



# North Arlington Public Schools

Office of the Superintendent

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## Substance Abuse and Electronic Smoking Devices (Vaping)

November 27, 2018

Dear Parents/Guardians,

As you may be aware, over the past decade, there has been a significant increase in the use of electronic smoking devices by middle school and high school students to “vape” tobacco and other nicotine products. In fact, according to the National Institute on Drug Abuse for Teens, electronic smoking devices are the most commonly used form of nicotine delivery system among youth in the United States.

Recently, however, an alarming new trend has arisen. Teens are no longer using these electronic smoking devices, referred to as “e-cigarettes,” simply to vape tobacco. These devices, now frequently referred to as “weed pens” and “weed vaporizers,” are instead being used to vape cannabis (marijuana). Of significant concern, these odorless devices are being loaded with marijuana concentrates, known as “hash oils,” that can contain up to 90% tetrahydrocannabinol (THC), the principal psychoactive constituent of cannabis. By comparison, the marijuana flower, typically imbibed by cannabis users, contains only 20% THC. Researchers have also recently reported that one in four high school students who use electronic smoking devices to vape cannabis use a method referred to as “dripping,” which generates higher heating coil temperatures than conventional devices and leads to greater emissions of a class of harmful chemicals known as “volatile aldehydes,” including formaldehyde and acrolein. Therefore, in addition to being illegal, cannabis vaping can have significant, dangerous health consequences.

Given the uncertainty of what substances are contained in these odorless electronic smoking devices, the inability of school officials to verify the contents of such devices through a visual or olfactory inspection, and the documented prevalence of using electronic smoking devices to vape dangerous concentrations of marijuana and other illicit substances, **students who are discovered in possession of or using an electronic smoking device in the school building and/or on school grounds will be immediately referred to the Principal or other designated school official in accordance with our district’s Substance Abuse Policy and Regulation 5530.**

If there is a reasonable suspicion that the referred student is under the influence of marijuana or another controlled dangerous substance, the student will be referred for ***an immediate medical examination*** in accordance with Policy and Regulation 5530. The purpose of this medical evaluation will be to provide appropriate health care and determine whether the student is, in fact, under the influence of marijuana or other drugs. We encourage you to review Policy and Regulation 5530, which is available on the District’s website and provides additional information regarding the examination procedures. Additionally, please review Policy and Regulation 5600 regarding *Student Discipline/Code of Conduct* in relation to the aforementioned scenarios.

If you are aware or suspect your child(ren) is/are using electronic smoking devices and/or drugs/alcohol, we encourage you to contact your health care provider and your child(ren)’s building principal to ensure proper counseling and resources are made available to you and your child(ren). Please also see the attached documents from the U.S. Department of Health and Human Services (Centers for Disease Control and Prevention) and Coordinated Approach to Child Health (CATCH), which provide more information and images of the devices that are not easily detectable.

Please contact your child(ren)’s building principal(s) if you have any questions.

