

## **Flavour regulation in e-cigarettes requires proper scientific assessment**

### **BVTE calls for dialogue with the Federal Institute for Risk Assessment, especially on menthol**

(Berlin, 16.02.2022) The Federal Institute for Risk Assessment (BfR) published its statement (043/2021) on the health risks of flavourings in e-cigarettes on 28 December 2021. Although little is known about the uptake and effects of flavourings, extensions to the list of prohibited ingredients have already been proposed.

"We were very surprised that menthol, is to be banned in the process," says BVTE Chief Executive Jan Mücke in Berlin today. "This substance has been used safely in food, consumer products or medicines for decades."

The BfR based its recommendation on a supposed role of menthol in the development of respiratory diseases and the occurrence of severe systemic symptoms in mice. This means clinical patterns that occur independently of the route of ingestion. The reference cited is a review article that links two individual cases from the 1990s to menthol-containing cough sweets and a toothpaste, respectively. The actual assessment of menthol comprises only one short paragraph, which otherwise contains no evidence of health risks. In some places, the literature references do not match the substantive statements. With the hypothesis of facilitated inhalation of nicotine and aerosols, the BfR changes its earlier assessment (statement 045/2015 of 30.07.2015) and cites a report dealing exclusively with tobacco and tobacco smoke.

"These are considerable scientific deficiencies that call the major conclusions of the statement into question," Mücke explained further. "A ban on menthol in e-cigarettes cannot and must not be imposed on this insufficient scientific basis." No one can be satisfied with this assessment and the recommendation to ban menthol, not even the Federal Ministry of Agriculture (BMEL), which is in charge, or the responsible agricultural committee of the German Bundestag.

Ultimately, Federal Minister of Agriculture Cem Özdemir (Bündnis 90/Die Grünen) would now have to weigh up whether a menthol ban in e-cigarettes is really necessary. By publishing its recommendations, the BfR is putting considerable pressure on the political decision-making process. The BVTE will now pay more attention to ensuring that the regulation of e-cigarettes is based on current scientific findings. To this end, the BVTE calls for a dialogue with the BfR. The public discussion on flavouring bans was initiated by the BfR statement and should now be conducted with all stakeholders.

Flavourings are used in most e-cigarettes, making them more appealing to smokers in particular and making it easier to switch to less harmful products. Menthol is not only found in mint-flavoured e-cigarette liquids, but is used in low concentrations in a variety of liquids to round off the flavour.

Data from the German Survey on Smoking Behaviour (DEBRA) confirm a low and overall declining use of e-cigarettes among young people. Nevertheless, the calls for stricter regulation are getting louder and are often justified with health risks. However, the serious differences to tobacco cigarettes are hardly taken into account.

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