NEW YORK STATE | Department of Health

**Howard A. Zucker, M.D., J.D.**
Commissioner

NYS ED .gov

**MaryEllen Elia**
Commissioner

January 2, 2019

Dear Colleague:

We are sending you this letter to alert you to a serious issue of the increasingly widespread use of electronic cigarettes (e-cigarettes) among New York State (NYS) youth and to provide you with information and resources to formulate your school/school district response to shield students from this dangerous practice. We need your help to quell this growing health risk. In response to the dramatic increase in e-cigarette use among youth, you may have seen recently that the New York State Department of Health submitted proposed regulations to prohibit the sale of flavored electronic cigarette liquids (e-liquids); these regulations were subsequently withdrawn so that a further legal review could be conducted. In the meantime, the New York State Department of Health (Department) and the New York State Education Department (NYSED) want to make sure that school administrators are informed on this emerging public health threat. Information on e-cigarettes is available from the New York State Center for School Health, (NYSCSH), a contracted technical resource center for the NYSED. Their resources include a webinar and educational materials for health educators, school nurses, students and families. The webinar can be accessed on the NYSCSH Professional Learning Page and the NYSCSH E-Cigarettes Resource Page can be accessed at http://www.schoolhealthny.com.

You likely have heard a lot about e-cigarettes in the news, but they are not just the latest teen fad. In fact, the U.S. Food and Drug Administration (FDA) has declared youth e-cigarette use an epidemic. In just two years, e-cigarette use by high schoolers in our state has doubled.[1] E-cigarettes and similar vapor products are the most commonly-used form of tobacco among NYS youth and, like all tobacco products, they are unsafe for youth.[1]

E-cigarettes are electronic devices that heat a liquid ("e-liquid") to produce an aerosol that users inhale and exhale, colloquially referred to as "vaping." E-cigarettes and similar vapor products come in many shapes and sizes, and are known by different names, including "e-cigs," "vape pens," "mods," and "tank systems." The most popular e-cigarette brand among youth is JUUL, whose products closely resemble a common USB flash drive. JUULs emit an almost odorless aerosol, are small, and can be used discretely virtually anywhere, including in classrooms and school bathrooms. JUUL e-liquid is contained in small pods, with each pod containing the nicotine equivalent of a pack of 20 cigarettes. JUUL e-cigarettes are so ubiquitous that "JUULing" has become synonymous with vaping.

Nicotine is highly addictive, particularly for young people, and most e-liquids contain nicotine.[2] Studies find the most susceptible youth can become nicotine dependent after only one or

[1] New York State Department of Health. Use of Electronic Cigarettes and Similar Devices among NYS Youth, 2014-2016. StatShot Vol.10, No.5., December 2017.
[2] U.S. Department of Health and Human Services. E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

two exposures.[3,4] Nicotine can impair adolescent and young adult brains, which develop until about the age of 25.[2] Brain exposure to nicotine in young people can lower impulse control, lead to mood disorders, disrupt attention and learning, and increase the risk for addiction to other drugs.[2] Most e-liquids contain fruit and candy flavorings, and thousands of the more than 15,000 available flavors are a major draw to unsuspecting youth.[2]

Claims that e-cigarette aerosol is harmless water vapor are untrue. Although, the FDA recognizes propylene glycol and vegetable glycerin as safe to ingest, they are not approved for inhalation and can cause irritation and other health problems when aerosolized.[2] E-cigarette aerosol contains ultrafine toxic particles that interfere with the growth and work of the lungs and increase the risk of heart disease, lung cancer, and asthma attacks.[2] E-liquid ingredients are often unlisted on the bottle or package, and those that do list ingredients may be inaccurate or incomplete.[2] Many youth believe e-liquid is nicotine free, but studies find that is often not the case.[2] Notably, the e-liquid used in JUUL always contains nicotine.

NYS and the FDA are responding to this crisis. In NYS, the Adolescent Tobacco Use Prevention Act (ATUPA) prohibits the sale of tobacco products, including e-cigarettes and e-liquids to people under the age of 18; in contrast, New York City and 15 counties have set the minimum legal sale age to 21. The NYS Clean Indoor Air Act prohibits e-cigarette and lit tobacco use in nearly all indoor and certain outdoor public and work places, as well as on school grounds and playgrounds. On the federal level, the FDA has stopped the sale of e-liquid packaging that resembles kid-friendly beverage and food packaging. The FDA is also requiring the five manufacturers that represent 97 percent of the current e-cigarette market to submit plans within sixty (60) days on how the companies will curb the widespread use of their products by minors. In addition, the agency has stated they will step up enforcement actions to hold retailers accountable, including those who sell e-cigarettes online. To learn more about the FDA's plans, please read the agency's November 15, 2018 press release.

Please use the information below to develop, implement, and enforce tobacco-free and e-cigarette-free policies in your schools:

- Get the Facts – Electronic Cigarettes (E-cigarettes) and Similar Vapor Products (Department)
- Quick Facts on the Risks of E-cigarettes for Kids, Teens, and Young Adults (Centers for Disease Control and Prevention [CDC])
- Electronic Cigarettes (CDC)

Downloadable infographics and fact sheets:

- Tobacco and E-Cigarettes (Department)
- Teachers and Parents: That USB Stick Might Be an E-cigarette (CDC)
- E-cigarettes Shaped Like USB Flash Drives: Information for Parents, Educators, and Health Care Providers (CDC)
- Talk with Your Teen About E-cigarettes: A Tip Sheet for Parents (CDC)
- Electronic Cigarettes: What's the Bottom Line (CDC)
- Cigarrillos electrónicos ¿Cuál es la conclusión? (CDC)
- Youth Vaping Risks (FDA)

As the landscape is changing quickly, we are asking school districts to educate and raise awareness about the dangers of e-cigarettes to protect our youth from possibly a lifetime of nicotine addiction. Thank you for your continued commitment to the students of New York State.

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[3] Kandel, D., C. Schaffran, P. Griesler, et al., "On the Measurement of Nicotine Dependence in Adolescence: Comparisons of the mFTQ and a DSM-IV-Based Scale," Journal of Pediatric Psychology, 30(4):319-332, 2005.
[4] DiFranza, J.R., J.A. Sarageau, N.A. Rigotti, et al., "Symptoms of Tobacco Dependence After Brief Intermittent Use," Archives of Pediatrics & Adolescent Medicine, 161(7):704-710, 2007

Should you have further questions or concerns, please contact Harlan Juster, Ph.D., at 518-474-1515 or Harlan.Juster@health.ny.gov.

Sincerely,

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