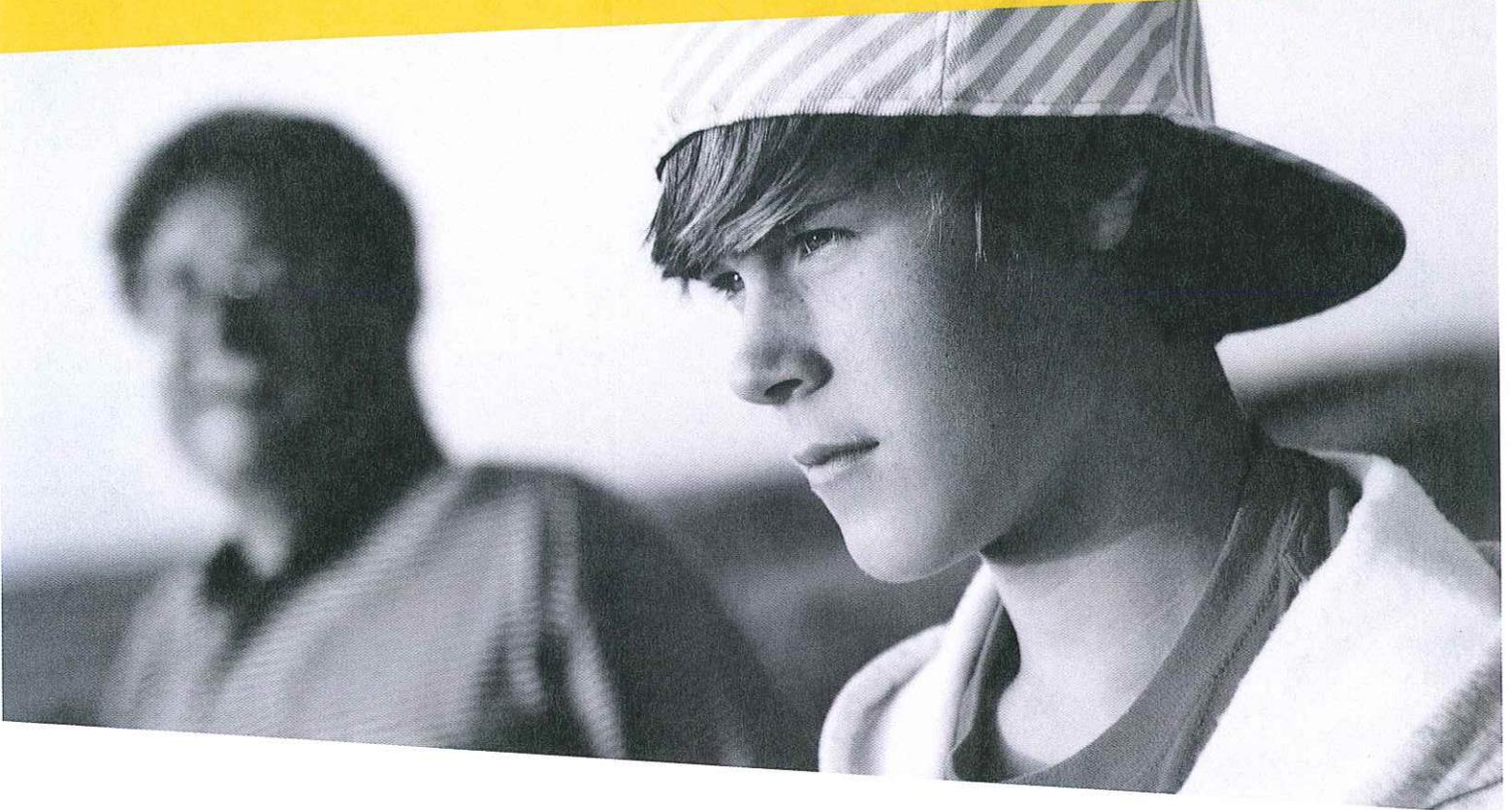
Sincerely,

  
Stephen M. Yurchak, Ed.D.  
Superintendent of Schools

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# Talk with Your Teen About E-cigarettes: A Tip Sheet for Parents



## BEFORE THE TALK

*Know the facts.*

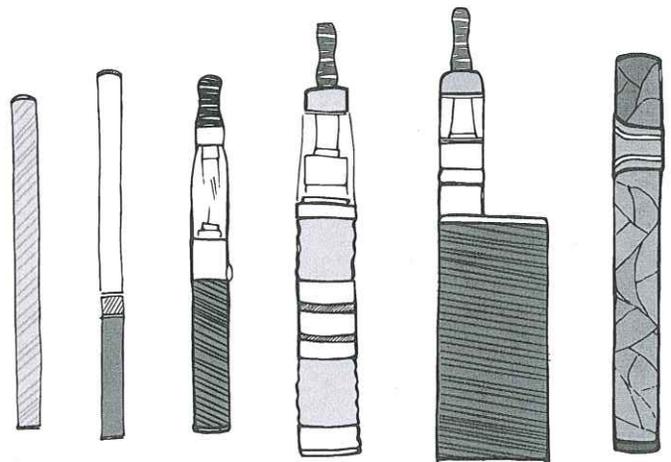
- Get credible information about e-cigarettes and young people at [E-cigarettes.SurgeonGeneral.gov](http://E-cigarettes.SurgeonGeneral.gov).

*Be patient and ready to listen.*

- Avoid criticism and encourage an open dialogue.
- Remember, your goal is to have a conversation, not to deliver a lecture.
- It's OK for your conversation to take place over time, in bits and pieces.

*Set a positive example by being tobacco-free.*

- If you use tobacco, it's never too late to quit. For free help, visit [smokefree.gov](http://smokefree.gov) or call **1-800-QUIT-NOW**.



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## START THE CONVERSATION

### *Find the right moment.*

- A more natural discussion will increase the likelihood that your teen will listen. Rather than saying “we need to talk,” you might ask your teen what he or she thinks about a situation you witness together, such as:
  - » Seeing someone use an e-cigarette in person or in a video.
  - » Passing an e-cigarette shop when you are walking or driving.
  - » Seeing an e-cigarette advertisement in a store or magazine or on the internet.



### *Ask for support.*

- Not sure where to begin? Ask your health care provider to talk to your teen about the risks of e-cigarettes.
- You might also suggest that your teen talk with other trusted adults, such as relatives, teachers, faith leaders, coaches, or counselors whom you know are aware of the risks of e-cigarettes.
- These supportive adults can help reinforce your message as a parent.

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## ANSWER THEIR QUESTIONS

Here are some questions and comments you might get from your teen about e-cigarettes and some ideas about how you can answer them.

### *Why don't you want me to use e-cigarettes?*

- Science shows that e-cigarettes contain ingredients that are addictive and could harm different parts of your body.
- Right now, your brain is still developing, which means you are more vulnerable to addiction. Many e-cigarettes contain nicotine, and using nicotine can change your brain to make you crave more nicotine. It can also affect your memory and concentration. I don't want that for you!
- E-cigarettes contain chemicals that are harmful. When people use e-cigarettes, they breathe in tiny particles that can harm their lungs.

- The cloud that people exhale from e-cigarettes can expose you to chemicals that are not safe to breathe.

### *What's the big deal about nicotine?*

- Your brain is still developing until about age 25. The Surgeon General reported that nicotine is addictive and can harm your brain development.
- Using nicotine at your age may make it harder for you to concentrate, learn, or control your impulses.
- Nicotine can even train your brain to be more easily addicted to other drugs like meth and cocaine.

