

18 April 2024

Senator Marielle Smith
Chairperson
Senate Community Affairs Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Email: community.affairs.sen@aph.gov.au

Dear Senator Smith

Therapeutic Goods and Other Legislation Amendment (Vaping Reforms) Bill 2024 [Provisions]

I am pleased to provide the Senate's Community Affairs Legislation Committee with this submission from the Clinical Oncology Society of Australia (COSA) in response to the Senate Inquiry on the Therapeutic Goods and Other Legislation Amendment (Vaping Reforms) Bill 2024.

COSA is the peak national body for all multidisciplinary health professionals whose work involves the care of cancer patients. We are affiliated with and provide high level clinical advice to Cancer Council Australia, and support their submission to this Inquiry.

Our submission sets out why COSA supports the intent of this legislation.

We offer the following salient points which we hope the Committee will consider.

While vapers are vulnerable to burns and other immediate pathological changes, including nicotine addiction, asthma and chronic obstructive pulmonary disease (COPD), the focus of COSA's clinical members is cancer attributable to vaping. A proven contribution that e-cigarettes are making to the prospective burden of lung and other cancers in Australians occurs because young people using e-cigarettes transition to tobacco smoking many times more often than people who never vape. However, concerning e-cigarettes and cancer, there is another path to cancer development.

A review currently being undertaken by COSA experts has now shown that e-cigarettes probably cause lung and oral cancer in their own right. This path to cancer, though not yet proven, is little short of certain because of converging lines of investigation which establish:

- i. Inhaled e-cigarette aerosols contain nicotine which, in the body, gives rise to known cancer-causing chemicals (carcinogens) collectively referred to as N-nitroso derivatives of nicotine. Other carcinogens inhaled by e-cigarette users include metals

vaporized from the heating element and cancer-causing breakdown products from components of e-liquids and from certain flavouring agents.

- ii. Chronic (that is, long term) injury to oral and respiratory tissue in those who vape, which is known to cause asthma and COPD, also predisposes to cancer development. This vaping-induced tissue injury is reportedly similar to that seen in smokers.
- iii. Molecular changes ('biomarkers') indicative of cancer development, specifically including DNA damage, oxidative stress and altered gene expression, are evident in oral and lung tissue specimens from those who have used e-cigarettes
- iv. The medical journals include 'case reports' about oral cancer in particular patients which their respective doctors attribute to vaping.

COSA welcomes this critical legislation that will reduce the devastating harm that e-cigarettes are having on our communities, and young Australians.

- v. This legislation will stop non-prescription e-cigarettes being freely available in our community, strengthening and streamlining the prescription pathway.
- vi. When passed, these laws will stop Australian manufacture, advertisement, supply and commercial possession of any non-prescription vape.
- vii. Retailers will no longer be able to advertise, supply or commercially possess non-prescription and disposable vapes.
- viii. Children and young adults will no longer be lured by brightly coloured, fruity flavoured products.
- ix. This bill introduces minimum quality standards on flavours, colours and ingredients as well as pharmaceutical-like packaging and limits allowable nicotine contents to make vapes less appealing to those who do not smoke.

We thank you for the opportunity to comment and would be happy to elaborate on this submission.

If you require clarification of any of the points in our submission, or references to support them, please contact our Chief Executive Officer, Ms Marie Malica (phone: (02) 8256 4160 or email: marie.malica@cancer.org.au).

Yours sincerely



A/Professor Dion Forstner
COSA President 2023-2024