

Vaping - An inquiry into reducing rates of e-cigarette use in Queensland

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Submitted by: Super Vape Store plus supplementary
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I am deeply concerned about the future of vaping. While the industry faces serious issues, I fear that any response will be reactionary and short-sighted. Much of this could have been prevented if proper regulations had been put in place years ago. Unfortunately, neglecting this industry has brought us to where we are today, and continuing to do so will only make matters worse.

In my opinion, New Zealand has some of the most sensible regulations when it comes to vaping. As a nation, they have committed to becoming smoke-free and have embraced vaping products as a potential replacement for traditional cigarettes. Their approach strikes a delicate balance between making vaping products accessible to smokers who want to transition to a less harmful alternative, while also taking measures to prevent marketing or sales to underage individuals.

In contrast, the approach taken by the Australian government towards vaping has been one-sided and misguided. Simply prohibiting these products is not an effective solution, as history has shown us with the failed alcohol prohibition in the 1920s. Additionally, the prescription model has not been successful in recent years. Implementing new legislation to restrict the sale of nicotine vaping products is unlikely to work, as it would be difficult to enforce and may lead to a further increase in illegal sales. If we do not learn from history, we are bound to repeat the same mistakes.

In order for this inquiry to be fair and balanced, I respectfully request that the vaping status of each committee member be made public. Specifically, I would like at least one committee member to be an active vaper, as I believe this will lead to a more well-rounded and informed discussion. Without representation from active vapers on the committee, I fear that our perspective will not be fully considered, and the inquiry may be biased towards a one-sided view.

From my perspective, vaping products are not medical devices. Rather, they are more akin to recreational products like alcohol. As such, I believe they should be regulated in a manner similar to alcohol laws, recognizing that they serve both recreational and therapeutic purposes.

Furthermore, limiting access to nicotine vaping products by requiring prescriptions would only place unnecessary strain on our already overburdened healthcare system. Given the limited resources of our healthcare system, we need to prioritize addressing more pressing health issues. Moreover, restricting access to these products to pharmacies would have the detrimental effect of undermining the retail industry, leading to the loss of thousands of jobs, and limiting access for adult consumers.

The core issue surrounding vaping products is the ease with which underage individuals are able to obtain them, which is a terrible reflection on our industry. To be clear, the vast majority of Australian retail vaping businesses strictly adhere to age guidelines. In fact, it is the illegal online importation of these products that poses the biggest challenge. Unfortunately, this is a difficult issue to address.

Implementing additional laws and regulations related to vaping products will be ineffective unless we can address the root cause of the problem. Specifically, the millions of small batch orders being shipped to residential addresses and the proliferation of online retailers. To effectively address this issue, we need to take a more proactive approach to shutting down online retailers

who ship vaping products to Australia.

This underscores the fact that the retail industry is not to blame, as we already conduct rigorous ID checks to ensure that only adults are able to access vaping products. The focus should instead be on preventing illegal online sales and importation, which pose a much greater risk for minors to access these products.

I am a strong advocate for dedicated retail vape stores, which would function similarly to alcohol stores. This model has several benefits: it helps prevent impulse purchases, creates a viable industry that generates thousands of jobs, can be licensed and regulated by the TGA, and provides access to adults while restricting underage sales. Moreover, it can ease the burden on our healthcare system and can be enforced more easily. In short, this model represents the most effective approach for preventing underage and unregulated sales of vaping products.

Regards
Zack O'Hare
Director - Super Vape Store

Additional Vape Facts that provides a more balanced view:

<https://vapingfacts.health.nz/>

<https://ukhsa.blog.gov.uk/2020/03/05/8-things-to-know-about-e-cigarettes/>

<https://worldvapersalliance.com/wp-content/uploads/2023/02/A-tobacco-harm-reduction-primer.pdf>

From: [REDACTED]
To: [Health and Environment Committee](#)
Subject: Submission- Re Vape Ban
Date: Friday, 5 May 2023 10:05:32 AM

Written by: Tamra Rehardt
On behalf of organisation: Super Vape Store
[REDACTED]

I have reviewed the transcripts from both Townsville and Gold Coast and I would like to provide some clarity on some points raised.

Firstly, it is essential to note that e-cigarettes and vaping devices are regulated under Australian law as smoking products, meaning that they are subject to the same laws and restrictions as traditional tobacco products. It is illegal to sell nicotine-containing e-cigarettes and vaping devices in Australia without a prescription, and the use of e-cigarettes in smoke-free areas is also prohibited in some states and territories. Furthermore, advertising and promotion of e-cigarettes and vaping devices is heavily restricted in Australia.

In terms of our business's efforts to recycle batteries, we have done extensive research into various recycling companies and options, including B cycle and Terracycle. However, we have found that both options come with significant costs, with Terracycle requiring a \$150,000 investment from our business in addition to ongoing costs. Although we are committed to responsible battery recycling, it is clear that these programs require significant financial investment and ongoing dedication.

Furthermore, statistics on the unregulated market are unreliable due to the absence of standardized reporting or monitoring systems, making it impossible to draw meaningful conclusions or make informed decisions based on the available information. Additionally, legitimate licensed vendors operating under Tobacco law continue to report known illegal activity in their local communities to the Health Department, ATO, Parliament, and Police, yet to no avail.

We would like to suggest that the fruit flavors used in adult products are not specifically targeted at children, but rather widely enjoyed by adults. These flavors were originally created for products intended for adults aged 18 and over. We condemn the use of black markets by minors to obtain these products. We have reported specific businesses to health departments via their website, but no law enforcement was sent to shut these places down, and there was no follow-up or response from the reports. We believe that there should be a better system in place for the public to report their concerns and have them addressed.

Dr Donohue's findings and evidence are preliminary, and long-term data is not yet available. It is not factually accurate to suggest that if vapes were put before the TGA today, they would be banned completely from Australia, and Dr Donohue admits that he does not have prevalence data locally and any evidence he does have is anecdotal.

It is clear that smoking tobacco cigarettes can lead to detrimental effects on one's lungs, which is evidenced by the staggering statistic of 20,500 Australian fatalities annually. Nevertheless, cigarettes remain legally sanctioned for retail in commonplace venues such as supermarkets and service stations. Therefore, any discourse regarding smoking must grapple with the inherent paradox of its legality.

In conclusion, we support legislation and restrictions on disposable vape products to ensure that the industry operates within a safe and regulated environment. As a licensed business, we pride

ourselves on good business practice, and we are committed to protecting public health while providing our customers with access to safer alternatives to smoking. We hope that the Court will consider our views and make an informed decision that takes into account the rights of both individuals and society as a whole.

Thank you for considering my comments. Respectfully, Tamra Rehardt