- I don't say this to scare you, but I want you to have the facts because nothing is more important to me than your health and safety.

### *Aren't e-cigarettes safer than conventional cigarettes?*

- Because your brain is still developing, scientific studies show that it isn't safe for you to use any tobacco product that contains nicotine, including e-cigarettes.
- Whether you get nicotine from an e-cigarette or a cigarette, it's still risky.
- Some e-cigarette batteries have even exploded and hurt people.

### *I thought e-cigarettes didn't have nicotine—just water and flavoring?*

- I used to think that too. But many e-cigarettes have nicotine. There are also other chemicals in them that can be harmful.
- Let's look at the Surgeon General's website on e-cigarettes ([E-cigarettes.SurgeonGeneral.gov](http://E-cigarettes.SurgeonGeneral.gov)) together so you can see for yourself.

### *I (or my friends) have tried e-cigarettes and it was no big deal.*

- I appreciate your honesty. In the future, I hope you (or your friends) will stay away from e-cigarettes and other tobacco products, including cigarettes. Science shows that e-cigarettes contain ingredients that are addictive and could harm different parts of your body.
- Next time we go to the doctor, let's ask about the risks of nicotine, e-cigarettes, and other tobacco products.

### *You used tobacco, so why shouldn't I?*

- If I could live my life over again, I never would have started smoking. I learned that people who smoke cigarettes are much more likely to develop, and die from, certain diseases than people who don't smoke. This was really scary, so I quit smoking.
- Quitting was really hard, and I don't want you to go through that. The best thing is to not start at all.



## KEEP THE CONVERSATION GOING

Many parents find that texting is a great way to reach their teens. Here are some suggestions for text messages that might catch your teen's attention. And, you can easily share pages of the website ([E-cigarettes.SurgeonGeneral.gov](http://E-cigarettes.SurgeonGeneral.gov)) with your teen.



Look for this symbol, click it, type in the message you want or use the message provided, and share with your teen via Facebook, Twitter, or email.

### *Connect and encourage.*

- You always liked science. Check out the science about e-cigarettes and young people:  
**[E-cigarettes.SurgeonGeneral.gov](http://E-cigarettes.SurgeonGeneral.gov)**
- Getting off nicotine is hard but I'm so happy I quit. Don't make that mistake and get addicted. Smoking and tobacco use, including using e-cigarettes, are unsafe for young people.

### *Remind and repeat.*

- Most teenagers don't use e-cigarettes. E-cigarettes with nicotine can mess with your brain, and your brain is still developing until you are at least 25.
- You might be tempted by e-cigarette flavors, but inhaling certain flavorings that have been found in some e-cigarettes can be harmful.

### *Share facts and resources.*

- Just learned that many e-cigarettes have nicotine in them. That's the drug that makes cigarettes so addictive. Nicotine can also mess with your brain development.
- Just saw a report from the Surgeon General that e-cigarettes can mess with how your brain develops and might even affect your mood and focus. Please don't use any products that contain nicotine.
- Hope none of your friends use e-cigarettes around you. Even breathing the cloud they exhale can expose you to nicotine and chemicals that can be dangerous to your health.



Centers for Disease  
Control and Prevention  
Office on Smoking  
and Health

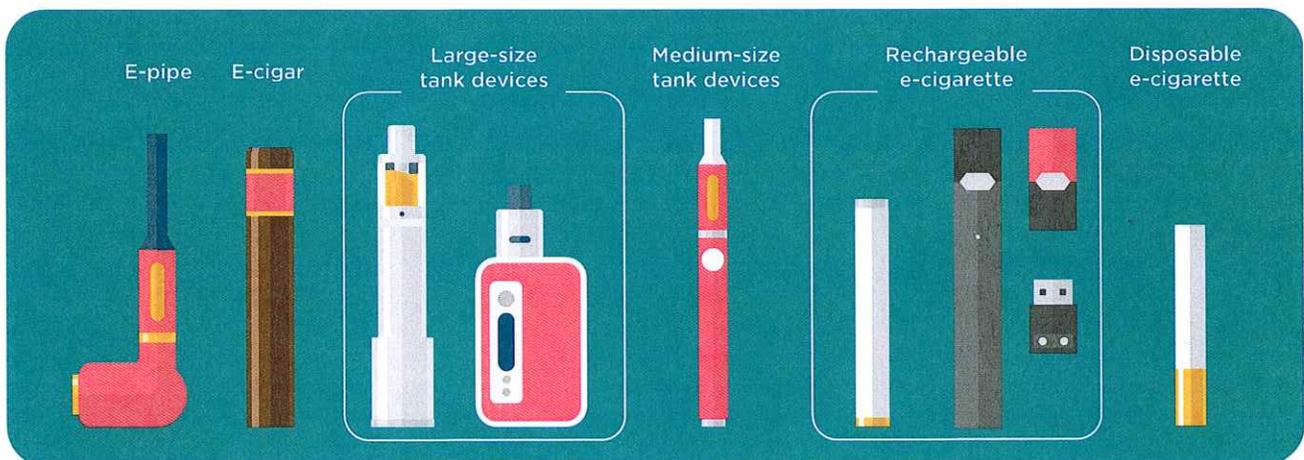


# ELECTRONIC CIGARETTES WHAT'S THE BOTTOM LINE?

- » E-cigarettes have the potential to benefit adult smokers who are not pregnant if used as a complete substitute for regular cigarettes and other smoked tobacco products.
- » E-cigarettes are not safe for youth, young adults, pregnant women, or adults who do not currently use tobacco products.
- » While e-cigarettes have the potential to benefit some people and harm others, scientists still have a lot to learn about whether e-cigarettes are effective for quitting smoking.
- » If you've never smoked or used other tobacco products or e-cigarettes, don't start.

