



Michigan E-Cigarette Flavor Ban Creates Public Health Problems

Burning tobacco and inhaling the resulting smoke is responsible for smoking-related diseases, not nicotine, which is why legal e-cigarettes containing nicotine are known to be 95% safer than combustible cigarettes and are the most popular tool used by Americans to quit smoking.¹ However, despite the latest research confirming the replacement of cigarette use by e-cigarettes over ten years would yield 6.6 million fewer premature deaths with 86.7 million fewer life years lost, Michigan's e-cigarette flavor ban will limit options and make it harder for users to quit smoking.²

Problem #1: Flavor Prohibitions Increase Smoking

- A 2017 study by researchers at the Yale School of Public Health concluded: "...a ban on flavored e-cigarettes would drive smokers to combustible cigarettes, which have been found to be the more harmful way of getting nicotine."
- An updated version of their analysis published in 2019 found that "banning flavors in e-cigarettes, while allowing menthol in cigarettes would result in the greatest increase in the selection of cigarettes (8.3%), and a decline in the use of e-cigarettes (-11.1%)."³
- This judgment is shared by Michael Siegel, professor of Community Health Sciences at Boston University School of Public Health. "By creating barriers to a much healthier product, these laws will simply force former smokers to return to cigarette smoking."

Problem #2: Emergency Rule Creates Unintended Consequences

- The rule applies not just to e-cigarettes but to "alternative nicotine products." It's unclear whether alternative nicotine products includes FDA approved nicotine replacement therapies such as flavored nicotine gums.
- As the rule stands, a person who is in possession of four or more flavored vapor products or flavored nicotine alternatives will be presumed to be possessing these items with the intent to sell. The county's most popular e-cigarette brand Juul sells its pods in packs of four. Many vapers using refillable e-cigarettes carry several different flavors at any one time for personal use.

1. Royal College of Physicians. "Nicotine without the smoke: Tobacco harm reduction." London RCP, 2016. <https://www.rcplondon.ac.uk/projects/outputs/nicotine-without-smoke-tobacco-harm-reduction-0>

2. Levy DT, Borland R, Lindblom EN, et al. "Potential deaths averted in USA by replacing cigarettes with e-cigarettes." Tobacco Control. 2018;27:18-25. <https://tobaccocontrol.bmj.com/content/27/1/18>

3. Buckell J, Marti J, Sindelar JL. "Should flavours be banned in cigarettes and e-cigarettes? Evidence on adult smokers and recent quitters from a discrete choice experiment." Tobacco Control. 2019;28:168-175. <https://tobaccocontrol.bmj.com/content/28/2/168.citation-tools>

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