# Policy Options for the Regulation of Electronic Cigarettes

Consultation submission

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| Your details This submission was completed by: *(name)* |  |
| Address: *(street/box number)* |  |
| *(town/city)* |  |
| Email: |  |
| Organisation *(if applicable)*: |  |
| Position *(if applicable)*: |  |

*(Tick one box only in this section)*

Are you submitting this:

as an individual or individuals (not on behalf of an organisation)?

on behalf of a group, organisation(s) or business?

*(You may tick more than one box in this section)*

Please indicate which sector(s) your submission represents:

Commercial interests, including e‑cigarette manufacturer, importer, distributor and/or retailer

Tobacco control non-government organisation

Academic/research

Cessation support service provider

Health professional

Māori provider

Pacific provider

Other sector(s) *(please specify)*:

*(You may tick more than one box in this section)*

Please indicate your e‑cigarette use status:

I am using nicotine e‑cigarettes.

I am using nicotine-free e‑cigarettes.

I currently smoke as well as use e‑cigarettes.

I am not an e‑cigarette user.

I have tried e‑cigarettes.

### Privacy

We intend to publish all submissions on the Ministry’s website. If you are submitting as an individual, we will automatically remove your personal details and any identifiable information.

If you do not want your submission published on the Ministry’s website, please tick this box:

Do not publish this submission.

Your submission will be subject to requests made under the Official Information Act. If you want your personal details removed from your submission, please tick this box:

Remove my personal details from responses to Official Information Act requests.

If your submission contains commercially sensitive information, please tick this box:

This submission contains commercially sensitive information.

### Declaration of tobacco industry links or vested interest

As a party to the global tobacco control treaty, the World Health Organization Framework Convention on Tobacco Control, New Zealand has an obligation to protect the development of public health policy from the vested interests of the tobacco industry. To help meet this obligation, the Ministry of Health asks all respondents to disclose whether they have any direct or indirect links to, or receive funding from, the tobacco industry. The Ministry will still carefully consider responses from the tobacco industry, and from respondents with links to the tobacco industry, alongside all other submissions. Please provide details of any tobacco company links or vested interests below.

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Please return this form by email to:

**ecigarettes**[**@moh.govt.nz**](mailto:tobacco@moh.govt.nz) by **5 pm, Monday 12 September 2016**.

If you are sending your submission in PDF format, please also send us the Word document.

# Consultation questions

Although this form provides blank spaces for your answers to questions, there is no limit to the length of your responses; you should take as much space as you need to answer or comment. Feel free to enlarge the boxes or attach additional pages.

#### Q1 Do you agree that the sale and supply of nicotine e‑cigarettes and nicotine liquids should be allowed on the local market, with appropriate controls?

Yes  No

Reasons/additional comments:

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#### Q2 Are there other (existing or potential) nicotine-delivery products that should be included in these controls at the same time? If so, what are they?

Yes  No

Reasons/additional comments:

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#### Q3 Do you think it is important for legislation to prohibit the sale and supply of e‑cigarettes to young people under 18 years of age in the same way as it prohibits the sale and supply of smoked tobacco products to young people?

Yes  No

Reasons/additional comments:

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#### Q4 Do you think it is important for legislation to control advertising of e‑cigarettes in the same way as it controls advertising of smoked tobacco products?

Yes  No

Reasons/additional comments:

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#### Q5 Do you think it is important for the SFEA to prohibit vaping in designated smokefree areas in the same way as it prohibits smoking in such areas?

Yes  No

Reasons/additional comments:

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#### Q6 Do you agree that other controls in the SFEA for smoked tobacco products should apply to e‑cigarettes? For example:

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| --- | --- | --- | --- |
| **Control** | **Yes** | **No** | **Reasons/ additional comments** |
| Requirement for graphic health warnings |  |  |  |
| Prohibition on displaying products in sales outlets |  |  |  |
| Restriction on use of vending machines |  |  |  |
| Requirement to provide annual returns on sales data |  |  |  |
| Requirement to disclose product content and composition |  |  |  |
| Regulations concerning ingredients (eg, nicotine content and/or flavours) |  |  |  |
| Requirement for annual testing of product composition |  |  |  |
| Prohibition on free distribution and awards associated with sales |  |  |  |
| Prohibition on discounting |  |  |  |
| Prohibition on advertising and sponsorship |  |  |  |
| Requirement for standardised packaging |  |  |  |
| Other |  |  |  |

#### Q7 Do you think it is important for legislation to impose some form of excise or excise-equivalent duty on nicotine e-liquid, as it does on tobacco products?

Yes  No

Reasons/additional comments:

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#### Q8 Do you think quality control of and safety standards for e‑cigarettes are needed?

Yes  No

Additional comments:

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| --- | --- | --- | --- |
| **Area of concern** | **Yes** | **No** | **Reasons/additional comments** |
| Childproof containers |  |  |  |
| Safe disposal of e‑cigarette devices and liquids |  |  |  |
| Ability of device to prevent accidents |  |  |  |
| Good manufacturing practice |  |  |  |
| Purity and grade of nicotine |  |  |  |
| Registration of products |  |  |  |
| A testing regime to confirm product safety and contents purity |  |  |  |
| Maximum allowable volume of e-liquid in retail sales |  |  |  |
| Maximum concentration of nicotine e-liquid |  |  |  |
| Mixing of e-liquids at (or before) point of sale |  |  |  |
| Other |  |  |  |

#### Q9 Are there any other comments you would like to make?

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### Additional information on sales and use

#### Q10 Can you assist us by providing information on the sale of e‑cigarettes in New Zealand (for example, size of sales or range of products for sale on the local market)?

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#### Q11 Would the Ministry of Health’s proposed amendments have any impact on your business? If so, please quantify/explain that impact.

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#### Q12 If you are using nicotine e‑cigarettes: how long have you been using them, how often do you use them, how much do you spend on them per week and where do you buy them?

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| --- | --- | --- | --- |
| **How long have you been using them?** | **How often do you use them?** | **How much do you spend on them per week?** | **Where do you buy them?** |
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