# Electronic Cigarettes and Tobacco 21



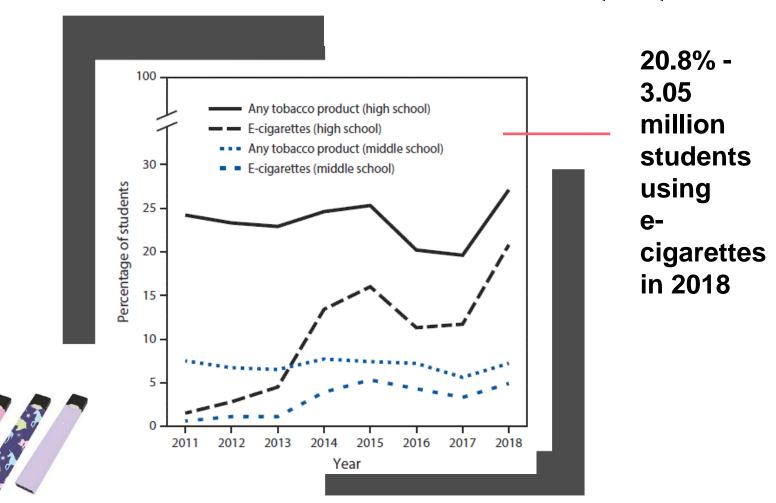
#### **The Problem**

- > 95% of current smokers started before the age of 21
- Having the first cigarette by age 18 makes it twice as likely to become a lifelong smoker
- Using e-cigarettes increases the likelihood of smoking the following year
- In 2018 1 in 3 high school students are using tobacco in the past month



#### ep·i·dem·ic

**noun** a widespread occurrence of something in a community at a particular time.



Cullen KA, Ambrose BK, Gentzke AS, Apelberg BJ, Jamal A, King BA. 2018

#### **The Problem**

- Key Findings:
- 2018 National Youth Tobacco Survey
- 78% increase in e-cigarette use among high school students between 2017 and 2018.
- 48% increase in e-cigarette use among middle school students between 2017 and 2018.
- E-cigarette use surge led to uptick in overall tobacco use, reverses previous declines.



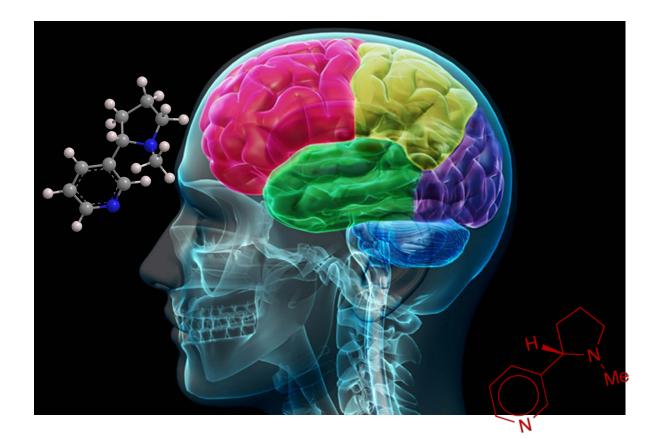
#### **Nicotine Addiction and Youth**



- Brain development continues until mid-20s
  - Decision making
  - Impulse control
  - Sensation seeking
  - Peer Pressure
- Adolescent brains are uniquely vulnerable to addiction
- Nicotine harms the developing brain

# Nicotine in the Brain

- Drug
- Stimulant
- Highly Addictive
- Causes changes in brain chemistry
- Found in tobacco products



#### **The Solution**

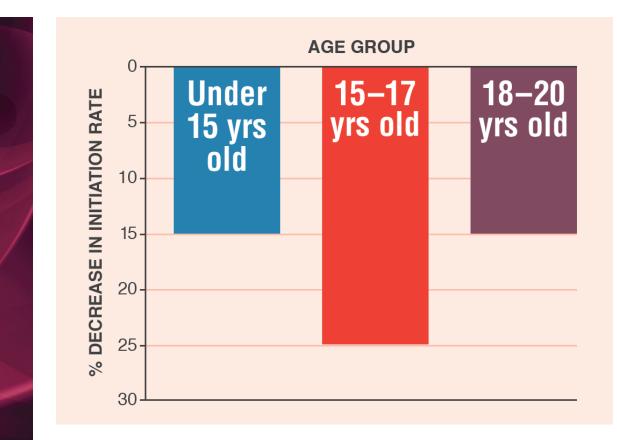
2009 Family Smoking Prevention & Tobacco Control Act

