



Legislation Text

File #: 20-04, **Version:** 1

Clerk 01/08/2020

A RESOLUTION encouraging the Washington state Legislature to adopt broad regulations to protect Washington's youth from the potential harmful effects of vapor product use.

WHEREAS, according to the World Health Organization, the prevalence of tobacco smoking has decreased steadily since the beginning of the twenty-first century, and

WHEREAS, in 2016 the United States Office of the Surgeon General released a report on E-Cigarette Use Among Youth and Young Adults, and

WHEREAS, most e-cigarettes contain nicotine, a highly addictive chemical that can harm adolescent brain development, and

WHEREAS, the younger an individual start using nicotine, the more likely they will become addicted, and

WHEREAS, one in four high school seniors in King County report vaping in the past 30 days, and

WHEREAS, on July 18, 2019, the King County Board of Health was briefed on vaping in King County by Public Health - Seattle & King County subject matter experts and representatives from the youth, LGBTQ and educator communities on the impacts of vaping and their experience, and

WHEREAS, as of December 27, 2019, a total of 2,561 hospitalized cases of lung injury associated with vaping known as EVALI, including 55 deaths, have been reported to the Centers for Disease Control and Prevention ("the CDC"), and

WHEREAS, as of December 12, 2019, seven incidents of severe lung disease associated with vaping

have been reported in King County, and

WHEREAS, on September 27, 2019, Governor Jay Inslee issued Executive Order 19-03 that directed the Washington state Department of Health to ban flavored vapor products and work to identify the cause of a recent outbreak of vaping-related lung injuries, and

WHEREAS, the King County Board of Health submitted a letter to the Washington state Board of Health supporting the need to act and demonstrating the King County Board of Health's commitment to taking action to prevent vaping-related lung injuries, and

WHEREAS, the Washington state Board of Health adopted an emergency rule to create chapter 246-80 WAC to ban the sale of flavored vapor products for 120 days beginning October 10, 2019, and

WHEREAS, on November 18, 2019, the Washington state Board of Health adopted a new section to their emergency rule that bans the sale of vapor products containing vitamin E acetate due to the prevalence of this compound in laboratory test samples conducted by the CDC, and

WHEREAS, as of January 2, 2020, the U.S. Food and Drug Administration ("the FDA") stated that to date, no e-cigarette or other electronic nicotine delivery systems ("ENDS") products have been authorized by the FDA, which means that all ENDS products currently on the market are considered illegally marketed and are subject to enforcement, at any time, at the FDA's discretion, and

WHEREAS, on January 2, 2020, the U.S. Food and Drug Administration issued a notice that they intend to prioritize enforcement of only some illegally marketed ENDS products by focusing on flavored, cartridge-based ENDS products and not menthol, and WHEREAS, cartridge-based ENDS products are the primary vaping products used by minors and menthol is the most popular e-cigarette flavor used by teens, and

WHEREAS, mint is the herb plant that produces menthol, and

WHEREAS, cartridge-based ENDS products, while not sold as refillable, are in fact easily refillable with e-liquid products that will remain on the shelves in thousands of sweet candy-like flavors, and

WHEREAS, 97 percent of youth who vape used a flavored e-cigarette in the past month and most students report vaping for flavor, and

WHEREAS, Washington state law preempts local jurisdictions from enacting policies locally that could be more stringent than state law to prohibit youth from access to vapor products;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF HEALTH OF KING COUNTY:

The Board of Health encourages the Washington state Legislature to adopt broad regulations to protect Washington's youth from the potential harmful effects of vapor product use.