

Sedro-Woolley City Council Meeting

E-Cigarette Use and Smoking & Vaping in Public Places

Skagit County Public Health
October 10, 2018



Briefing Agenda

- Overview of tobacco prevention challenges & public health concerns
- Overview of e-cigarettes and vapor products
- WA's laws on public smoking and vaping
- County-level efforts
- Local options for regulating vaping and smoking



Ongoing Challenges in Tobacco Prevention

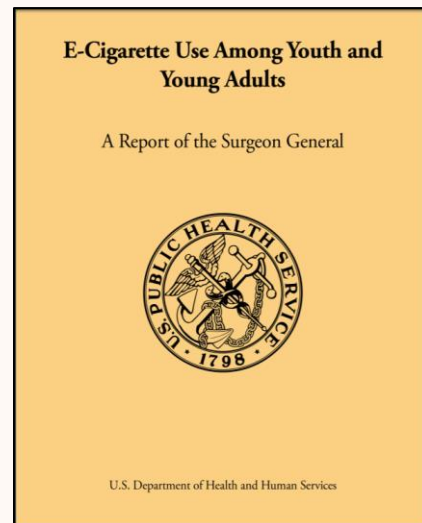
“Despite declines in youth and adult smoking overall, certain communities continue to smoke at higher rates and suffer disproportionately from the associated health problems,” including secondhand smoke exposure by non-consumers. - *WA DOH, April 2018*

“In recent years, e-cigarette use by youth and young adults has increased at an alarming rate. E-cigarettes are now the most commonly used tobacco product among youth in the United States.” - *U.S. Surgeon General 2016*



Public Health Concerns with Vaping in Public Places

- **Potential health effects** from exposure to vapor, especially for vulnerable populations
- **Rapidly increasing use** by teens and young adults
- **Vaping other drugs**, including marijuana and illegal drugs
- **High poisoning risk** to children from concentrated nicotine e-juices



What Are Vapor Products?

“Minis” or “Cigalikes”



“Mid-Sized”



“Tanks” or “Mods”



Smaller and
not customizable by user



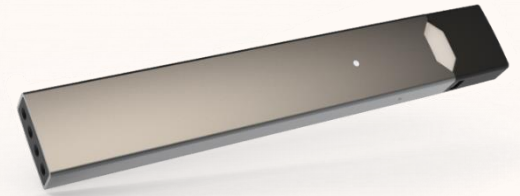
Larger and
customizable by user

Nicotine content can vary across e-cigarette products



Juul

- 54% of e-cigarette sales nationally
- Juuling is very popular among teens
- Small device, looks like thumb drive
- Uses nicotine salt formulation; allows for higher nicotine levels
- 1 pod has same nicotine as 1 pack of cigarettes



What's in the Vapor?



