

Kriss Worthington

Councilmember, City of Berkeley, District 7 2180 Milvia Street, 5th Floor, Berkeley, CA 94704 PHONE 510-981-7170 FAX 510-981-7177 kworthington@ci.berkeley.ca.us

> CONSENT CALENDAR September 10, 2013

To: Honorable Mayor and Members of the City Council

From: Councilmember Kriss Worthington

Subject: Refer Electronic Cigarette Sale and Use to the Health Commission to

Consider Health Policy

RECOMMENDATION

Refer e-cigarette use to the Health Commission and request that they return to the Council with a recommendation on whether or not to restrict the sale and use of nicotine and non-nicotine e-cigarettes.

BACKGROUND

Electronic cigarettes (also known as "vapes") are devices that release either a nicotine or non-nicotine vaporized solution. E-cigarettes are advertised as a "safe" option to traditional smoking, and are, for the most part, unregulated.

Despite the claim that e-cigarettes are "harmless to those around you," there is still much research needed to confirm this assertion. With the option of a nicotine vapor, e-cigarettes present a possible danger to users and those exposed, as nicotine can have a negative effect on the heart and circulatory system.

Manufacturers are not mandated to disclose the ingredients in e-cigarette liquid or the substances that make up e-cigarette vapor. E-cigarettes generally work by heating cartridges filled with chemicals, which causes chemical reactions that may form new, possibly unsafe, compounds. Without full knowledge of the risks e-cigarettes present or regulations in place, community members may be subjected to harsh chemicals that can lead to many health issues.

A 2012 study in the journal *Indoor Air* found that exhaling e-cigarette vapor "releases measurable amounts of carcinogens and toxins into the air, including nicotine, formaldehyde, and acetaldehyde"; exposure to these types of compounds may cause mouth and throat irritation, the most frequently reported side effect among e-cigarette users. Matt Springer, an associate professor at UCSF in the Division of Cardiology, a proponent of the need for further e-cigarette research, asked, "Should drug-containing vapors be allowed in patient care areas and day care centers before the risks are understood? The sensible answer is no."

Dr. Neal L. Benowitz of UCSF points out that there are other "potential harms, including promoting smoking of cigarettes and renormalizing cigarette smoking behaviors." He goes on to discuss other potential population harms, including uptake of smoking by non-smokers, hindering the denormalization of smoking, and a new source of air pollution, particularly in places with smoke-free policies.

The reinvigoration of advertising is also a main concern because e-cigarette marketing tends to be geared toward youth by using young models to sell the product as stylish and desirable. Marketing paired with the availability of e-cigarettes online and in shopping malls in a variety of flavors, has some public health experts concerned that e-cigarettes could increase nicotine use and addiction for young people. Understanding the effects of e-cigarette is essential to determining future regulations.

In July 2009, the U.S. Food and Drug Administration (FDA) publicly discouraged the use of electronic cigarettes, stating, "They do not contain any health warnings comparable to FDA-approved nicotine replacement products or conventional cigarettes." With such a lack of knowledge regarding electronic cigarettes, it is essential that the Health Commission conduct research into this issue and how it may affect the residents of Berkeley.

FINANCIAL IMPLICATIONS

None.

CONTACT

Kriss Worthington, Councilmember, 981-7170 Jennifer Welden, Intern, 981-7170