- Set a federal minimum age at 18 and gave states authority to have stronger regulations
- Called for a study on the implications of raising the minimum sale age





#### **Policy Impact on Initiation**



Raising the Minimum Age of Legal Access to Tobacco Products

**Public Health Implications of** 

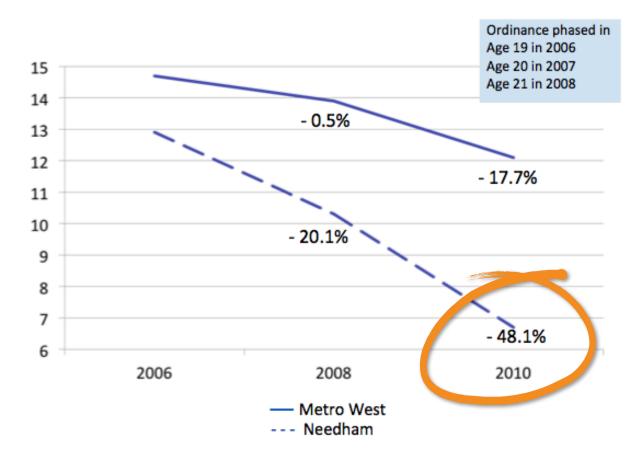
OF THE NATIONAL ACADEMIES

# **Needham Case History**



- Surrounded by cities in West-Metro Boston
- Youth can literally walk across the street and be in another city
  - Why is this important to know?

## **Needham High School Smoking Rates**



Kessel, S. et al, 2015

#### **Changing the Trend**



"Tobacco 21 works by putting the legal purchasers outside the social circles of most high school students, making it more difficult for 15 to 17 year-olds to pass as legal purchasers or have legal purchasers as a friend."

Rob Crane, MD President Preventing Tobacco Addiction Foundation

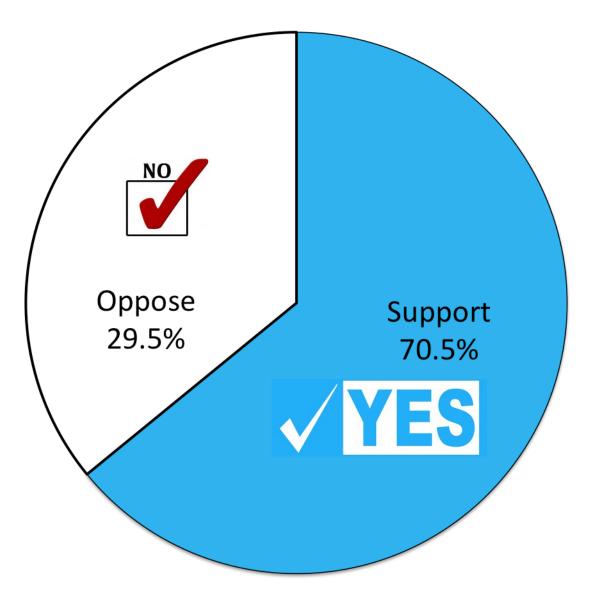
#### "Tobacco 21 – An Idea Whose Time Has Come"

