

Doctors And Pharmacists Slam Proposed Nicotine Deregulation Without Vape Control

By CodeBlue | 29 March 2023

MMA and MPS oppose a proposal to drop nicotine from the Poisons Act – expected to be discussed by the Poisons Board today – in order to tax vape, as this will allow the legal sale of e-cigarettes to anyone, including children, without a law in place.



An e-cigarette or vape. Picture from haiberliu from Pixabay.

KUALA LUMPUR, March 29 – Doctor and pharmacist groups have protested against a radical proposal to drop nicotine from the Poisons Act 1952 that will allow e-cigarettes to be sold legally to anyone.

Currently, nicotine – except tobacco that is regulated separately under the Control of Tobacco Product Regulations 2004 under the Food Act 1983 – is classified as a Group C poison under the Poisons Act that can only be dispensed by medical practitioners or pharmacists.

However, both the Malaysian Medical Association (MMA) and the Malaysian Pharmacists Society (MPS), in separate statements issued last night,

highlighted the possibility of the exemption of nicotine from the list of controlled substances under the Poisons Act to allow the taxation of e-cigarettes or vape products with nicotine.

CodeBlue understands that the Poisons Board will meet this afternoon at 2.30pm to discuss dropping nicotine from the Poisons Act. The [Poisons Board](#), established under the Poisons Act, serves to advise the health minister on the removal of substances from the Poisons List, among others, according to the Ministry of Health's (MOH) Pharmaceutical Services Programme portal.

"In order for vape containing nicotine to be sold, nicotine will have to be removed from the list of controlled substances under the Poisons Act. There has been talk that this is imminent and will be carried out as soon as the 1st week of April," MMA president Dr Muruga Raj Rajathurai said in a statement.

"There are NO regulations pertaining to the use of vape in Malaysia currently in place. Removing nicotine from this list of controlled substances under the Poisons Act will then allow any vape – both containing nicotine and non-nicotine – to be sold openly and legally to anyone, including children of any age.

"Current actions denote the government is more concerned with the potential tax revenue and has little to no worry about the impact of this on the health of all Malaysians.

"As agreed and discussed by all parties, the Tobacco Control Bill needs to be passed first. Only then there will be adequate control of vaping. including vaping devices with nicotine. Only then can we move to tax vape and allow sale to those older than 18 under controlled conditions."

The controversial Control of Tobacco Product and Smoking Bill 2022 – which seeks to ban tobacco and vape products for anyone born from 2007, touted as the "generational end game" (GEG) – is not listed on the Order Paper for today's Dewan Rakyat sitting.

The current Dewan Rakyat meeting has eight bills to go through before it is scheduled to end next Tuesday.

Prime Minister Anwar Ibrahim, in his Budget 2023 speech in Parliament last month, [announced the government's plans](#) to impose excise duties on e-cigarette or vape liquids containing nicotine.

Anwar, who is also finance minister, had estimated the local vape industry to be worth more than RM2 billion, adding that the government would earmark half of the taxation revenue for the MOH.

MPS president Prof Amrahi Buang cited an MOH study that showed an increase in the prevalence of e-cigarette use among adults in Malaysia from 0.3 per cent in 2015 to 1.3 per cent in 2019. The study also found that the majority of e-cigarette users in the country were young adults aged 18 to 24.

“MPS believes that the proposed exclusion of nicotine gel or liquid from poison control regulations under the Poisons Act 1952 would undermine efforts to protect public health and safety,” he said in a [statement](#).

“Nicotine is a highly addictive substance that should be regulated in the same way as other poisons. Excluding it from the Poisons Act 1952 would send the wrong message to the public, particularly young people, and could lead to an increase in the use of e-cigarettes and vaping.”