## WHAT ARE E-CIGARETTES?

- » E-cigarettes are known by many different names. They are sometimes called “e-cigs,” “e-hookahs,” “mods,” “vape pens,” “vapes,” “tank systems,” and “electronic nicotine delivery systems.”
- » Some e-cigarettes are made to look like regular cigarettes, cigars, or pipes. Some resemble pens, USB sticks, and other everyday items.
- » E-cigarettes produce an aerosol by heating a liquid that usually contains nicotine—the addictive drug in regular cigarettes, cigars, and other tobacco products—flavorings, and other chemicals that help to make the aerosol. Users inhale this aerosol into their lungs. Bystanders can also breathe in this aerosol when the user exhales into the air.
- » E-cigarettes can be used to deliver marijuana and other drugs.



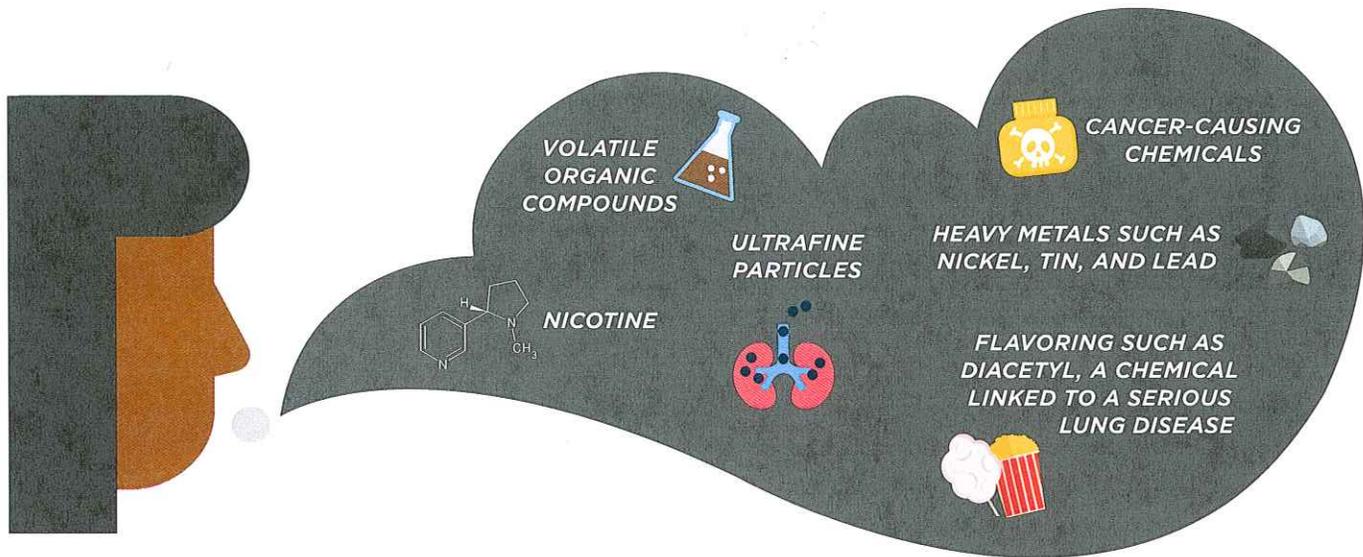
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U.S. Department of  
Health and Human Services  
Centers for Disease  
Control and Prevention

## WHAT IS IN E-CIGARETTE AEROSOL?

THE E-CIGARETTE AEROSOL THAT USERS BREATHE FROM THE DEVICE AND EXHALE CAN CONTAIN HARMFUL AND POTENTIALLY HARMFUL SUBSTANCES:



It is difficult for consumers to know what e-cigarette products contain. For example, some e-cigarettes marketed as containing zero percent nicotine have been found to contain nicotine.

## ARE E-CIGARETTES LESS HARMFUL THAN REGULAR CIGARETTES?



**VS**



**YES,** but that doesn't mean e-cigarettes are safe.

E-cigarette aerosol generally contains fewer toxic chemicals than the deadly mix of 7,000 chemicals in smoke from regular cigarettes. However, e-cigarette aerosol is not harmless. It can contain harmful and potentially harmful substances, including nicotine, heavy metals like lead, volatile organic compounds, and cancer-causing agents.

## WHAT ARE THE HEALTH EFFECTS OF USING E-CIGARETTES?

SCIENTISTS ARE STILL LEARNING ABOUT THE LONG-TERM HEALTH EFFECTS OF E-CIGARETTES. HERE IS WHAT WE KNOW NOW.