Winickoff, J. et al, 2014



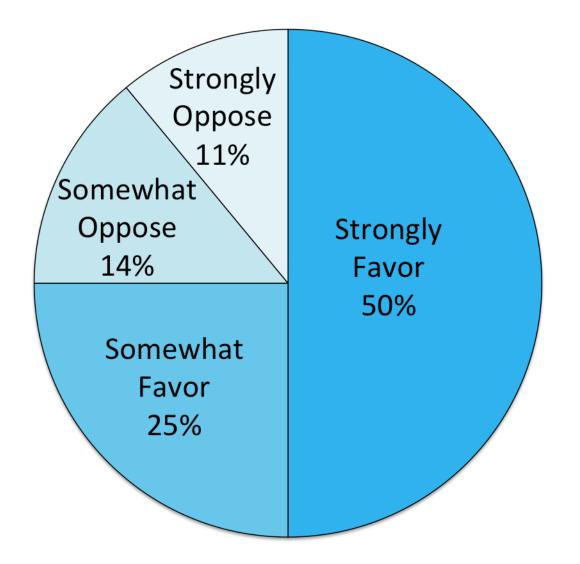


"The age to buy tobacco should be raised to 21."



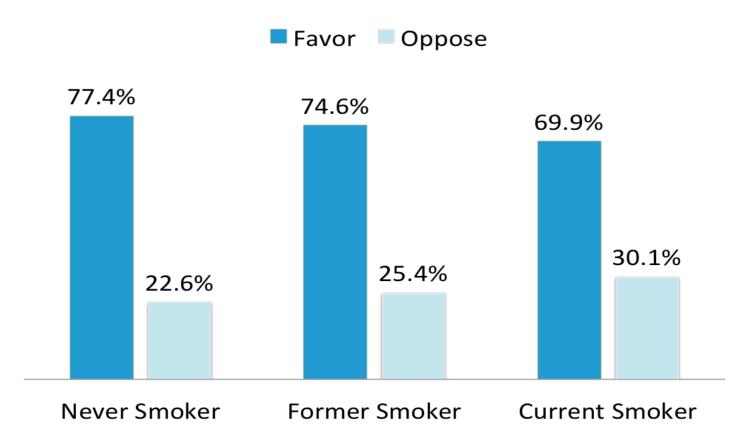
Winickoff et al, 2015. Social Climate Survey of Tobacco Control.

"Do you favor or oppose raising the legal minimum age to purchase all tobacco products from 18 to 21?"



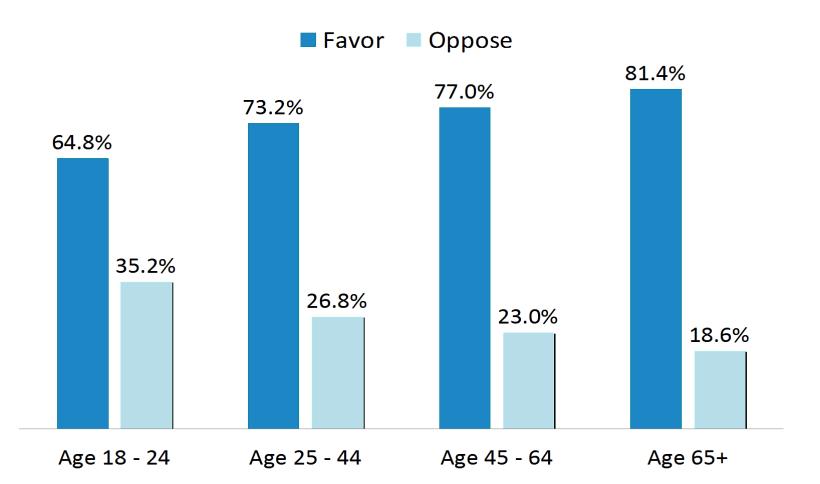
King et al, 2015. CDC Summer Styles Survey.

## Favorability toward Raising the Legal Minimum Sales Age



King et al, 2015. CDC Summer Styles Survey.

## Favorability toward Raising the Legal Minimum Sales Age



King et al, 2015. CDC Summer Styles Survey.

**Tobacco 21 Endorsements** 





PREVENTING TOBACCO ADDICTION FOUNDATION

#### Opposition

#### Most common argument against Tobacco21

# "Old enough to fight for our country and old enough to vote ...

... then old enough to buy tobacco"



#### Opposition

• Will decrease city sales tax revenue and hurt business income

# 18-20 year olds are not a major portion of tobacco sales

18-20 year olds account for only 2% tobacco sales

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Winickoff et al, 2014.