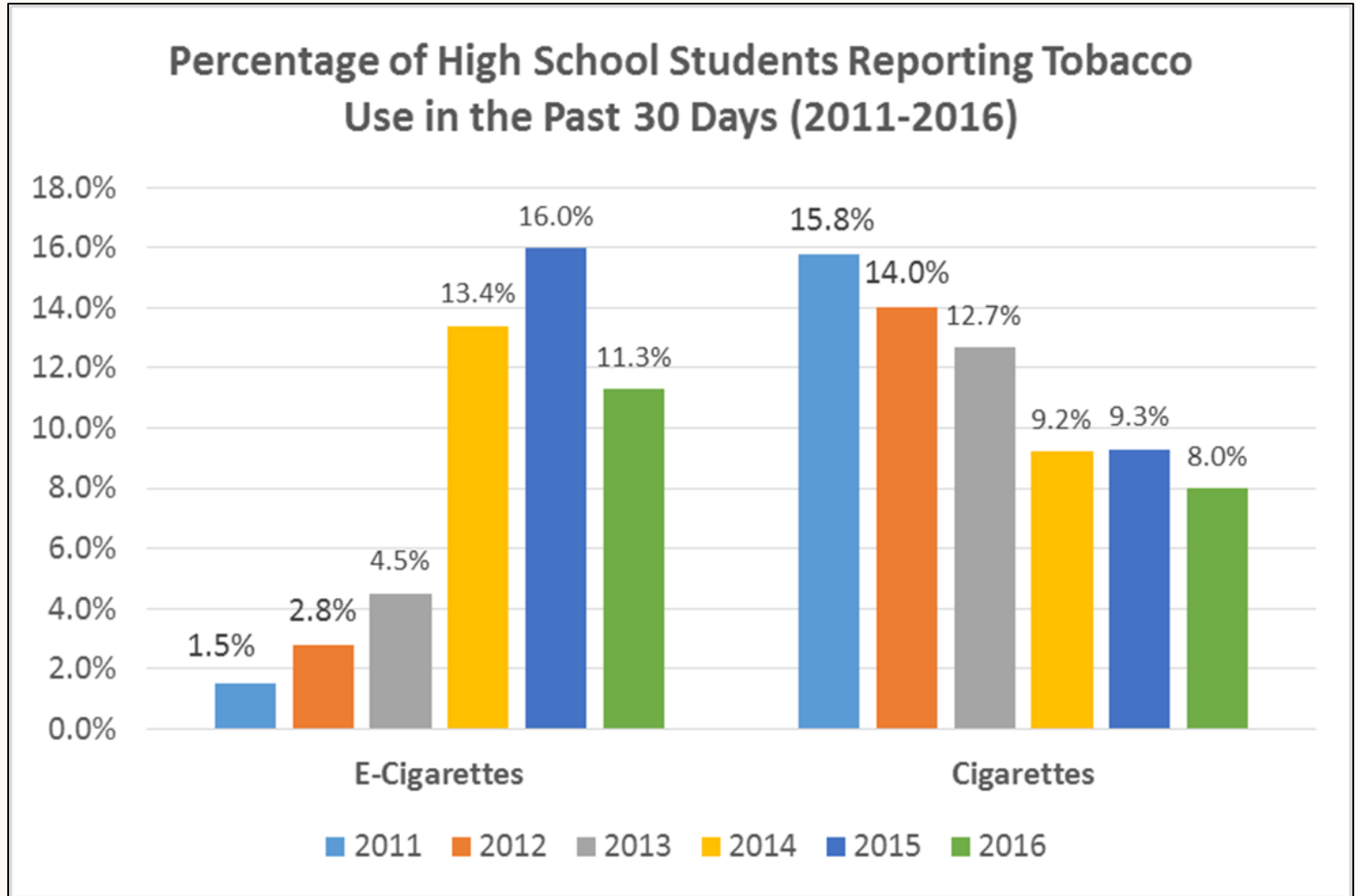
Results of limited indoor air quality studies show vaping increases levels of:

- ✓ Nicotine
- ✓ Volatile organic compounds, including known carcinogens
- ✓ Metals
- ✓ Ultrafine particles

Nonsmokers near vaping have nicotine in their blood.

No safe level of nicotine exposure for pregnant or breastfeeding women.

2016 WA Healthy Youth Survey



Youth Use Of Vapor Products

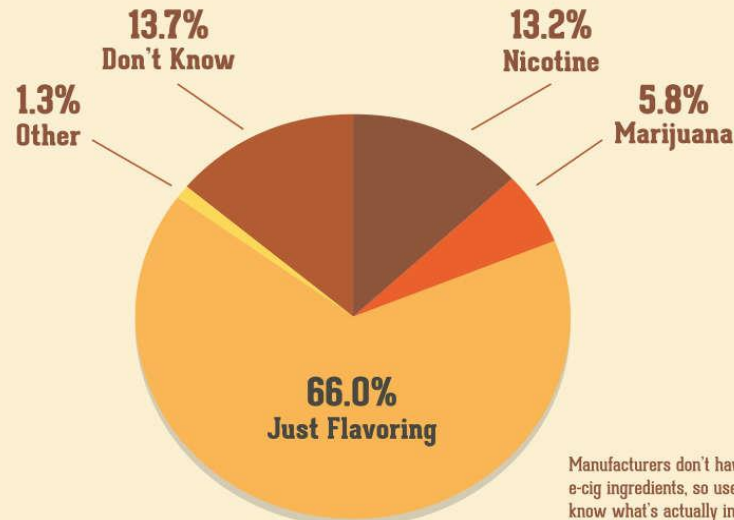
TEEN E-CIG USERS ARE MORE LIKELY TO START SMOKING.*²