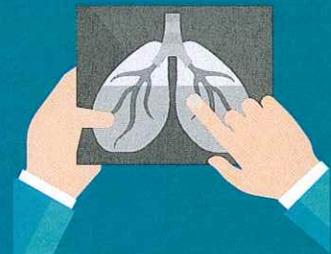
### 1 Most e-cigarettes contain nicotine, which has known health effects

- » Nicotine is highly addictive.
- » Nicotine is toxic to developing fetuses.
- » Nicotine can harm adolescent brain development, which continues into the early to mid-20s.
- » Nicotine is a health danger for pregnant women and their developing babies.



### 2 Besides nicotine, e-cigarette aerosol can contain substances that harm the body.

- » This includes cancer-causing chemicals and tiny particles that reach deep into lungs. However, e-cigarette aerosol generally contains fewer harmful chemicals than smoke from burned tobacco products.



### 3 E-cigarettes can cause unintended injuries.

- » Defective e-cigarette batteries have caused fires and explosions, some of which have resulted in serious injuries.
- » In addition, acute nicotine exposure can be toxic. Children and adults have been poisoned by swallowing, breathing, or absorbing e-cigarette liquid.



## CAN E-CIGARETTES HELP ADULTS QUIT SMOKING CIGARETTES?



### **E-CIGARETTES ARE NOT CURRENTLY APPROVED BY THE FDA AS A QUIT SMOKING AID.**

The U.S. Preventive Services Task Force, a group of health experts that makes recommendations about preventive health care, concluded that the evidence is insufficient to recommend e-cigarettes for smoking cessation in adults, including pregnant women.



**HOWEVER,** e-cigarettes may help non-pregnant adult smokers if used as a complete substitute for all cigarettes and other smoked tobacco products.

### **TO DATE, THE FEW STUDIES ON THE ISSUE ARE MIXED.**

Evidence from two randomized controlled trials found that e-cigarettes with nicotine can help smokers stop smoking in the long term compared with placebo (non-nicotine) e-cigarettes.

A recent CDC study found that many adults are using e-cigarettes in an attempt to quit smoking. However, most adult e-cigarette users do not stop smoking cigarettes and are instead continuing to use both products (“dual use”). Because smoking even a few cigarettes a day can be dangerous, quitting smoking completely is very important to protect your health.

## WHO IS USING E-CIGARETTES?

E-CIGARETTES ARE THE MOST COMMONLY USED TOBACCO PRODUCT AMONG YOUTH.

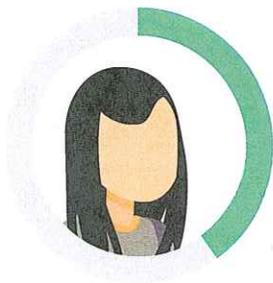
IN THE U.S., YOUTH ARE MORE LIKELY THAN ADULTS TO USE E-CIGARETTE



**4.9%**  
MIDDLE SCHOOL STUDENTS

In 2018, more than **3.6 MILLION** U.S. middle and high school students used e-cigarettes in the past 30 days, including:

**20.8%**  
HIGH SCHOOL STUDENTS



**AMONG CURRENT E-CIGARETTE USERS AGED 45 YEARS AND OLDER** in 2015, most were either current or former regular cigarette smokers, and 1.3% had never been cigarette smokers.

**IN CONTRAST, AMONG CURRENT E-CIGARETTE USERS AGED 18-24 YEARS, 40.0%** had **NEVER BEEN** regular cigarette smokers

# ADULTS

IN 2015, AMONG ADULT E-CIGARETTE USERS OVERALL:

**29.8%**  
were former regular cigarette smokers

**11.4%**  
had never been regular cigarette smokers



**58.8%**  
were current regular cigarette smokers

In 2017, **2.8%** of U.S. adults were current e-cigarette users





## JUUL and Youth: Rising E-Cigarette Popularity

### What is a JUUL?

The term “electronic cigarettes” covers a wide variety of products now on the market, from those that look like cigarettes or pens to somewhat larger products like “personal vaporizers” and “tank systems.” Instead of burning tobacco, e-cigarettes most often use a battery-powered coil to turn a liquid solution into an aerosol that is inhaled by the user. One e-cigarette device, called a JUUL, has become increasingly popular since its launch in 2015.

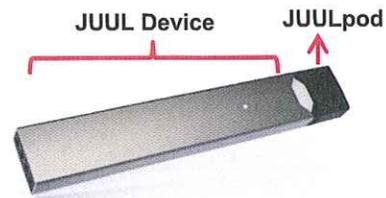
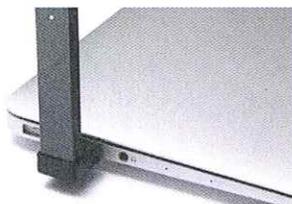


Image from JUUL website, accessed 1/24/18



JUULpods. Image from JUUL website, accessed 1/24/18



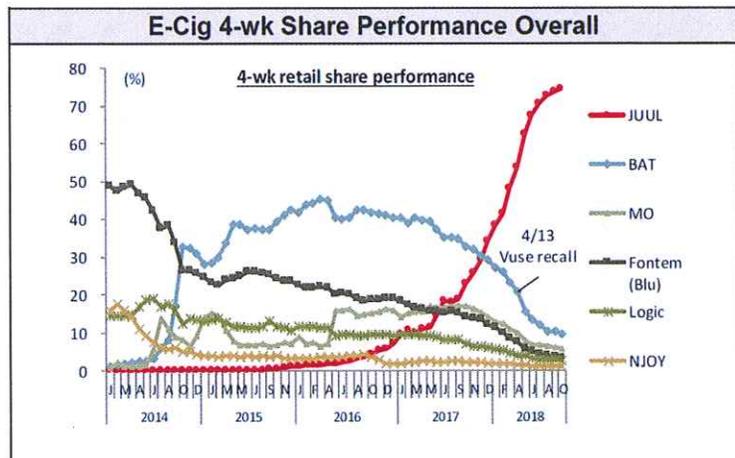
JUUL device charging in the USB port of a laptop. Image from JUUL website, accessed 1/24/18.

