

Sayers, Margery

From: Bonita Pennino <bonita.pennino@cancer.org>
Sent: Friday, June 12, 2015 3:34 PM
To: CouncilMail
Subject: CB 28-2015
Attachments: e-cigarettes Howard Co Written.doc

Attached please find the written testimony of the American Cancer Society Cancer Action Network pertaining to CB 28-2015.

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June 15, 2015

TO: Members Howard County Council
FROM: Bonita M. Pennino, MS, Government Relations Director
RE: Bill 28 -2015 Prohibiting the use of Electronic Smoking Devices in public places and places of employment
Position: Support with amendments

The American Cancer Society Cancer Action Network (ACS CAN) strongly supports prohibiting the use of electronic smoking devices in restricted areas in parity with traditional tobacco products.

The American Cancer Society Cancer Action Network has significant concerns about the potential public health effects of electronic smoking devices such as electronic-cigarettes. There are concerns that they may create new tobacco users, keep people smoking rather than quit, and reverse efforts that have made smoking socially unacceptable. There is still no scientific evidence that electronic smoking devices can help smokers quit. Much more research is needed to determine what ingredients these products contain, how they are being used and what health effects they have on both users and those around the user.

Although ACS CAN supports the inclusion of electronic smoking devices in smoke-free laws, caution must be exercised when opening an existing law to ensure that it is not weakened in any way. In addition, to eliminate any confusion and strengthen the bill, ACS CAN makes the following recommendations:

1. Remove the exemptions for FDA approved electronic cigarettes. If the FDA approves electronic cigarettes as cessation product, allowing their use in public places due to social norming issues, involuntary exposure to aerosol emitted by product, and inability of business owners and public to distinguish between products approved by FDA and those that are not.
2. Amend the definition of smoking devices as follows:
“Electronic Smoking Device” means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

3. Amend the definition of smoking as follows:

“Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.

4. Amend the definition of tobacco product as follows

“Tobacco product” means:

(a) Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, snus; and

(b) Any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe, or hookah.

(c) Notwithstanding any provision of subsections (a) and (b) to the contrary, “tobacco product” includes any component, part, or accessory of a tobacco product, whether or not sold separately. “Tobacco product” does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

Until more research has been done regarding the potential health consequences caused by electronic smoking devices, ACS CAN supports restricting their use in parity with traditional tobacco products. Comprehensive smoke-free laws, along with regularly and significantly increasing the price of all tobacco products, and adequately funding tobacco prevention and cessation programs, are proven, effective ways to reduce tobacco’s toll.