

From: [REDACTED] [mailto:[REDACTED]@ibvta.org.uk]

Sent: 02 August 2016 19:57

To: Martin Dockrell

Cc: [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]

Subject: Re: Our meeting this morning

Dear Martin,

Thank you for this note which I am content is an accurate reflection of our discussion. Thank you also for the inclusion of the note at the end.

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

Independent British Vape Trade Association (IBVTA)

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Please note that I currently work from home on Monday, Tuesday, and Thursday, so if you wish to speak with me on these days could you please contact me by e-mail or call me on my mobile telephone.

On 1 August 2016 at 18:06, Martin Dockrell <Martin.Dockrell@phe.gov.uk> wrote:

Dear [REDACTED]

Thanks for your message earlier. We also thought it was a productive meeting. As I mentioned outside the meeting our policy on discussions with parties with a vested commercial interest encompasses all manufacturers of nicotine products and PHE may, therefore publish any correspondence and details of meetings in the interest of transparency. I am afraid I do not have an address for [REDACTED] and I would be grateful if you could forward this to him.

Colleagues,

I hope this e-mail will serve as an adequate note of our meeting. Please let me know if the following is inaccurate or incomplete in any important regard.

Present [REDACTED], [REDACTED], [REDACTED] (MHRA), [REDACTED] (DH), [REDACTED] and myself (PHE) and apologies were received from [REDACTED].

MHRA

- [REDACTED] asked if retailers were receiving sufficient information on the new regulations to meet their needs.
- [REDACTED] responded that as a IBVTA member he does and that he would make enquiries with colleagues who belonged to other associations and none and that **you will get back to us with the results.**
- [REDACTED] explained that IBVTA will be providing a detailed briefing on the regulations to be made available to retailers. DH and MHRA expressed a willingness **to comment on the draft.**
- PHE expresses a willingness to share a **link to the document** through their networks.

PHE

- It was agreed that we would **work together to allow retailers to provide a clear and accurate account of PHE's advice** on e-cigarettes, both in terms of the risk of the products and their contribution to smoking cessation.

- Specifically we discussed the scope for retailers to carry messages in relation to the forthcoming Stoptober campaign.
- MD explained that PHE’s position protecting tobacco policy from vested commercial interests prevents any co-branding of material or any endorsement of particular products, brands or retailers. However, PHE are acutely alert to the opportunities of retailers assisting smokers in their efforts to quit. We agreed to **work together on a written aid for retailers** on what PHE is happy for them to say.
- MD stressed that PHE’s interest is in smoking cessation and that vapers who no longer smoke are not considered smokers and that we encourage smokers to make the transition to total smoking cessation swiftly, without an extend period of dual use.
- We noted that partnerships were arising around the country between LSSS and EC retailers.
- MD reported that PHE had recently provided advice to LSSS on “starter packs” and referring users to EC retailers and agreed **to share the text with IBVTA**. It was agreed that these partnerships appeared to be developing well and flexibly according to the local environment and that there may be occasions in the future when PHE might offer further support.
- MD outlined a proposed ethnographic research study looking at the dissemination of learning through consumer to consumer and retailer to consumer interactions. ■ indicated that it was likely that there would be retailers interested in participating in such a study and that further discussion would be useful.

There are a few actions in there (in bold). Let me complete one of mine with this e-mail. The advice we have provided on referring EC users to retailers is as follows. You will notice that we take care not to be “promoting” products so much as supporting smokers who want to use them to quit smoking.

Electronic cigarettes and stop smoking services

LSSS and e-cigarettes: For sharing with partners

We have recently had two enquiries about local authorities promoting e-cigarette use for smoking cessation.

- **Is it legal to provide free “starter packs” for smokers wishing to use EC as part of their quit attempt?** Providing free samples of licensed NRT was once commonplace. European medicines advertising legislation prohibits the supply of a medicine for a promotional purpose by manufacturers and suppliers. This includes free samples from the manufacturers. MHRA has worked with DH in the past on how health bodies can provide free samples or vouchers for starter packs and we understand that schemes have been successfully implemented. The key is that the health body must purchase product through normal commercial channels. We are unaware of any regulations that would prohibit a similar arrangement for non-medicinal nicotine products but would advise any agency considering such a course of action to take legal advice before proceeding.
- **Is it legal for a service to provide discount vouchers for a particular vape shop?** The Tobacco and Related Products Regulations 2016 make it an offence to advertise e-cigarettes ‘in the course of a business’. The legislation was specifically drafted so that PHE could continue undertake public health campaigns and LSSS could continue to provide generic information about relative health harms. Advertising of e-cigarette is tightly regulated and services should take care not to promote a particular brand or product. Services might reasonably offer clients lists of local e-cigarette suppliers and sources of further advice.

What action can services take to be e-cig friendly

- The NCSCT recently published [*Electronic Cigarettes: a briefing for stop smoking services*](#) which includes recommendations for practice and advice on EC friendly stop smoking services.
- In PHE’s publication [*E-cigarettes: a new foundation for evidence-based policy and practice*](#) we concluded “local stop smoking services provide smokers with the best chance of quitting successfully and we want to see them engaging actively with smokers who want to quit with the help of e-cigarettes’. It is not necessary for LSSS to promote their use to quitters, but rather to be open to their use by those approaching the service and to proactively engage with smokers who want to use EC as part of their attempt to quit smoking.
- Finding the right e-cigarette is something people need to do for themselves and people’s choices will vary according to individual preferences for flavour, strength, look and feel. Services should not feel they have to advise on a particular choice.
- EC are already the most popular quitting device in England and there is no need for services to promote their use. It is sufficient to support quitters in their quit attempts, providing behavioural support and the offer of pharmacotherapy.

- There [is research being undertaken](#) on the use of starter packs in LSSS and PHE will make advice on the basis of that evidence once it is published.

Kind regards

Martin

Martin Dockrell

Tobacco Control Lead

07889 [REDACTED] (Feel free to leave a voicemail message)

020 3682 [REDACTED] (Please do not leave a voicemail message)

From: [REDACTED] [mailto:[REDACTED][@ibvta.org.uk](mailto:[REDACTED]@ibvta.org.uk)]

Sent: 01 August 2016 12:53

To: Martin Dockrell

Subject: Thank you

Dear Martin,

Thank you very much to you and your colleagues for this morning's meeting. Could you please pass on my thanks to others who participated in the meeting.

Best wishes

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████████████████████

████████████████████

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