

(ii) whether legal regime provided by the FCTC is suitable in a long-term perspective for regulation of HTPs. The paper relies in its analysis on standard legal research methods (i.e. textual and sociological).

### Background

In October 2018, the Conference of the Parties (COP) adopted its first decision on novel and emerging tobacco products, including HTPs. Unfortunately, the decision has left many legal questions unanswered. For example, the preamble to the decision states that HTPs 'are tobacco products' subject to the FCTC provisions. However, at the same time, its paragraph 5 not only remains obscure as to the applicability of the FCTC but also makes a distinction between HTPs and the 'devices designed for consuming such products', reinforcing the idea that the devices need separate (and potentially looser) regulations.

### Results

The paper argues that HTPs indeed need to be legally classified as tobacco products under the FCTC. The paper also submits that the distinction made by the COP between HTPs and devices leads to unsatisfactory results as it creates loopholes in tobacco control standards. In addition, the paper contends, when addressing the normative question of suitability of the FCTC disciplines, that the answer depends not only on scientific evidence relating to health risks posed by HTPs, but also on the conceptualization of the FCTC ultimate objective(s).

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## Duplicity: Heated Tobacco Products Strategy in Low- and Middle-Income Countries (LMICs): A Philippine Case Study

Deborah Sy<sup>1</sup>, Allan Villanueva<sup>2</sup>, Irene Patricia Reyes<sup>3</sup>

<sup>1</sup>Global Center for Good Governance in Tobacco Control, Thailand,

<sup>2</sup>CommonHealth, Philippines, <sup>3</sup>House of Representatives, Philippines

### Introduction

Tobacco companies are employing the same tactics they have used for years to market tobacco "harm reduction", like heated tobacco products (HTPs) and e-cigarettes/ electronic nicotine delivery devices. Despite their harm reduction claim and attempt to repackage their image as partners in tobacco control (TC), they are duplicitous, opposing effective TC measures and capitalizing on the poor regulatory environments of LMICs. Coupled with inadequate TC measures for cigarettes and disproportionately high number of youth and poor, re-normalization of tobacco use is likely to occur. This paper examines how the tobacco industry executes its double-edged strategy to create a new market and expand the current one.

### Methods

The authors examined pending legislations, available transcripts, and observations of civil society organizations involved in policy development, and analyzed market trends in the Philippines.

### Results

Philip Morris (PM) was observed to drive weak e-cigarette regulation in the country. Despite its alleged commitment to less harm, smoke free, and FCTC, it backed less stringent reforms on

tobacco regulation (low tobacco taxes, less than "100% smoke-free" laws), and failed to recommend robust safeguards to prevent youth uptake of HTPs/e-cigarettes notwithstanding proliferation of recreational use.

### Conclusions

PM is employing a dual strategy in its positions in legislative processes, that would likely result in increase in youth or recreational use considering the country's market condition and regulatory environment. Its strategy may not be an isolated case and much can be learned from other LMICs to ensure that the global corporation and its allies are held accountable for their actions.

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## How does (public health) ethics address "harm reduction"?

Dilek Aslan<sup>1</sup>

<sup>1</sup>Hacettepe University Faculty of Medicine

### Introduction

Tobacco related diseases and its global control is among prior issues of public health science. Recent threats also known as "new" products including e-cigarette, heated tobacco products, etc raise also "new" questions to be answered. Integrating ethical discussion(s) to the issue will probably widen the perspective(s) to protect the people from the risks of tobacco burden. In this presentation, it was aimed to understand how (public health) ethics discussed "harm reduction" using one scientific database.

### Methods

"Pubmed" was searched on 28th of January, 2019 with the keywords "ethics" AND "harm reduction". Total number of the articles accessed were 111. Publications were limited to the last five years (2014-2018). All of the abstracts were read and 98 articles were out of the scope because the articles were in other topic/content rather than tobacco. Only 13 articles were related with "ethics and (tobacco) harm reduction". Using only one dataset with two keywords were major limitations.

### Preliminary results

Unfortunately, majority of the articles supported "harm reduction" practice(s). No comparisons were done with the non-smokers conflicting with the public health ethics perspective. "Unclear" aspect of harm reduction was only the issue of a couple of articles, thus, no strong recommendation for eliminating tobacco smoking was raised.

### Conclusions

Ethics/public health ethics approach needs to highlight the importance of precautionary principles in harm reduction related discussion(s) clearly. Unfortunately, in the current accessed articles, such clear messages are thought to be missing. We should not forget that tobacco-free life is a basic human right for all without any discrimination.

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## Trend in electronic cigarettes and smokeless tobacco in Italian adolescents, Global Youth Tobacco Smoke (GYTS), 2014, 2018

Giuseppe Gorini<sup>1</sup>, Silvano Gallus<sup>2</sup>, Maria Cattaruzza<sup>3</sup>, Alessio Lachi<sup>4</sup>, Giulia Carreras<sup>4</sup>, Daniela Galeone<sup>5</sup>, Lorenzo Spizzichino<sup>5</sup>,

Barbara De Mei<sup>6</sup>, Susanna Lana<sup>6</sup>, Maria Masocco<sup>6</sup>, Valentina Minardi<sup>7</sup>, Claudia Mortali<sup>7</sup>, Luisa Mastrobattista<sup>7</sup>, Rosilde Di Pirchio<sup>7</sup>, Roberta Pacifici<sup>7</sup>, Lorena Charrier<sup>8</sup>, Franco Cavallo<sup>8</sup>, Fabrizio Faggiano<sup>9</sup>, Francesco Barone-Adesi<sup>9</sup>

