

E-CIGARETTES & OTHER NICOTINE-DELIVERY PRODUCTS

Electronic cigarettes (also known as e-cigarettes, e-cigs, cig-a-likes, hookah pens, vape pens, vape pipes, mods, or box mods) are battery powered devices that allow users to inhale an aerosol that may contain nicotine and/or other substances. Disposable e-cigarettes are considered ready-to-use. Rechargeable e-cigarettes use a battery powered coil to heat e-cigarette juice (e-juice), which contains a propylene glycol and/or vegetable glycerin base and flavorings. It then releases a chemical-filled aerosol that is inhaled. Most e-juices, however not all, contain various levels of nicotine. Liquid nicotine can also be added to flavored e-juices to increase nicotine potency. Certain rechargeable mods look very similar to e-cigarette mods, but are used to heat dry herb tobacco and marijuana, rather than e-juice.

Use of e-cigarettes among youth skyrocketed in the U.S. There was a 900% increase among high school students from 2011 to 2015. The U.S. Surgeon General issued a report on e-cigarettes in December 2016 and announced that use among youth is now a significant public health concern and steps must be taken by parents, educators and policymakers to discourage use.

Electronic cigarettes and the law:

- In August 2016 the Food and Drug Administration (FDA) finalized a rule extending its authority to include e-cigarettes and other tobacco products.
- The Federal-level “deeming rule”, which took effect August 8, 2016, considers all nicotine products derived from tobacco as “tobacco”. This includes cigarettes, e-cigarettes, pipe tobacco, cigars and cigarillos, hookah pipe shisha, and dissolvables.
- Regulations for e-cigarettes (and all of the products above) include the following:
 - e-cigarettes are now under FDA (and State) jurisdiction as a tobacco product.
 - e-juice health warnings are required.
 - marketing authorization from the FDA is needed for e-juice and delivery devices (if manufactured after 2-15-2007).
 - stores are not permitted to sell to persons under 18 years old and ID age verification is needed for anyone appearing under 27.
 - Vending machines are not allowed (except in adult-only facilities).
 - free samples are prohibited.
- Various states have their own State-level policies that regulate e-cigarettes. For example, Alabama, Alaska, New Jersey and Utah have risen the purchasing age for e-cigarettes to 19 years old, while California and Hawaii have risen the purchasing age to 21 years.
- California has some of the strictest e-cigarette State policies. As of June 2016, shops that sell tobacco or devices that are constructed to be used with tobacco:
 - are not allowed to sell e-cigarette devices or liquids to persons under 21 years of age and need to check photo IDs.
 - they must post an age-of-sale warning sign by cash registers.

- all e-device cartridges and juices used for filling devices must be sold in child-resistant packaging.
- shops need to apply for a state tobacco retail license.
- vaping in vape shops is not allowed unless the shop is qualified as a retail/wholesale tobacco shop, or private smokers' lounge. Vaping is only allowed where smoking is allowed State-wide.
- Local governments and city councils can develop their own policies regulating e-cigarettes. For example: Long Beach, California issues a limited number of permits for establishments that allow smoking/vaping indoors and Monterey Park, California had a two year moratorium prohibiting permits for new vape shops.

OTHER NICOTINE-DELIVERY PRODUCTS

A **hookah** (also known as a waterpipe, narghile, argghila, qalyān, or shisha) is a single or multi-stemmed instrument for vaporizing and smoking flavored tobacco (called shisha) in which the vapor or smoke is passed through a water basin before inhalation. They can be found in traditional and electronic form. Hookah smoking carries many of the same health risks and has been linked to many of the same diseases caused by cigarette smoking. Estimates of hookah use among college students range from 9.5% to 20.4% (past month) and 41% to 48% (lifetime use), respectively.

Dissolvable tobacco is similar to smokeless tobacco; however, it is made to dissolve in the mouth over a 5-to-20 minute period depending on the type of dissolvable. It is a relatively new tobacco product, finely milled, and is available in a tablet form (also called orb/lozenge), stick form (about the size of a toothpick), and in strip form (similar to breath freshening strips). Many of the major tobacco manufacturers offer dissolvable tobacco in some form. Dissolvables may lead to the same types of consequences as other smokeless tobacco products (e.g., there are 28 carcinogens in smokeless tobacco products, possibly leading to oral cancer; there may be gum disease, cardiovascular consequences, as well as nicotine addiction). In general, dissolvables may be less hazardous than regular smoking of cigarettes if they are used instead of cigarettes. There is little evidence, however, that they are a means of quitting combustible cigarettes and dual use of dissolvables and cigarettes may be a problem (approximately 30% dual use). There is a potential for nicotine toxicity among young children who, seeing a candy-like appearance and flavorings, may imbibe it.

Other nicotine-delivery products and the law:

- Since tobacco use is the single largest preventable cause of disease and death in the U.S., much-needed Federal regulations were recently established.
- The FDA has regulated cigarettes, smokeless and loose tobacco since 2009.
- As mentioned above with e-cigarettes, the Federal-level “deeming rule” which took effect August 2016, considers all nicotine products derived from tobacco as “tobacco”.
- Thus, shisha for hookah and dissolvable tobacco are now Federally-regulated in the same manner as cigarettes, e-cigarettes, and other tobacco products.