# THIS IS NOT Hot sauce.

What is it?





# THIS IS NOT ICE CREAM.

👾 What is it?





# THIS IS NOT Whipped Cream.

₩ What is it?





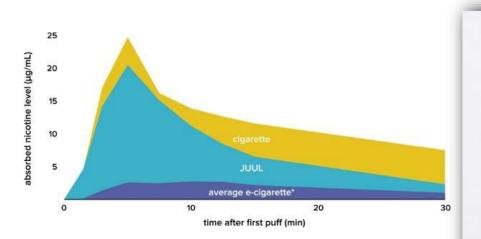
# THIS IS NOT A FLASH DRIVE.

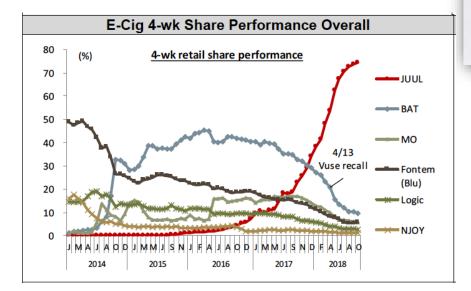






#### JUUL







# 63% OF JULL USERS DON'T KNOW THAT DON'T KNOW THAT THE PRODUCT ALWAYS CONTAINS NICOTINE.



truthinitiative.org



#### **Electronic Cigarettes**

## Percentage of products that contain nicotine:

- 99.0% of disposable e-cigarettes
- 99.7% of rechargeable e-cigarettes
- 98.8% of refill sales

#### Percentage that contained nicotine by <u>product</u> type:

- <u>99.0%</u> of all e-cigarettes products
- 98.7% of flavored e-cigarettes
- 99.4% of nonflavored e-cigarette products

#### Sales of Nicotine-Containing Electronic Cigarette Products: United States, 2015

RESEARCH AND PRACTICE

Knoy L. Marynek, MPP, Dens G. Gannon, MS, Todd Ragen, PhD, Ellen M. Coun, MS, Tushar Singh, MD, PhD, and Bran. A. Kng, PhD, MPH.

Objectives. To assess the proportion of electronic cigarette le cigarette products sold all exported information on monitor con muy be unceptible to bins, especially among in the United States that contain nicotine according to retail scanner data. Methods We obtained unit sales data from January 11, 2015, to December 12, 2015, youths. To address this gap, we used retail from The Nielsen Company for convenience stores; supermarkets; mass merchanditers; sales data from 2015 to asses unit sales of drug, club, and dollar stores; and Department of Defense commissaries. The data did net monthin-containing e-signettes. include purchases from tobacco specialty shops, "vape shops," or online sources. Nicotine content was assessed by product type (disposables, rechargeables, and refills), region, and flavorstatus based on nicotine strength listed in the Universal Product Codes. For the METHODS 36.7% of entries lacking nicotine content information, we conducted internet searches In 4-week aggregate periods from Junuary by brand, product, and flavor, 11, 2015, to December 12, 2015, we sequired Results in 2015, 99.0% of e cigarette products sold contained nicotine, including nationally representative Universal Product 99.0% of discosables, 99.7% of rechargeables, and 98.8% of refils. Overal, 98.7% of Code (UPC) data on unit take of c-digarettee Revored e-cigarette products and 99.4% of nonflavored e-cigarette products contained Eum The Nieleen Computy (Nielees) for nicotine ionvenience surer supernitzket: mus Conclusions in 2015, almost all e cigarette products sold in US convenience stores and merchandoes; dub, dug, and dollar stores; other assessed channels contained nicotine. and Department of Defense comminaties Public Health Implications: Findings reinforce the importance of warning Nieles collectainformation when a product labels for nicotine-containing products, ingredient reporting, and restrictions. UPC is scanned at checknut, which includes on sales to minors. (Am J Public Health: Published online ahead of print March 21, detailed duracteristics of text on the product packaging, such as brand, subbrand, flavor, 2017: a1-a4, doi:10.2105/612H.2017.303660 nicotine content (if any), type of device, and quantity per package. We canonized e . organize readars learonic cigarettes (e-cigarettes) are (e-liquid) floves and nicetine concentrations, into 3 matually exclusive types (1) dependent Electronic cigarettes (e-cigarottes) are devices capable of delivering aerosolized including zero montine. (2) stater kits or redungsible devices (7) nicotine, flavoring, and other substances to Demand for nicotine-containing durgeables"), and (3) refills, including prefilled the user. E-cigarette a were the most com-e-cigarette products relative to zero-aiconize cartridges and cartonizers, and e-liquid

