

Offered by Councilor Matt O'Malley

**CITY OF BOSTON
IN CITY COUNCIL**



AN ORDER FOR A HEARING ON RESTRICTING E-CIGARETTE SALES IN THE CITY OF BOSTON

- WHEREAS:** Tobacco and nicotine use remain one of the great public health challenges of our time, affecting many residents of Boston and resulting in negative respiratory, cardiovascular, and other health consequences, including brain development impacts on adolescents; and
- WHEREAS:** Longstanding success in reducing the number of cigarette smokers at first appeared to be aided by the advent of e-cigarettes to help smokers quit, but e-cigarette manufacturers such as Juul have in fact introduced nicotine addiction to a new, largely younger population; and
- WHEREAS:** A single Juul cartridge contains as much nicotine as a pack of cigarettes, while recent research suggests only a minority of young people are aware of the significant nicotine content within e-cigarettes; and
- WHEREAS:** The Food and Drug Administration (FDA) has characterized teenage e-cigarette use as an epidemic that endangers public health; and
- WHEREAS:** The National Youth Tobacco Survey shows that from 2017 to 2018, e-cigarette use by high school students increased 78% and use by middle school students increased 48%, and more than a quarter of high school student users are using e-cigarettes over 20 days per month; and
- WHEREAS:** This epidemic is equally prevalent in Massachusetts, with one in five high school students using e-cigarettes; and
- WHEREAS:** While e-cigarettes are marketed as a tool to curb existing addiction to cigarettes in adults, a 2017 study indicated a reverse effect on youth, with high schools students who had recently used e-cigarettes nearly 7 times more likely to start smoking cigarettes; and
- WHEREAS:** Experts have advocated for regulations to curb youth e-cigarette use, citing that only 3% of adults use e-cigarettes, while 20% of high school students do; and
- WHEREAS:** The FDA is implementing new regulations on e-cigarette use, such as limiting sale to adult-only stores and limiting certain candy-flavored e-cigarettes, yet usage has already spread sufficiently that many underage

users have illicit access to second-hand e-cigarette devices, and 51% use menthol- or mint-flavored e-cigarettes that will remain legal; and

WHEREAS: Federal policy responses will remain limited until the FDA completes its evaluation of the health effects of e-cigarettes in 2021, giving the epidemic the opportunity to continue to grow for the next two years; and

WHEREAS: The public health benefits of e-cigarettes in providing harm reduction to traditional smokers may be satisfied by providing these products through the medical system, obviating the need for direct sales; and

WHEREAS: Some actions to combat this challenge have already taken place in Massachusetts, including the Boston Public Health Commission restricting the sale of flavored tobacco products to adult-only stores, Somerville restricting all e-cigarettes and menthol-flavored cigarettes to adult-only stores, and state bills H. 1902 and S. 1279 seeking to end the sale of flavored tobacco products; and

WHEREAS: The popularity of e-cigarettes among children represents a public health crisis and a new source of addiction in the City of Boston, requiring a robust response to discourage this dangerous trend; **THEREFORE BE IT**

ORDERED: That the Boston City Council, hereby assembled, orders a hearing on restricting the sale of e-cigarettes and separating the medical use of these products from the youth epidemic in our city. The Boston Health and Human Services cabinet, the Boston Public Schools, healthcare providers, and members of the public are invited to attend.

Filed in City Council: