

H:171 - Electronic Cigarettes

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What Electronic Cigarettes Are Not

They are not considered cessation devices:

- In 2009, FDA announced its intention to regulate e-cigarettes as drug delivery devices. The parent company of NJOY – Sottera – sued FDA, saying e-cigarettes should be regulated as a tobacco product. FDA lost the case.
- The Court created an exception for products that make claim to provide a specific medical therapy but research must prove that the product is “safe and effective”; it appears no manufacturers have yet submitted a therapeutic claim for FDA approval.

What are E-cigarettes....Really?

- E-cigarettes are unregulated tobacco products.
- No e-cigarette has been found by FDA to be safe and effective in helping smokers quit.
- Almost all e-cigarettes contain nicotine – including many that claim they are nicotine-free.



Targeting Youth: Kid Friendly Flavors

The screenshot shows a web browser window with the URL `rocketfuelvapes.com/bomb-pop-e-liquid.html`. The page features the Rocket Fuel logo and a navigation menu with items like HOME, ABOUT, FLAVORS, YOU PICK 5, VAPE BLOG, CONTACT, and LOG IN. A promotional banner at the top offers sample packs and e-liquids. The main product, Rocket Pop, is highlighted with a large image of a red and white vape pen. The product description reads: "A blend of cherry, lime and raspberry that will take you back to long-forgotten summers of the past." The price is \$6.50, and it is currently in stock. The page includes a form for selecting nicotine strength and volume (10 ml or 30 ml for \$9.50). A sidebar on the right lists benefits such as SSL encrypted checkout, free shipping on orders over \$50, and being a diacetyl-free, quality-controlled product made in the USA. Social media icons for Twitter, Facebook, and Pinterest are also visible.

Targeting Youth: Cartoons



Targeting Youth: Point of Sale



Targeting Youth: Even Santa Claus Vapes!



The Result?

- Nationwide, the use of e-cigarettes by teens tripled in just one year.
- The 2015 Vermont Youth Risk Behavior Survey shows 30% of high school students have tried e-cigarettes.
- 15% use e-cigarettes regularly compared to 11% of high students who smoke.
- 39% of Vermont 12th graders have tried, and 19% are regular users.

The Result? Erosion of Social Norms

- Currently, more than 8 out of 10 Vermont students think smoking is not the norm.
- For nearly 30 years, Vermont has progressively passed laws to reduce secondhand smoke exposure.
- These laws have contributed to making smoking not the norm.
- Are e-cigs rolling back decades of progress?



The Result? Enforcement Challenges

- It's tough to distinguish between e-cigarettes and a conventional cigarette.
- This creates unnecessary confusion and challenges to enforce Vermont's smokefree laws.



Regulation

The Coalition for a Tobacco Free Vermont, including the American Lung Association, American Heart Association and American Cancer Society Cancer Action Network:

- Supports H.171 to include e-cigarettes in smokefree laws and require products to be behind counters.
- Supports state law that would prohibit the sale of any flavored e-cigarette product, including H.59. We recommend the ban include all flavors, including menthol.