Start Smoking Within 6 Months



*Includes combustible tobacco products [cigarettes, cigars, and hookahs]

WHAT DO TEENS SAY IS IN THEIR E-CIG?³

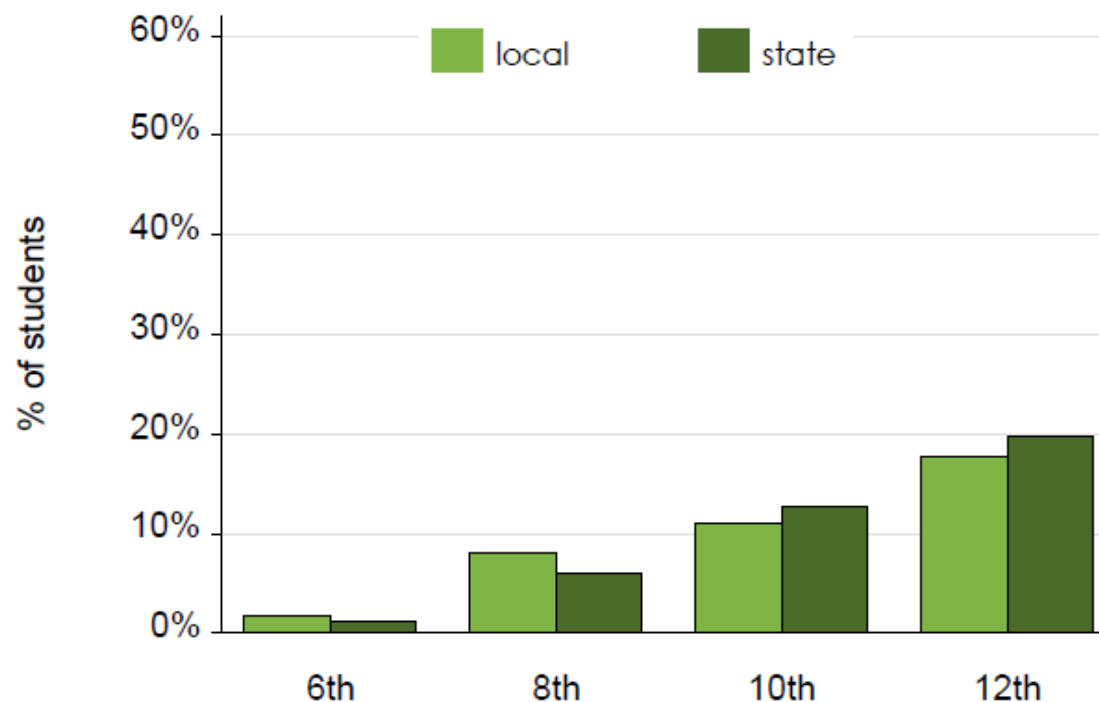


Manufacturers don't have to report e-cig ingredients, so users don't know what's actually in them.

