

Snohomish Health District Board of Health

RESOLUTION # 2015-023

**A RESOLUTION Calling on the Washington State Legislature to Act to
Restrict Youth Access to E-Cigarettes and Vapor Products**

WHEREAS, vapor products, such as e-cigarettes, vape pens and other electronic drug delivery systems, deliver an aerosol, commonly called a vapor, to users by heating a solution containing nicotine, solvents, flavorings, and other chemicals; and

WHEREAS, vapor products are not currently regulated by the federal government and currently the sole state regulation is a prohibition on sales of nicotine-containing vapor products to minors; and

WHEREAS, the availability of nicotine-containing vapor products has increased dramatically in recent years and the use of such products is rapidly increasing in Washington State; and

WHEREAS, vapor products often contain fruit or candy flavorings with a high appeal to youth, often are less expensive than tobacco products, and use of vapor products among teens and young adults is rapidly increasing, including among those who have never smoked cigarettes; and

WHEREAS, e-juices used in vapor products contain concentrated nicotine that can be toxic or even fatal to children when ingested or absorbed through the skin, calls to the Washington Poison Center about child exposures to nicotine e-juices have increased dramatically over the last several years, and at least one child has died in the United States from exposure to a nicotine e-juice; and

WHEREAS, sales of vapor products through internet retailers are widespread and unregulated, and studies show minors are easily able to purchase vapor products online due to absence of effective age-verification requirements; and

WHEREAS, marijuana retailers are prohibited under state law from being located within buffers around schools and other public places to reduce youth access, yet retailers selling highly addictive tobacco products and nicotine-containing vapor products are not similarly regulated, and local governments are preempted by state law from further restricting tobacco sales; and

WHEREAS, smoking or inhalation of nicotine can cause adverse effects on brain development in young people, 95% of adult smokers start using tobacco products before age twenty-one (21), and a 2015 Institute of Medicine report found that raising the tobacco sale age to twenty-one (21) would significantly reduce the number of adolescents and young adults who start smoking and reduce deaths from smoking; and

WHEREAS, the Snohomish Health District Board of Health has taken local action to protect the public's health from exposure to unknown chemicals in vapor and to restrict youth access to vapor products by enacting a new Chapter 14 in its Sanitary Code entitled "Restrictions on the Use, Sale, and Availability of Vapor Products in Snohomish County"; and

WHEREAS, local regulations cannot address all concerns noted above, and legislation to regulate sales and safety of vapor products has been introduced and discussed by the Washington State Legislature, but has not been enacted;

NOW, THEREFORE, BE IT RESOLVED by the Snohomish Health District Board of Health: The Board of Health calls on the Washington State Legislature to take action to ensure the e-cigarette and vapor product industry properly safeguards the health and safety of our children and youth by:

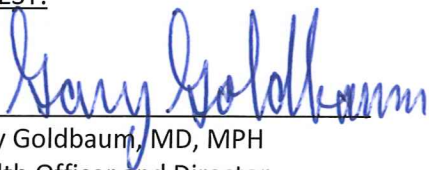
- (1) Requiring child resistant packaging in accordance with federal standards for any e-juice or solution sold in or brought into the state for use in a vapor product;
- (2) Regulating internet sales of vapor products to ensure robust age-verification requirements to prevent shipment of vapor products to minors in the state;
- (3) Prohibiting retailers from selling tobacco products and vapor products in buffer zones around elementary and secondary schools, child care centers, public parks and libraries, in accordance with restrictions on marijuana retail locations;
- (4) Raising the state's legal age of purchase for tobacco products and nicotine-containing vapor products to twenty-one (21); and
- (5) Protecting the power and authority of local health boards, counties, cities and towns to regulate the use, sales, and promotion of vapor products to protect public health and address community needs.

Adopted this 8th day of December, 2015.



Sam Low, Chair
Board of Health

ATTEST:



Gary Goldbaum, MD, MPH
Health Officer and Director