



# Persatuan Pengguna Pulau Pinang Consumers Association of Penang

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## Press Statement

21 November 2019

### Smoking and vaping: Looking through the barrel of a gun

Recently a Member of Parliament, Datuk Abdullah Sani Abdul Hamid, wants the Ministry of Health (MoH) to temporarily suspend the smoking ban at open-air eateries on 1 January 2020 “until proper regulation is put in place for the vape industry”.

His call makes no sense. Banning smoking and vaping at eateries including open-air ones does not depart from enacting regulations for vaping.

The Consumers’ Association of Penang is aghast by his call for MoH to “come up with a win-win solution and enact proper regulation for some 5,000 vape operators who could potentially contribute to the economy”.

He is placing the economic interest of 5,000 vape operators before the health and welfare of our people, particularly the younger generation.

Datuk Abdullah Sani commented that smokers and vapers should “at least allow a space both for at eateries”, adding that “loopholes in the laws (that could be plugged) in order to protect the freedom of these groups”.

Datuk Abdullah Sani is obviously ignorant of Malaysia’s commitment under the international treaty to ban smoking in public spaces.

Smoking ban at open-air eateries is in line with Article 8 of the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC), Protection from exposure to tobacco smoke which requires all Parties to:

“Adopt and implement in areas of existing national jurisdiction as determined by national law and actively promote at other jurisdictional levels the adoption and implementation of effective legislative, executive, administrative and/or other measures, providing for protection from exposure to tobacco smoke in indoor work-places, public transport, indoor public places and, as appropriate, other public places.”

Malaysia ratified the FCTC in 2005 and that we have no reason to dance to the tune of the tobacco industry when 181 countries have ratified the WHO treaty. The FCTC enacts a set of universal standards stating the dangers of tobacco and limiting its use in all forms worldwide, seeking “to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke”.

Vape should be banned – not regulated – because it is impossible to monitor the hundreds of both legal and illegal e-liquid brands in the market. We would not be able to verify the composition of those e-liquids besides such exercise is very laborious and expensive.

A lesson for us to learn is the link between vaping and health risks as seen in the recent cases of vaping-related lung illnesses. In 2015, the British Journal of Family Medicine claimed that e-cigarettes are definitively — 95% — safer than traditional cigarettes. This statement caught on and the Electronic Nicotine Delivery System (ENDS) devices was used by the industry to convince people either to take up vaping or to switch from smoking conventional tobacco products.

When the vaping-related lung illness surfaced in July 2019, the Centers for Disease Control and Prevention (CDCP) in the US despatched 100 doctors and investigators to pinpoint the cause of the deadly outbreak which was initially thought of as a resemblance of a rare form of pneumonia. If it had happened in Asia, how many countries would be able to dedicate the manpower, time, and money to undertake such investigation? We have not even factored the cost of medical treatment for vaping-related lung illness cases.

CDCP identified Vitamin E-acetate that was used to increase the viscosity of e-liquids to be the prime suspect. However, this synthetic form of Vitamin E is used in many skin care products and dietary supplements. The Environmental Protection Agency (EPA) classified it as a chemical of low concern based on experimental and modelled data. This example clearly demonstrates that what is can be ingested and safely absorbed by the skin does not mean that it will equally be safe to the respiratory system. At this point we do not know the toxicity of other chemicals to the lungs even if they are considered food grade.

Datuk Abdullah Sani also questioned the ministry's pharmacy unit that seized e-cigarette liquids during spot checks at 29 premises in November.

Although there is no specific law for e-liquids in Malaysia, there is a ban on e-liquids that contain nicotine since 2015. Despite the ban, RM1.4 million worth of e-liquids suspected of containing nicotine was confiscated in August after complaints about students smoking them. The Tobacco and E-Cigarette Survey Among Malaysian Adolescents 2016 found 300,000 students using E-cigarettes.

On October 14, the Dewan Rakyat was told that the enforcement of the ban on the sale of electronic cigarettes (e-cigarettes) or vape that use e-liquids without nicotine was still under discussion. We would call for a complete ban because it is impossible to monitor the use of e-liquids and we do not want youth to take up vaping. We can anticipate a similar problem as smoking that we failed to eliminate after 69 years of knowing how dangerous smoking can be.

The smoking ban is set to start on 1 January 2020. We would urge the government to proceed with it because when spitting on the floor in public was made an offence under the Minor Offences Act 1955 — Section 15 (Miscellaneous Nuisances), there were objections. In fact, it was common for coffeeshops to have a spittoon under each table to prevent customers from spitting onto the floor. After decades of behaviour modification, such habit is now encountered with aversion by the younger generation. There is no other way than to apply the same approach to smoking and vaping.

We want to reiterate that vaping should be banned before Malaysia becomes a nation of nicotine addicts. The government has to be cautious about the industry and front groups that are financed by the related industry to sabotage the government's health agenda.

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