National Institute on
Drug Abuse

2016 WA Healthy Youth Survey: Skagit County

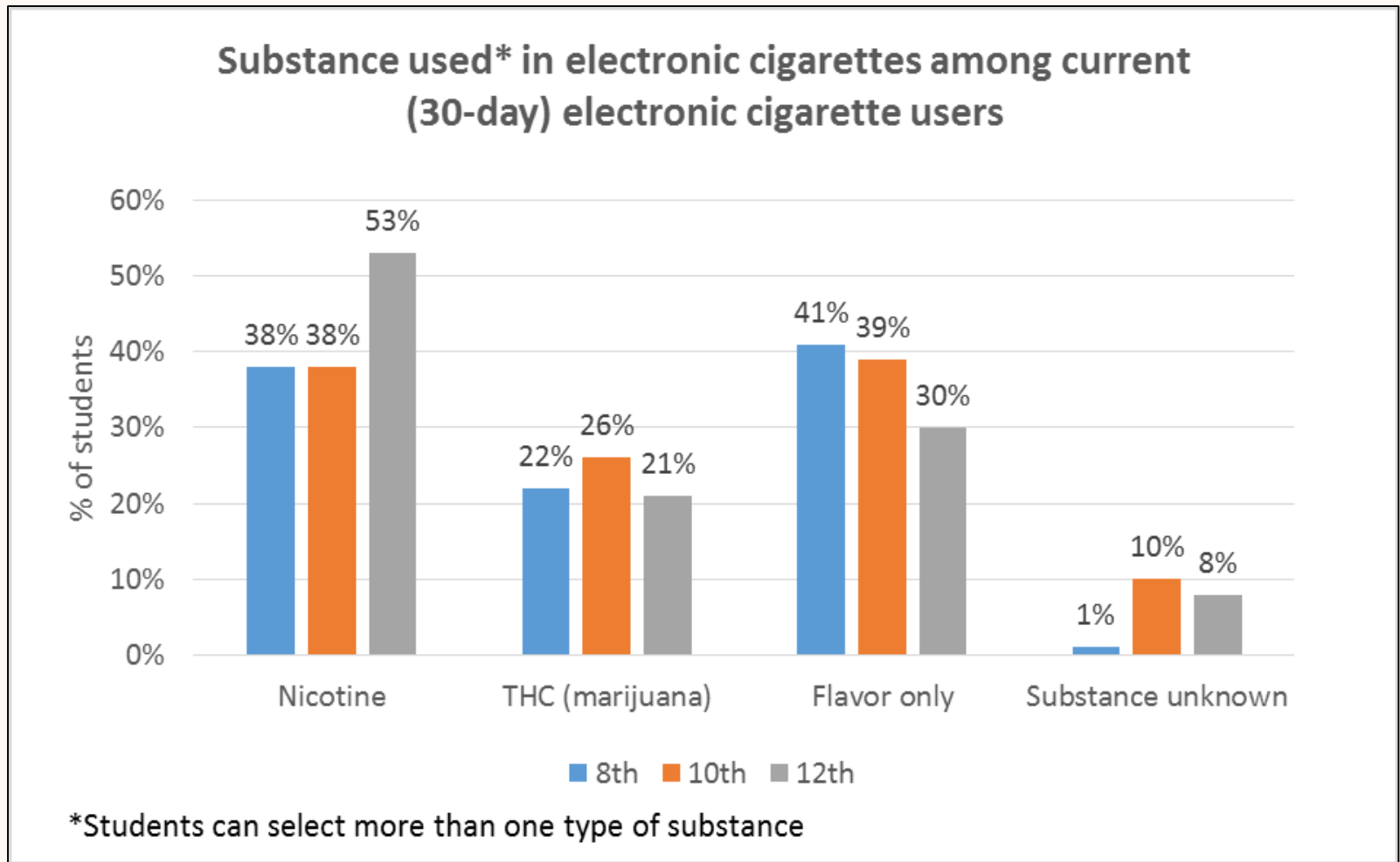
Current (past 30-day) electronic cigarette use compared to the state, all grades



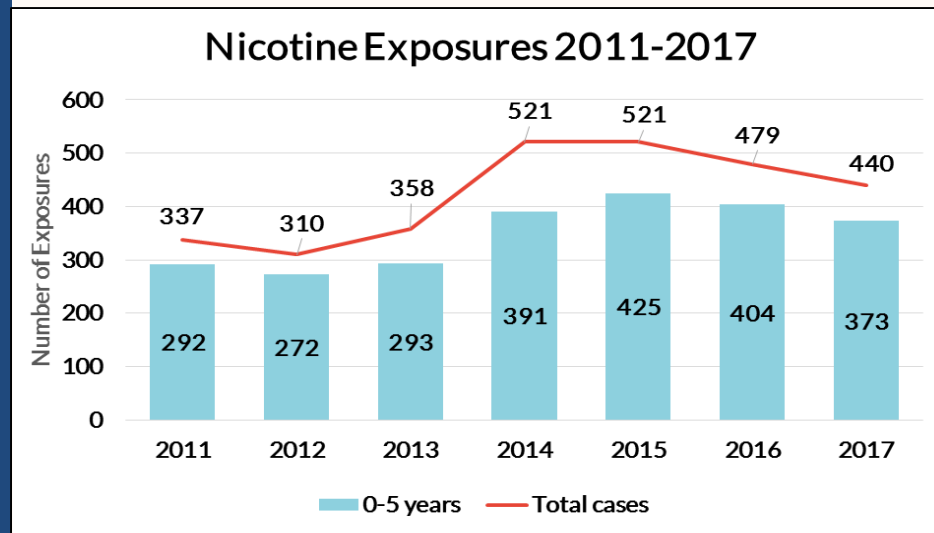
Prevalence	6th	8th	10th	12th
local	2% ±1	8% ±2	11% ±3	18% ±4
state	1% ±0	6% ±1	13% ±2	20% ±2



