



American  
Heart  
Association.



New Mexico Allied Council on Tobacco

# E-cigarettes and Other Tobacco Products: Health Issues and Policy Solutions

**Mahesh Sita, American Heart Association**  
**Laurel McCloskey, NM Chronic Disease  
Prevention Council**

Sept 12, 2019

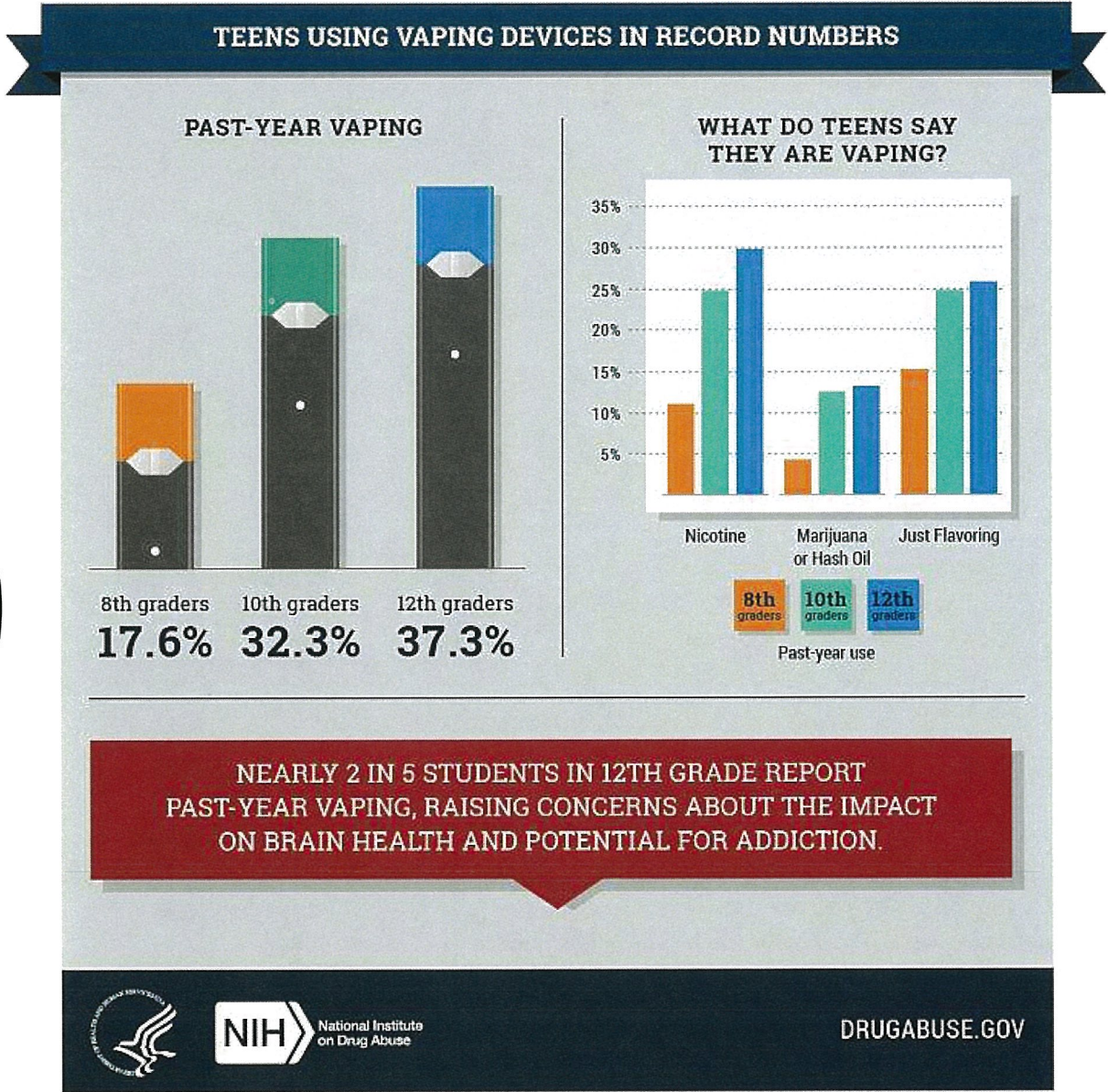
# ABC News: Teen was in the fight for her life after vaping a cartridge a day

[https://abcnews.go.com/US/teen-put-life-support-vaping-didnt-smoker/story?id=65522370&cid=clicksource\\_4380645\\_null\\_card\\_hed](https://abcnews.go.com/US/teen-put-life-support-vaping-didnt-smoker/story?id=65522370&cid=clicksource_4380645_null_card_hed)



