

Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024

Submission No:	18
Submitted by:	Heart Foundation
Publication:	Making the submission and your name public
Attachments:	See attachment
Submitter Comments:	



National Heart Foundation Submission to Introduction of Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024 in Queensland

27 June 2024

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1 About the Heart Foundation

For over 60 years, the Heart Foundation has been the trusted peak body working to improve heart disease prevention, detection, and support for all Australians. The mission of the Heart Foundation is to reduce heart disease and improve the heart health and quality of life of all Australians through our work in the fields of risk reduction, support, care, and research. The impacts of smoking and vaping on cardiovascular disease are an important area of focus for the Heart Foundation.

2 Action is needed to reduce the impacts of tobacco and e-cigarettes on cardiovascular health

The Heart Foundation supports the aims and objectives of the Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024 in Queensland. Legislation is needed to reduce the health burden from both tobacco and e-cigarettes.

There is unequivocal evidence that shows that tobacco use negatively impacts on cardiovascular health. People who use tobacco are:

- 2.5 times more likely to have a heart attack
- 2 times more likely to have a stroke and
- 5 times more likely to develop peripheral arterial disease.¹

There is now evidence that shows that vaping can be a gateway to tobacco use, as well as also negatively impacting on cardiovascular health.

- **E-cigarette use and smoking:** On average, young people who have use e-cigarettes are three times more likely to take up smoking compared to non-e-cigarette users.²
- **E-cigarette use and heart attack risk:** findings from a 2023 systematic review and meta-analysis indicated that any use of e-cigarettes was associated with a 33% increased risk of having a heart attack when compared to people who had never used e-cigarettes.³
- **E-cigarette use and heart failure risk:** a study published in 2024 found that people who used e-cigarettes at any point were 19% more likely to develop heart failure compared with people who had never used e-cigarettes.⁴

3 Support for the legislative amendments set out in the Bill

The Heart Foundation supports the amendments set out in the Bill. These amendments will help address the issue of young people accessing vapes.

The Bill seeks to end the supply and possession of vaping products by businesses by introducing a new definition of "illicit nicotine product" that includes vaping goods, devices, substances, and accessories. This definition comprehensively covers all vapes, regardless of nicotine content or therapeutic claims, effectively preventing deceptive labelling as "nicotine-free" to circumvent restrictions. The Heart Foundation supports this amendment.

The Bill also prohibits individuals from supplying illicit nicotine products as part of a business activity, which includes wholesalers, retailers, and online businesses. It also bans the possession of illicit nicotine products as part of a business activity, thereby targeting suppliers and wholesalers who use deceptive tactics to evade enforcement. The Heart Foundation supports this amendment.

Exceptions are made for certain suppliers, such as pharmacists, who are permitted under the Commonwealth's framework to possess or supply therapeutic vaping goods. Additionally, the Bill introduces new offenses specifically prohibiting the advertising, promotion, and display of illicit nicotine products, aiming to combat advertising efforts that target children and young adults. The Heart Foundation supports these amendments.

The Heart Foundation supports the amendments in the Bill that will assist state and local authorities to enforce regulations, including the ability to seize illegal vaping products and close non-compliant retailers. Furthermore, the Heart Foundation supports the proposed updated definition of nicotine products as this will help futureproof the legislation as new nicotine products emerge in the future.

Finally, the Bill proposes that higher penalties be implemented to deter retailers from viewing fines as merely a cost of doing business. In addition to this, strengthening regulations to penalise online retailers for promoting and advertising vaping products is essential to close loopholes in the current system. As these penalties are focused on distributors and retailers, and not end-users, the Heart Foundation supports these amendments.

The Heart Foundation supports the approach taken in the amending the Bill and urges the Queensland Parliament to pass this important legislation at the earliest opportunity.

4 References

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