2016 WA Healthy Youth Survey

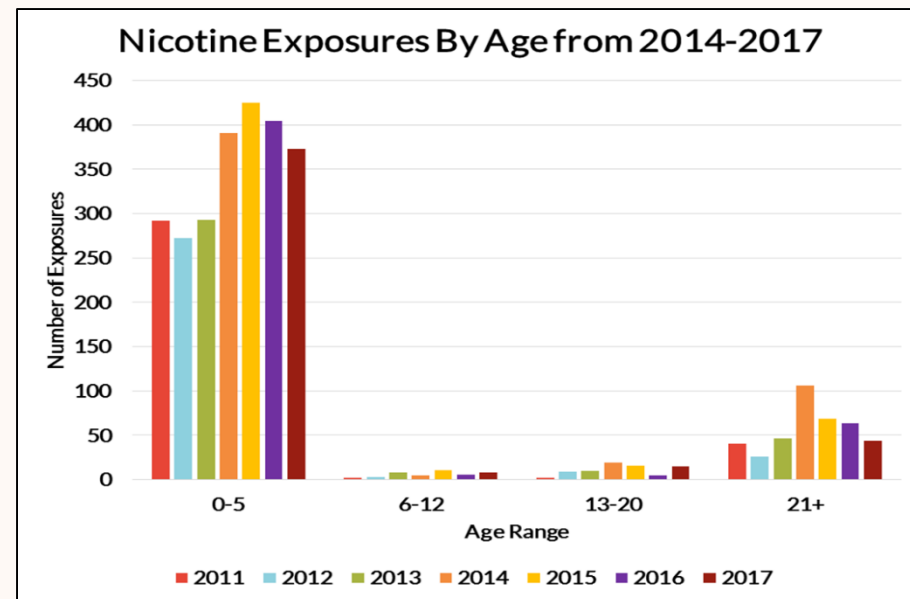


Poisonings from Nicotine E-Juices



Calls to WA Poison Center have increased dramatically since e-cigarette use has increased.

About 80% of calls are for children under 5 years old.



Device Overheating, Fires & Explosions

92 verified reports between 2009-2016 in U.S.

FDA, Tobacco Control article, March 2016.

Harborview Medical Center:
about 1 case per month in 2016, increasing.

Burns, cuts, lost teeth, eye damage

Lithium ion battery failure:
thermal runaway

Pressure build-up in device



Device explosion in Kentucky mini-mart



Thigh burn treated at Harborview

Do e-cigarettes help with smoking cessation?

blu eCigs® electronic cigarettes are not a smoking cessation product, nor are they intended to treat, prevent or cure any disease or condition. For their protection, please keep out of the reach of children and pets.

California Proposition 65

Warning: This product contains nicotine, a chemical known to the state of California to cause birth defects or other reproductive harm.

Not approved by FDA as smoking cessation aides.

Research results are mixed on whether vaping is associated with quitting smoking.

Vaping or dual use (vaping + smoking) may delay efforts to quit nicotine use.

WA State Laws on Use in Public Places



Smoking prohibited:

- Indoor public places
- School grounds, indoor/outdoor
- Places of employment, indoor/outdoor



Marijuana use prohibited:

- In view of the general public
- Indoor public places
- Outdoor public places per definition, e.g. streets, parks, beaches, playgrounds



Vaping prohibited:

- Schools and childcares, indoor/outdoor
- Outdoor playgrounds, during daylight when children present
- Inside school buses and elevators

Regulation of E-Cigarettes Began in 2016

- ✓ FDA Deeming Rule
- ✓ WA Vapor Products Law

The FDA Rule does NOT address where e-cigarettes can be used.

The WA Law limits vaping in a few locations, to reduce exposure for children.

No sales to minors under 18.

No free samples.

No sales through vending machines.

Internet sales must use age verification.

Child-proof packaging.

Nicotine warning label.

No false advertising or health claims.

Since 2016, WA State has required licenses for vapor product retailers.