JUUL Labs produces the JUUL device and JUULpods, which are inserted into the JUUL device. In appearance, the JUUL device looks quite similar to a USB flash drive, and can in fact be charged in the USB port of a computer. According to JUUL Labs, all JUULpods contain flavorings and 0.7mL e-liquid with 5% nicotine by weight<sup>\*</sup>, which they claim to be the equivalent amount of nicotine as a pack of cigarettes, or 200 puffs. JUULpods come in eight flavors: Mango, Fruit, Cucumber, Creme, Mint, Menthol, Virginia Tobacco and Classic Tobacco.<sup>1</sup> Other companies manufacture “JUUL-compatible” pods in additional flavors; for example, the website Eonsmoke sells JUUL-compatible pods in Blueberry, Silky Strawberry, Mango, Cool Mint, Watermelon, Tobacco, and Caffé Latte flavors.<sup>2</sup> There are also companies that produce JUUL “wraps” or “skins,” decals that wrap around the JUUL device and allow JUUL users to customize their device with unique colors and patterns (and may be an appealing way for younger users to disguise their device).



JUUL skins. Images from <https://www.mightyskins.com/iuul/>

According to data from Wells Fargo, JUUL’s popularity has grown dramatically in the last year, with unit sales increasing more than 600 percent in 2017. In mid-2016, dollar sales share for JUUL products was less than 5 percent, the lowest compared to products sold by the main companies in Nielsen-tracked channels.<sup>†</sup> But by the end of 2017, JUUL sales had surpassed all other companies’ products (see adjacent graph).<sup>3</sup> As a result, JUUL is now more popular than the e-cigarette brands manufactured by the major tobacco companies (blu, Vuse, and MarkTen). According to the most recent



Source: Nielsen Total US xAOC/Convenience Database & Wells Fargo Securities, LLC

<sup>\*</sup> Virginia Tobacco and Mint flavors are also sold in 3% nicotine strength varieties.

<sup>†</sup> Tracked data includes mass channel and convenience stores; does not include online sales or sales from tobacco and vape shops.

data from Wells Fargo, JUUL sales currently represent three-quarters of the market share.<sup>4</sup> As JUUL has surged in popularity, other companies have sought to mimic JUUL's sleek design and pod-based system, with new devices such as MLV's PHIX, Mylé Vapor's Mylé, Altria's Markten Elite, Reynolds' Vuse Solo, and ITG Brands' myblu.<sup>5</sup>

### **JUUL Use among Youth and Young Adults**

According to the National Youth Tobacco Survey, 20.8 percent of high school students and 4.9 percent of middle school students—over 3.6 million youth—were current e-cigarette users in 2018. From 2017 to 2018, e-cigarette use increased by an alarming 78 percent for high schoolers and 48 percent for middle schoolers. According to the CDC, “The rise in e-cigarette use during 2017-2018 is likely because of the recent popularity of e-cigarettes shaped like a USB flash drive, such as JUUL; these products can be used discreetly, have a high nicotine content, and come in flavors that appeal to youths.”<sup>6</sup> A study from Truth Initiative found that a quarter of youth and young adult JUUL users don't refer to JUUL use as “e-cigarette use” or “vaping,” but rather as “JUULing.”<sup>7</sup> Therefore, it is possible that existing surveys still may not be capturing the full spectrum of youth e-cigarette use.

News articles, letters from school officials, and anecdotal evidence indicate that JUUL has gained popularity among youth and young adults across the country, from middle schools to college campuses. A 2018 study found that nearly one-fifth of youth (ages 12-17) surveyed reported having seen JUUL used in their school.<sup>8</sup> News stories attribute JUUL's sleek and discreet design to its appeal among this population. For example:

*“High school and college students are rushing to retailers to buy the product because its discreet design makes it easy to hide from parents and teachers while also giving the user a big hit of nicotine. Some students have bragged on social media of using the JUUL in class, even though e-cigarettes are banned indoors at most schools.” – Pittsburgh Post-Gazette<sup>9</sup>*

*“An editor for New York University's student newspaper documented JUUL's rising on-campus popularity, even in dorm rooms. A student newspaper at the University of Illinois called JUUL a “new epidemic is sweeping across campus.” And in suburban D.C., a high school's principal took doors off its bathroom stalls to keep students from using drugs inside —namely JUUL.” – USA Today<sup>10</sup>*

*“One reason JUUL and vape pens are so popular among teens currently might be that they can be used indoors without attracting unwanted attention or creating a stench...On Twitter, teens post about their usage in school. The most brazen of them fire up their e-cigarettes while their teachers' backs are turned.” - NPR<sup>11</sup>*

