



April 8, 2019

**Submission to the Bills Committee on Smoking (Public Health) (Amendment) Bill 2019 of the Legislative Council of Hong Kong**

立言  
立新  
立民

Lab in Hong Kong believes that a free market society should be preserved at the highest possible degree so as to maintain the economic competitiveness of our territory. Restrictions on freedom based on public health concern should be based on logic and concrete evidence rather than vague objectives or concerns. Such an approach is firmly established and recognised through various international laws and customs and the Hong Kong authorities should honour those rules.

Unfortunately, we have seen the bureau in charge of public health are driving away from such a principle with bigotry. ***The proposed outright ban of new smoking products, including heat-not-burn (HNB) tobaccos, only reflects their way of thinking as consuming conventional tobacco products is healthier than the new ones.*** Researches from laboratories and national authorities across the world have well-proved that HNB tobaccos contain less harmful substances than conventional ones. Yet, the Food and Health Bureau tables this ban to the legislature and letting conventional tobacco products, which is more harmful, to get away from any tougher restrictions, shows such laughable hypocrisy would be inevitably a step closer to the reality.

While the rest of the world has taken a pragmatic approach to perceiving HNB tobacco products, the Hong Kong authorities are going emotional driven on the issue. Committee at the Parliament of the United Kingdom agrees with the approach, based on scientific reports, which people consuming conventional tobacco products can treat HNB tobaccos, and public health authorities should consider the products as a means to boost quit smoking rates<sup>1</sup>. Yet, the Secretary for Food and Health and her team have bluntly followed their emotions rather than evidence as they cherry-picked researches which would seemingly facilitate their irrational motives to impose the outright ban, rather than looking at researches, practices and trends across the globe to give a fairer view. The stance of the administration is extremely regrettable.

Health workers and their representatives in the legislature have also turned on their hatred and go against all facts and evidence in this debate. Instead of adding HNB tobacco products, which is proved to contain fewer harmful substances than conventional tobacco products, into the current regulatory framework, these professionals have launched smear campaigns with illusionary messages and stunted rhetoric in an attempt to deceive the public to support their stance. It is an utter shame on them as they practice their professions in a scientific manner on one hand but go against it in the HNB products debate.

The road to Serfdom is paved with good intentions. Doctors, nurses and their representatives in the Legislative Council hold 'all for your own good' mentality, turning a blind eye on facts based on science which would contribute a fair and balanced view in dealing with HNB regulatory regime. Individual freedoms would be disproportionately restricted if the legislature agrees with the outright ban.

Last but not least, a public hearing can in no place replace a public consultation. ***Lab in Hong Kong urges the authorities to withdraw the amendment and to launch a public consultation*** so that both sides can present their views and to engage in genuine conversations base on scientific evidence. The public health authorities should have also conducted their independent studies on HNB products and to present to the legislature before tabling the bill.

<sup>1</sup> E-cigarettes. Retrieved on the Parliament website at <https://publications.parliament.uk/pa/cm201719/cmselect/cmsctech/505/50502.htm>