WA Vapor Products Law RCW 70.345

Vaping in Public Prohibitions & Allowances

PROHIBITS VAPING:

- Inside and Around Childcare Facilities
- Inside and Within 500 Feet of Schools
- In Outdoor Playgrounds With Children
- Inside School Buses and Elevators

Unlike WA's No Smoking law:
No Signs Required.
No Penalty or Enforcement.

ALLOWS TASTINGS Inside Licensed Vapor Product Retail Outlets, provided that:

- ✓ Entry restricted to 18 years or older.
- ✓ Tasting sample is zero nicotine or customer consents to tasting nicotine e-juice.
- ✓ Retailers provide disposable mouthpiece or device.
- ✓ Tasting samples cannot be removed from premises by customer.

FDA Deeming Rule prohibits free samples of nicotine e-juice.



Local Regulations on Tobacco & Vapor Products (Federal/State Preemption)

Local Jurisdictions Cannot

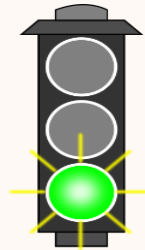
X Enact laws that conflict with federal and state laws, unless stricter local laws allowed.

X Regulate sales and promotion. Local laws cannot:

- license retailers
- change purchase age
- ban flavorings
- ban ads specifically

X Allow smoking or vaping in public places where it is prohibited under state law.

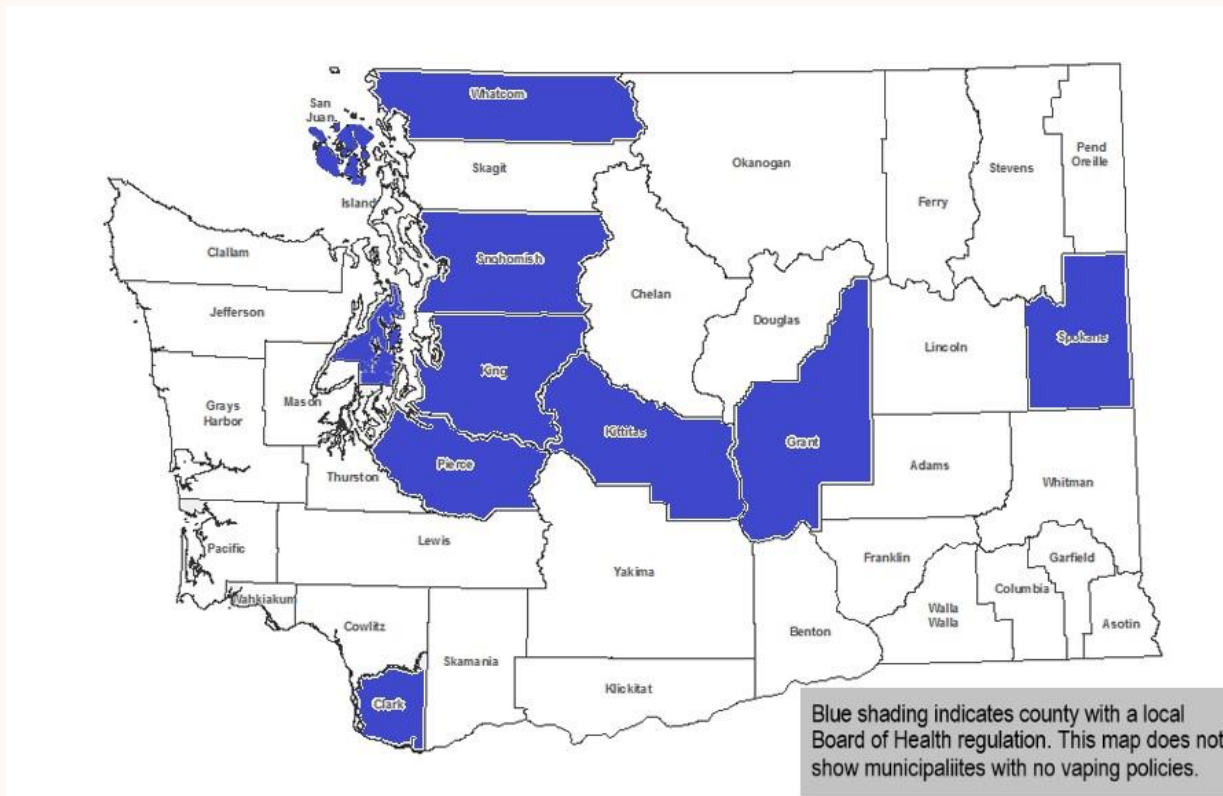
X Prohibit tastings inside licensed vapor product retail outlets.



