

LOOKING AT NON-COMBUSTION TOBACCO PRODUCTS

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1) Focus on our Goal.

Battling ‘tobacco companies’ - and losing sight of our goal in this war.

But our tactics should not get in the way of a better understanding of the industry.

* Nor of our **ultimate public health goal** of reducing Death Injury & Disease.

It is important to recognize that tobacco companies operate under the same general legal structures that impact other industries and have the same obligations to shareholders.

Tobacco companies DO operate in ways that are unlike other providers of goods and services:

- the nature of their products
- the nature of the regulatory regimes under which they operate.

2) The evolving regulatory framework

The history of goods or services shows that nothing arrives ‘regulated’.

It also shows the effectiveness of rational health-based regulation.

Over time there is an inter-relationship between changes in various businesses and changes in the regulations affecting these businesses.

In the past century there have been dramatic changes in such businesses as foods, pharmaceuticals, beverage alcohol, automobiles, medical services and building construction.

Tobacco products were left behind as other products and services ‘morphed’ into the modern businesses of today.

The tobacco industry is now also starting to ‘morph’.

A very important part of this change comes from advances in science, especially the recognition that **‘people smoke for the nicotine but die from the smoke’**.

Royal College of Physicians report on Tobacco Harm Reduction as a watershed development

‘It’s the smoke, stupid.’

It is no longer a question of whether cigarettes are more hazardous than potential alternatives, just a question of how best to regulate the spectrum of nicotine delivering products so as to achieve rational public health objectives.

This is not recognized by consumers, and evidently not recognized by most anti-tobacco campaigners and legislators.

If every smoker was instead a chewer of nicotine gum we’d not be here.

The continuum of risk is extraordinarily pronounced.

This gives us the basis for intelligent health-based regulation

But something equally important is that the companies are changing from a position of denying any health effects from tobacco use to accepting the views of public health authorities.

This puts the companies into the position of becoming involved in discussions about how to deal with the death and illness caused by their products, just as large carbon emitters who accept the science on global warming can credibly ask for a seat at the table when governments look to solutions in that area.

A failure by the health side to engage on issues of reducing risks will lead to marginalization (as per The Pure Food Movement, Carrie Nation, WCTU)

The tobacco control movement has the ability to shape, or possibly even largely prevent, many of the potential changes in the tobacco industry.
e.g. the FDA bill

But however the industry changes it will have a continuing requirement to adhere to changing regulatory standards and to pursue shareholder value. The regulatory framework will simply shape how tobacco companies can best meet their fiduciary obligations to shareholders.

3) Lessons from other industries

Two hundred years ago there was little to distinguish between a charlatan and a medical professional.

One hundred and fifty years ago there was little differentiation between processed food that delivered nutrition and that delivering deadly infections.

One hundred years ago there was no clear division between science-based pharmaceutical products and 'snake oil'.

Fifty years ago consumers had little chance to distinguish between automobiles on the issue of safety.

A pattern emerges when looking at how other industries changed, and that pattern now seems to finally be coming to nicotine/tobacco.

In general as products or services become established there is a proliferation of new products as various companies seek a marketplace advantage. Science also advances, and allows the ability to distinguish between products on the basis of a continuum of risk. This in turn creates an opportunity to use regulatory standards to shape the overall marketplace. Social reformers are themselves changed by the changes in the marketplace and in scientific understanding and move from an abstinence-only approach to an approach aimed at maximum reduction in death, injury and disease.

4) Dealing with the Potential of Unintended Consequences

There are *always* risks [Bicycles, 1895]

It is possible to have regulatory standards that create a race to ever-less-hazardous forms of nicotine delivery, discourage onset, protect third parties from risk and promote cessation.

In such an environment tobacco companies could change as dramatically as have other providers of goods and services.

We could see companies:

- 1) Competing to develop less toxic forms of nicotine delivery.
 - a. Esp. non-combustion products.
 - b. Escaping from 'commoditization'.
- 2) Moving into the realm of pharmaceutical rather than recreational nicotine products for much of their customer base.
 - a. The role of nicotine in self-dosing.
 - b. The potential for
 - i. alternative nicotine delivery

- ii. Alternative nicotine
- iii. Alternatives to nicotine
- c. Huge potential markets, enormous profit potential.

- 3) Pushing for ever-more draconian limitations on competitors that resist moving away from the cigarette business.

At the same time we are facing a fascinating example of Hegel's concept of '**objective allies**'.

Many within our movement are as fearful of fundamental change in this marketplace as are many of the senior executives at the most successful cigarette companies.

The FDA bill as an example.

We could end up in a situation where the status quo is seen by sufficient numbers on both sides of this 'war' as preferable to a changed marketplace.

10 million American lives.