world to ensure minimum product quality and safety standards. That would enable e-cigarettes to continue making their astonishing contribution to public health in reducing Europe's tobacco health disaster.

Please do contact any of us on the numbers below if you want to understand more regarding the Industry Standards or have any other questions.

With thanks and best regards,

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