Local Jurisdictions Can

- ✓ Adopt state No Smoking law to allow local enforcement.
- ✓ Restrict Use of Vapor Products in Indoor Public Places.
- ✓ Restrict Use of Vapor Products in Outdoor Public Places Where Children Congregate.
- ✓ Require No Smoking/No Vaping signs.
- ✓ Establish civil penalties for violations.

County Vapor Products Regulations



Local Board of Health Codes passed prior to 2016 WA State law:
King, Pierce, Grant, Clark, Snohomish, San Juan

...passed after 2016 WA State law:

Kitsap, Spokane, Kittitas, Whatcom

Current Ordinances in Skagit County

Skagit County Chapter 12.52 Smoking Regulations

- No smoking in county workplaces, facilities, autos

Some municipal ordinances

- Sedro-Woolley: adopted state SIPP law
- No smoking in town facilities: Concrete, La Conner, Mount Vernon
- No smoking in parks: Anacortes, La Conner, Mount Vernon, Sedro-Woolley

Statewide Smoking in Public Places (SIPP) law & vaping restrictions in Vapor Products Law apply.



Current Tobacco/Vaping Voluntary Policy Efforts

- WA DOH State Tobacco Prevention & Control strategies in coordination with Snohomish Health District and the North Sound Region
 - Assistance to Skagit Valley College on smoke/vape-free campus policy
 - Assistance to Anacortes Housing Authority on future vaping policy
 - Communications with Behavioral Health agencies, school districts, and Housing Providers on adopting smoke/vape-free policy



Local Option: Indoor Vaping Restrictions

- ✓ Indoor Public Places,
with exception of tastings in
licensed retail outlets per state law.
- ✓ Places of employment
- ✓ Require signage



Local Option: Outdoor Vaping Restrictions

- ✓ Outdoor public places where children congregate.
- ✓ Expand prohibited areas from schools and playgrounds to parks, athletic playfields, beaches, stadiums, etc...
- ✓ Require signage



WA's No Smoking in Public Places Law

RCW 70.160 passed by voter initiative in 2005. aka "SIPP"

Smoking in Public Places
A Guide for Spokane County Businesses and Their Employees

• REQUIRED •
Businesses are required to post "No-Smoking" signs at all entrances. Retail establishments must also post signage in prominent areas throughout the work place.

• REQUIRED •
Prohibit smoking within 25 feet of entrances, exits, windows that open, and ventilation intakes that serve the enclosed area where smoking is prohibited.

• REQUIRED •
Prohibit smoking in public places.

• REQUIRED •
Prohibit smoking in places of employment. This includes patios and other outdoor seating and dining areas that employees are required to serve or clean.

Suggested Actions

- Provide training to employees on how to talk with customers or visitors who smoke where smoking is prohibited.
- Use additional "No Smoking" signage for special events.
- Remove smoking paraphernalia such as ashtrays, matches, or other items that support or encourage smoking.

Smoking in Public Places Law
In 2003 Washington state passed the Smoking in Public Places Law (RCW 70.160). It protects people from secondhand smoke by prohibiting smoking in public places and places of employment. The law applies to all forms of lighted smoking products including tobacco, cigar, hookah, and marijuana.

Penalty for Non-Compliance:
\$100.00 civil fine for each day upon which a violation occurs or is permitted to continue and a re-inspection fee for each return visit necessary to ensure compliance.

Content adapted from:

Tobacco is the leading cause of preventable death in the U.S.

For the full text of the law, free signage, and other resources to help your business be in compliance contact the Spokane Regional Health District's Tobacco Prevention and Control Program by calling 509.324.1330 or by visiting srhd.org/services/tobaccolaw.asp

Next Steps

Recommend BoH approve development of a No Smoking/No Vaping in Public Places ordinance for consideration and adoption

- Additional information needs
- Stakeholder outreach
- Policy development
- Timeline: 90 - 120 days

Skagit PH continue tobacco/vaping prevention work & community outreach



Questions, Suggestions, Discussion