The availability of flavors may also contribute to JUUL's popularity among youth. A 2013-2014 national survey found that that 81 percent of youth aged 12-17 who had ever used e-cigarettes had used a flavored e-cigarette the first time they tried the product, and that 85.3 percent of current youth e-cigarette users had used a flavored e-cigarette in the past month. Moreover, 81.5 percent of current youth e-cigarette users said they used e-cigarettes “because they come in flavors I like.”<sup>12</sup> More recent data also found that the vast majority of youth e-cigarette users had used flavored products.<sup>13</sup> In addition, current use of menthol or mint flavored e-cigarettes among high school e-cigarette users increased from 42.3 percent in 2017 to 51.2 percent in 2018.<sup>14</sup>

### **Health Concerns and JUUL**

The number of youth using e-cigarettes, including JUUL, is alarming and raises serious concerns that e-cigarettes could be an entryway to nicotine addiction and use of regular cigarettes for some kids. Though there is insufficient research on the long-term effects of using e-cigarettes in general, and certainly not specific to JUUL, the use of such products still raises concerns because they contain nicotine. The company claims that the nicotine in JUUL is from “nicotine salts found in leaf tobacco, rather than free-base nicotine,” which they claim “accommodate cigarette-like strength nicotine levels.”<sup>15</sup> The health impact of that specific form of nicotine is yet unknown.

While it is still an open scientific question whether e-cigarettes might be able to help adult smokers give up cigarettes, kids should not be using any tobacco product, including e-cigarettes. Nicotine is a highly addictive drug that can have lasting damaging effects on adolescent brain development.<sup>16</sup> Nicotine also impacts the cardiovascular system.<sup>17</sup> The Surgeon General concluded that, “The use of products containing nicotine poses dangers to youth, pregnant women, and fetuses. The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”<sup>18</sup> Educating youth about the dangers of JUUL and nicotine use is critical because a study from Truth Initiative found that 63 percent of 15-24 year old JUUL users did not know the product always contains nicotine (all pods sold from JUUL do contain nicotine).<sup>19</sup>

The Surgeon General found that while more research is needed, evidence from several longitudinal studies suggests that e-cigarette use is “strongly associated” with the use of other tobacco products among youth and young adults, including conventional cigarettes.<sup>20</sup> The National Academy of Sciences, Engineering and Medicine (formerly the Institute of Medicine) also concluded in its 2018 report that, “There is substantial evidence that e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults.”<sup>21</sup>

### **Marketing and Accessibility of JUUL**

When JUUL was first launched in 2015, the company used colorful, eye-catching designs and youth-oriented imagery and themes, such as young people dancing and using JUUL. JUUL’s original marketing campaign included billboards, YouTube videos, advertising in Vice Magazine, launch parties and a sampling tour.

More recently, JUUL has updated its marketing code<sup>22</sup> with the purported goal of limiting youth exposure to its advertising. In reaction to criticism of its social media marketing, in June 2018 JUUL announced a new social media policy that would no longer use models on those platforms, but instead would feature former smokers who switched to JUUL.<sup>23</sup> Its previous marketing materials had focused primarily on its popular flavors and on messaging that encouraged smokers to “make the satisfying switch.”

However, social media had already launched and fueled JUUL’s popularity, with lasting effects. A study analyzing JUUL marketing noted that JUUL was one of the first major e-cigarette brands to rely heavily on social media to market and promote its products. The study found that JUUL’s initial marketing expenditures in traditional channels were modest compared to competing brands, and that these expenditures decreased as the brand increased content and received more promotion on social media channels like Instagram and Twitter.<sup>24</sup> While JUUL instituted age restrictions on its Instagram account, its Twitter account was not yet age restricted but contained similar content. A recent study has shown that adolescents do follow JUUL’s Twitter account and have re-tweeted content.<sup>25</sup> Additionally, user-generated posts that tag (e.g., #JUULvapor, #doit4JUUL) and feature JUUL have not had any restrictions. These kinds of social media posts can increase exposure to pro-e-cigarette imagery and messaging, by making JUUL use look cool and rebellious.

In April 2018, the FDA sent an official request for information to JUUL Labs to obtain more information about the youth appeal of the product, including the



JUUL billboard in Times Square, New York City, 2015. <https://www.spencer-pederson.com/work-1/2017/2/23/juul-go-to-market>



JUUL Twitter Post. January 9, 2018. <https://twitter.com/JUULvapor/status/950890455499231235>

company's marketing practices.<sup>26</sup> FDA later called on JUUL and other major e-cigarette makers to develop "robust plans on how they'll convincingly address the widespread use of their products by minors."<sup>27</sup> As part of its response to FDA, in November 2018 JUUL announced the suspension of its official social media accounts on Instagram and Facebook, and limits on its Twitter posts to "non-promotional communications only," as well as age-restricting its Twitter account. In this same announcement, JUUL noted its coordination with the major social media platforms to attempt to "police" content and "remove youth-oriented social media content from third-parties or users."<sup>28</sup>

JUUL devices and JUULpods are available for sale on JUUL's website and other online retailers as well as in convenience stores, vape shops, and tobacco retailers. To access JUUL's website, users must indicate that they are 21 or older by simply clicking on a button, but JUUL asserts that it uses stricter age verification processes (21+) for online purchases.

