

Health Bureau responds to inaccurate media report on tobacco control policy

In response to a report published by Sing Tao Daily on April 3 which quoted individuals' remarks on alternative smoking products (ASPs) and waterpipe tobacco, claiming that tobacco control policies would negatively impact on tourists' perceptions, a spokesman for the Health Bureau (HHB) expressed regret over the inaccurate and misleading content and provided the following response:

The HHB has fully considered the situation of the tourism sector when formulating the 10 short-term tobacco control measures. These measures will not affect tourists' willingness to visit Hong Kong.

Regarding ASPs, Hong Kong has prohibited the import of ASPs, including e-cigarettes and heated tobacco products, as well as any related devices, parts, and accessories, since April 2022. Both sale or possession of ASPs for commercial purposes are also illegal, while possession for personal use remains permitted. Therefore, since three years ago tourists have been unable to bring ASPs into Hong Kong or purchase them upon arrival. Three years after the implementation of the ban, not only has the Hong Kong's tourism sector not been adversely affected, in fact, the number of passenger arrivals in Hong Kong in 2024 has restored to pre-pandemic level, with the number of passenger arrivals at land boundary control points exceeding pre-pandemic level. Additionally, Thailand and Singapore have also banned ASPs without any noticeable impact on their tourism numbers. Claims that the Hong Kong Special Administrative Region Government's plan to further prohibit the possession of ASPs would deter tourists totally disregarded the fact that ASPs have already been banned from import (including bringing them into Hong Kong) and sale for three years. The report also omits to explain the fact that tourists are currently unable to bring ASPs into Hong Kong or purchase them upon arrival, misleading both the public and tourists.

Moreover, ASPs are by no means "harm-reducing" products, as the report suggested. In fact, ASPs have been proven to release various toxic substances that can cause cancer, and damage the nervous and respiratory systems. The World Health Organization has also clearly stated that there is no evidence to suggest that ASPs could help quit smoking. Recently, e-cigarette devices have been used as tools for drug abuse. E-liquid, mixed with drugs such as etomidate (commonly known as "space oil drugs"), a psychoactive substance, can be inserted into e-cigarette devices and heated to generate aerosol for smoking. Young people may become addicted to drugs by smoking e-cigarettes containing "poisonous capsules" without realising it. To prevent harmful products like ASPs from continuing to circulate locally and to tackle the problem of "poisonous capsules" at its root, the HHB has proposed banning the possession of related products.

As for flavoured tobacco products, the Government has proposed legislation to ban the sale of flavoured conventional smoking products (such

as fruit flavours). This aims to counteract the intention of tobacco companies to use flavouring agents to disguise the hazards of tobacco products and attract people to smoke. The Government's proposal is to ban the sale of flavoured conventional smoking products, but not their consumption. Inbound travellers, including tourists, are still permitted to bring into Hong Kong 19 cigarettes duty-free, or declare and pay duty on cigarettes exceeding this quantity under the existing mechanism, regardless of whether the cigarettes are flavoured or not. Therefore, the proposal will not affect tourists visiting Hong Kong.

The use of flavoured waterpipe tobacco has become increasingly prevalent in recent years. Waterpipe is a smoking device originating from regions including the Middle East, and traditionally is used without added flavour. In order to entice people to smoke, tobacco companies add flavours to waterpipe tobacco and this has led to the growing popularity of waterpipes in other regions as well. In order to prevent tobacco companies to use waterpipe smoking as another means to entice members of the public, in particular women and young people, to become addicted to smoking, the Government's proposal to ban flavours in conventional smoking products will also apply to waterpipe tobacco, with a view to ensuring policy consistency and safeguarding public health.

In fact, under the Smoking (Public Health) Ordinance (Cap. 371) (Ordinance), conducting a smoking act in a statutory no-smoking area, including indoor areas of bars, is prohibited. Any person engaged in a smoking act in statutory no smoking areas commits an offence. Currently, only about 10 per cent of bars in Hong Kong have outdoor areas where waterpipe tobacco may be smoked legally. The report cited the charter president of the Licensed Bar and Club Association of Hong Kong, Mr Leung Lap-yan, as saying that 30 per cent of bars offer waterpipe tobacco, indicating that many bars are providing waterpipe tobacco in no-smoking areas, which is akin to "collective charcoal burning", and may be suspected of encouraging illegal smoking or violating the restrictions on the sale of tobacco. The Government warns bar operators and venue managers not to assist anyone in violating tobacco control regulations or provide tobacco or waterpipe devices for use in statutory no-smoking areas. The Department of Health will take stringent enforcement actions against such illegal activities and illegal waterpipe smoking activities.

Meanwhile, promoting illegal indoor smoking is highly irresponsible. As carbon monoxide is produced during the combustion of fuel used in waterpipe (e.g. charcoal), smokers, other customers, and staff will be exposed to an environment of high concentration of carbon monoxide, which may lead to symptoms such as impaired vision, disturbed co-ordination, unconsciousness, and brain damage. Bar operators should consider the health risks of prolonged exposure to second-hand smoke for their employees.

Moreover, at present, where smoking products (including waterpipe tobacco) are sold, in bars or other premises, the restrictions on the promotion and sale of smoking products stipulated in the Ordinance apply. Offenders are liable on summary conviction to a maximum fine of \$50,000. Venue managers of statutory no smoking areas are empowered by the Ordinance

to request a smoking offender cease the relevant smoking act. If the offender is not co-operative, the manager may contact the Police for assistance.

The spokesman for HHB reiterated that tourists and outside talents would consider a variety of factors when deciding to come to Hong Kong, such as overall tourism experience, development opportunities, humanistic literacies, quality of environment. Tobacco control work will not in any way affect the desire of tourists to visit Hong Kong. On the contrary, the work will enable citizens and tourists to enjoy a fresher environment, and also make Hong Kong a healthier and more vibrant city, thereby enhancing the attractiveness to tourists and outside talents, which is also welcomed by most of the general public.