monly used tobacco product among US	products is currently unknown but a of public	hottles ("e-basids"). The analysis excluded	
youths in 2015 and are more commonly used	health importance given the consequences of	accessories that do not contain e-liquid.	
imong high school students and young adults	montine exposure for young people.15 More		
aged 18 to 24 years than among adults older	than 80% of 266 e-cigarette brands analyzed		
than 25 years.14 Youth use of e-cigarettes	in 2014 offered zero-nicotine varieties,8 and	Nicotine Content	
is a public health concern because nicotine	studies of self-reported use of e-cigarettes	Each product was classified into 3 motually	

Source: Marynak, K.L.; Gammon, D.G.; Rogers, T.; Coats, E.M.; Singh, T.; King, B.A., "Sales of nicotine-containing electronic cigarette products: United States, 2015," American Journal of Public Health 107(5); 702-705, May 2017.



"Today's teenager is tomorrow's potential regular customer, and the overwhelming majority of smokers first begin to smoke while still in their teens..."

-Philip Morris, 1981

"If a man has never smoked by age 18, the odds are three-to-one he never will. By age 24, the odds are twenty-to-one."

> RJ Reynolds, "Estimated Change in Industry Trend Following Federal Excise Tax ncrease, "September 10, 1982





#### TOBACCO21: SAMPLE ORDINANCE

#### **Components:**

• Strong definition of Tobacco Products, including e-cigarettes

October 2016

- Setting the sale age at 21
- Enforcement
  - Tobacco Retail License

MINIMUM LEGAL

SALES AGE

- Health Department
- Systematic Compliance Checks of All Retailers
- Penalty on Retailer
  - Minimum of \$300, graduated, ability to suspend or revoke license
- No penalty on youth for Purchase, Use or Possession
- Age Verification
- Signage
- Education of Retailers
- Effective Date

#### **Federal**

- H.R. 2339: The Reversing the Youth Tobacco Epidemic Act, introduced by Reps. Pallone and Shalala. This includes Tobacco-21 as a provision in a larger tobacco control bill, which we support in full. Also addresses issues flavors, marketing restrictions, online sales, and more.
- S. 1541: Tobacco-Free Youth Act, introduced by Leader McConnell and Sen. Kaine. We are supportive of the bill but have areas we would like to see improved.

- H.R. 2084: the SCOTT Act introduced by Rep. Aderholt. We are against this bill due to a provision that could weaken regulations on heat-not-burn products.
- H.R. 2411/S. 1258: The Tobacco to 21 Act, introduced by Sens. Schatz, Durbin, Young, Romney & Reps. DeGette and Stewart. We actively worked on this bill and strongly support it.



## Michigan

 Senate Bills 106 and 155: Defines electronic cigarettes as "Vapor Products" and "Alternative Nicotine Product" which we oppose. Also allows for a minor to be convicted of a misdemeanor.  House Bill 4039: Raises the minimum legal sale age to 21 in Michigan. Includes electronic cigarettes, which is also defined as a tobacco product. We support.



#### Why?

Michigan population, July 2018 estimate	9,995,915
# people turning 18 each year	121,061.6
New 18 year-old smokers each year without T21	33,994.1
New 18 year-old smokers each year with T21	25,495.6
# of new 18 year-old smokers prevented each year with T21	6,887.2
# of lives saved each year from T21 law	2,868.5
# of kids alive today spared a tobacco-caused death	51,633.4



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