FDA law prohibits sales of e-cigarettes to those under age 18 and some state and local laws have higher minimum age-of-sale laws. Youth have been obtaining JUUL products from social sources who may be over age 18, online or in-person from retailers that are not in compliance with state or federal law, or from online resellers like ebay<sup>‡</sup> and Craigslist that have no age verification. A 2018 study found that among surveyed youth JUUL users (ages 12-17), three-quarters had purchased a JUUL device from a retail store and half had gotten JUUL from a social source.<sup>29</sup> In April 2018, the FDA sent warning letters to 40 retailers across the country for illegally selling JUUL products to minors.<sup>30</sup> Though the up-front cost of the device is high (a JUUL starter kit, which includes the device, charger and 4 JUULpods of various flavors, is \$49.99 on the JUUL website), advocates have shared stories of kids pooling together money to share a device and sell "hits" from the device to recoup the cost. In addition, JUUL products are sometimes offered for a much lower price with promotions at retail locations.



Photo courtesy of CounterTobacco.Org:

October 20, 2018, North Port, FL.

[https://countertobacco.org/wp-content/gallery/main-galleru/2018\\_LowJuul\\_NorthPortFL.jpg](https://countertobacco.org/wp-content/gallery/main-galleru/2018_LowJuul_NorthPortFL.jpg)

As part of its November 2018 response to FDA, JUUL announced that it planned to take several voluntary actions, including limiting sales of its flavored refill pods (except for mint, menthol, and tobacco) exclusively to its website instead of retail stores; limiting purchases from its website to prevent bulk purchases; enhancing its online age-verification system for purchases; and enforcement against unauthorized online sales, including third-party sales.<sup>31</sup> FDA has since proposed to restrict sales of all flavored e-cigarettes (except for tobacco, mint, and menthol flavors) to age-restricted retail stores and require more effective age-verification processes for online sales.<sup>32</sup>

Saying that more needs to be done to reverse the epidemic of youth e-cigarette use, public health groups have called on FDA to go further, including implementing marketing restrictions and stopping the sales of all flavored e-cigarette products that have not been subject to public health review by the FDA as the law requires.<sup>33</sup>

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<sup>‡</sup> ebay policy prohibits sale of tobacco products; however, JUUL products have been found for sale on the website under other categories such as electronics, with product listings that neglect to use the terms "tobacco" and/or "nicotine." In April 2018, FDA contacted ebay regarding these violations and ebay has worked to remove JUUL listings and implement measures to prevent new JUUL listings (although some JUUL products are still available on ebay).

- <sup>1</sup> JUUL Website, accessed November 12, 2018, <https://www.juul.com/shop/pods>.
- <sup>2</sup> Eonsmoke website, accessed January 24, 2018, <https://www.eonsmoke.com/12-buy-juul-compatible-pods-capsules>.
- <sup>3</sup> Nielsen Total US xAOC/Convenience Database & Wells Fargo Securities, LLC, in Wells Fargo Securities, Nielsen: Tobacco 'All Channel' Data 12/30, January 9, 2018.
- <sup>4</sup> Nielsen Total US xAOC/Convenience Database & Wells Fargo Securities, LLC, in Wells Fargo Securities, Nielsen: Tobacco 'All Channel' Data Through 8/11, August 21, 2018.
- <sup>5</sup> See letter to FDA Commissioner Scott Gottlieb from the American Academy of Pediatrics, American Cancer Society Cancer Action Network, American Heart Association, American Lung Association, Campaign for Tobacco-Free Kids, and Truth Initiative. August 7, 2018, [https://www.tobaccofreekids.org/assets/content/press\\_office/2018/2018\\_08\\_07\\_new\\_ecig\\_products.pdf](https://www.tobaccofreekids.org/assets/content/press_office/2018/2018_08_07_new_ecig_products.pdf). See also [https://www.tobaccofreekids.org/assets/content/what\\_we\\_do/federal\\_issues/fda/2018\\_07\\_18\\_New\\_Ecigs\\_Post\\_Juul.pdf](https://www.tobaccofreekids.org/assets/content/what_we_do/federal_issues/fda/2018_07_18_New_Ecigs_Post_Juul.pdf).
- <sup>6</sup> Centers for Disease Control and Prevention (CDC), "Use of Electronic Cigarettes and Any Tobacco Product Among Middle and High School Students—United States, 2011–2018," *Morbidity and Mortality Weekly Report (MMWR)*, 67(45):1276–1277. [https://www.cdc.gov/mmwr/volumes/67/wr/mm6745a5.htm?s\\_cid=mm6745a5\\_w](https://www.cdc.gov/mmwr/volumes/67/wr/mm6745a5.htm?s_cid=mm6745a5_w). Current use defined as any use in the past month.
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- <sup>11</sup> Chen, A. "Teenagers Embrace JUUL, Saying It's Discreet Enough to Vape in Class," *NPR*, December 4, 2017, <https://www.npr.org/sections/health-shots/2017/12/04/568273801/teenagers-embrace-juul-saying-its-discreet-enough-to-vape-in-class>.
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