<sup>1</sup>Study, Prevention & Oncologic Network Institute (ISPRO), Italy, <sup>2</sup>Department of Environmental Health Sciences, Istituto di Ricerche Farmacologiche Mario Negri IRCCS, Italy, <sup>3</sup>Sapienza University and SITAB (Società Italiana di Tabaccologia), Italy, <sup>4</sup>ISPRO, Italy, <sup>5</sup>Italian Ministry of Health, Italy, <sup>6</sup>Istituto Superiore di Sanità (ISS), Italy, <sup>7</sup>ISS, Italy, <sup>8</sup>University of Turin, Italy, <sup>9</sup>University of Novara, Italy

## Introduction

Main aim was to describe prevalence trends in Italy, 2014-2018 of tobacco cigarettes, electronic cigarettes (e-cig), smokeless tobacco (snuff, chewing tobacco, heated tobacco products), and to describe cigarettes and e-cig access from the Global Youth Tobacco Survey (GYTS).

## Methods

GYTS is a nationally representative school-based, cross-sectional survey of students aged 13-15 years. GYTS has been carrying out in 61 countries worldwide and used a standard methodology. Ten items were selected in order to describe prevalence trends and access to tobacco cigarettes and e-cig.

## Results

Ever and current tobacco use in Italy non-significantly decreased from 46.4% to 41.0%, and from 23.4% to 19.8%, respectively. Ever and current e-cig users significantly increased from 28.0% to 43.5%, and from 8.4% to 17.5%, respectively. Ever and current smokeless tobacco use in 2018 were 3.4% and 1.6%, respectively. In 2018, 68.0% and 76.0% of adolescents who were current cigarette smokers or e-cig users, respectively, reported retailers did not refuse to sell them cigarettes or e-cig because of their age; 19.7% and 15.3% of current smokers reported to buy cigarettes in stores, or in vending machines, respectively. Among current e-cig users, 10.2% reported to get e-cig from specialized shops.

## Conclusions

From 2014 to 2018 current e-cig users doubled; in 2018, current smokeless tobacco users were 1.6%. Even though sale bans to minors were implemented in Italy for cigarettes and e-cig, about 2 out 3 tobacconists and managers of e-cig shops keep on selling their products to adolescents.

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## A big new risk of iQOS use: a device that harvest personal data about users' tobacco habits

Krzysztof Przewoźniak<sup>1,2</sup>

<sup>1</sup>Maria Skłodowska-Curie Institute-Oncology Center, Warsaw, Poland, <sup>2</sup>Foundation "Smart Health - Health in 3D", Warsaw, Poland

Human being has a natural and civil right to protect his health and life. His civil right also includes protection of personal data, including those data that could have an impact on his health. Such

data are considered to be sensitive and have to be protected by law, government and all other stakeholders, including commercial companies. Personal data on tobacco habits belong to such datasets. Since May 25, 2018, any company that has processed personal data of European Union citizens is obliged to fulfill GDPR/RODO regulations related to personal data protection. There is no doubt that personal data on consumer's habits, including his tobacco behavior have to be protected by the law. The recent studies and reports warn the public that such novel tobacco products as iQOS (heated tobacco) are first tobacco products ever produced that can harvest personal data on users' tobacco habits and use them in tobacco marketing strategy. Technical reports prove that the iQOS is equipped with two microcontroller chips enable to store and transmit usage information to producer. Phillip Morris, that produces iQOS, is already building a mega database of iQOS customers who register with the company and is developing a software that strengthens these activities. Collected data include the number of puffs and average consumption per day which is crucial information for monitoring tobacco user's nicotine dependence and may help producer in manipulating with addiction potential. This paper collects available data on above risk and proposes on how to counter-act this challenge.

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## VOICES OF WOMEN IN TOBACCO CONTROL IN EUROPE

Uliana Bakh<sup>1</sup>, Liliia Olefir<sup>2</sup>

<sup>1</sup>PROI, Bosnia and Herzegovi, <sup>2</sup>NGO Advocacy Centre "Life", Ukraine

Gender is one of the factors that influences patterns of smoking prevalence and the tobacco industry tactics to target both women and men. For the last couple of years, the tobacco industry continues to exploit social, cultural and economic differences between gender roles.

Tobacco use might be considered as an indicator of social, political norms and beliefs when there is a division between feminism and patriarchy, feminine rebellion or intensified femininity and masculine superiority or positive masculinity.

Modern trends that promote gender equity are becoming a foundation for tobacco marketing aimed at women and particularly young girls in Europe. On the other hand, women are not equally represented in the leadership of tobacco-control policy-making and implementation.

The tobacco industry has been constantly rebranding itself and its tools to appeal to young men and women. Mainstream tobacco control is contrary to the tobacco industry tactics has been focused on the ideas of "traditional" gender roles. Therefore, wider efforts to promote leadership in tobacco control to merge gender issues with tobacco control advocacy, policy-making, health promotion and human rights to address inequities due to gender, power, income, freedom and discrimination. More research and carefully planned advocacy strategies and campaigns to raise awareness and call to action to promote tobacco endgame could incorporate gender theory to upgrade tobacco control.

The proposed symposium offers a platform where all interested conference attendees will have an opportunity to discuss recent gender-related trends in Europe, how to better plan for the integration of both sex and gender into all tobacco control activities