

**Senate Community Affairs Committee**

**ANSWERS TO ESTIMATES QUESTIONS ON NOTICE**

**HEALTH PORTFOLIO**

**Additional Estimates 2014 - 2015, 25 February 2015**

**Ref No:** SQ15-000062

**OUTCOME:** 1 - Population Health

**Topic:** E-Cigarettes

**Type of Question:** Written Question on Notice

**Senator:** Di Natale, Richard

**Question:**

What is the Government's position on the availability and supply of e-cigarettes in Australia?

**Answer:**

The Australian Government is taking a cautious approach to the use of electronic nicotine delivery systems (ENDS), also known as electronic cigarettes or e-cigs, because of the limited evidence on their quality, safety, efficacy for smoking cessation or harm reduction, and the risks they pose to population health, such as their potential to disrupt the decline of smoking prevalence in Australia.

While ENDS are available in Australia, there are strict controls in place on the supply of ENDS with nicotine. The retail sale of electronic cigarettes containing nicotine is effectively banned under state and territory poisons legislation, as nicotine is classified as a Schedule 7 dangerous poison under the Standard for Uniform Scheduling of Medicines and Poisons (the "Poisons Standard") of the Commonwealth *Therapeutic Goods Act 1989*. Moreover, the use, possession or obtaining of nicotine for use in electronic cigarettes is also illegal in most states and territories. Except in therapeutic preparations (e.g. nicotine replacement therapies), nicotine is a scheduled poison because it is harmful to human health.

Electronic cigarettes, or the cartridges used in electronic cigarette products, have not been evaluated by the Australian Therapeutic Goods Administration (TGA) as the manufacturers of electronic cigarettes have not yet provided evidence that their products are a safe and efficacious form of smoking cessation therapy. Nor have they provided evidence to authorities of the overall safety, quality or efficacy of these products.

The Australian Government does not consider ENDS to be a form of nicotine replacement therapy. Smoking cessation therapy products, such as gum, patches and inhalers, currently registered on the Australian Register of Therapeutic Goods and legally available for sale in Australia, have been evaluated by the TGA as safe and effective.