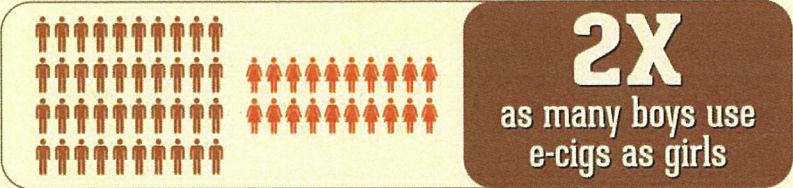
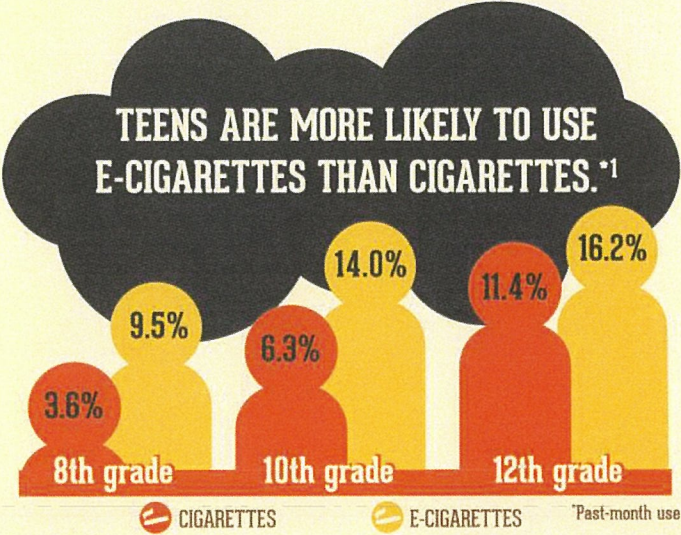
# E-cigarette Use Poses a Significant Health Risk to Young People

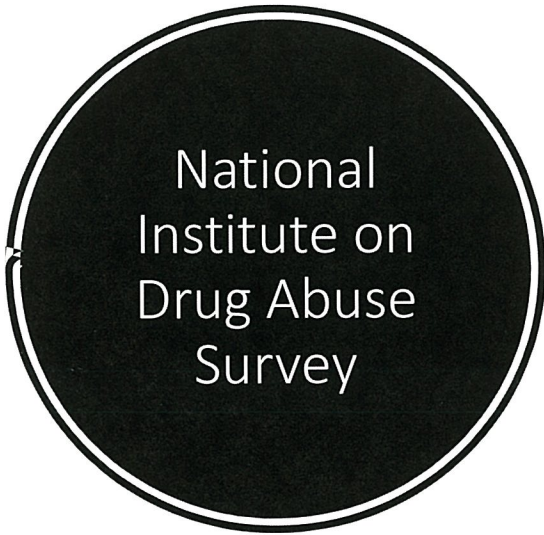
# Vaping Epidemic



National  
Institute on  
Drug Abuse  
Survey

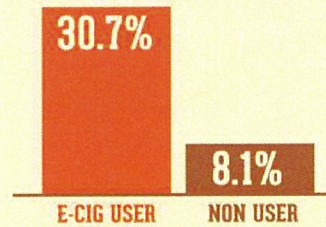
# Teens and E-cigarettes





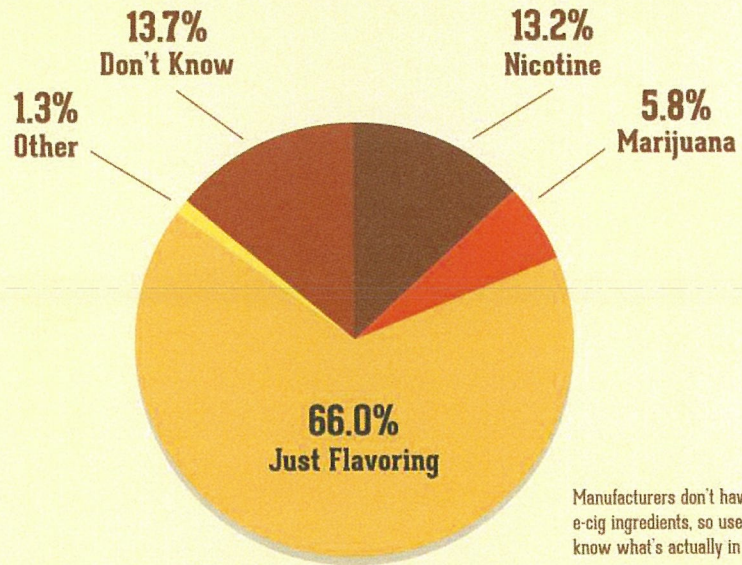
## TEEN E-CIG USERS ARE MORE LIKELY TO START SMOKING.\*<sup>2</sup>

Start Smoking Within 6 Months



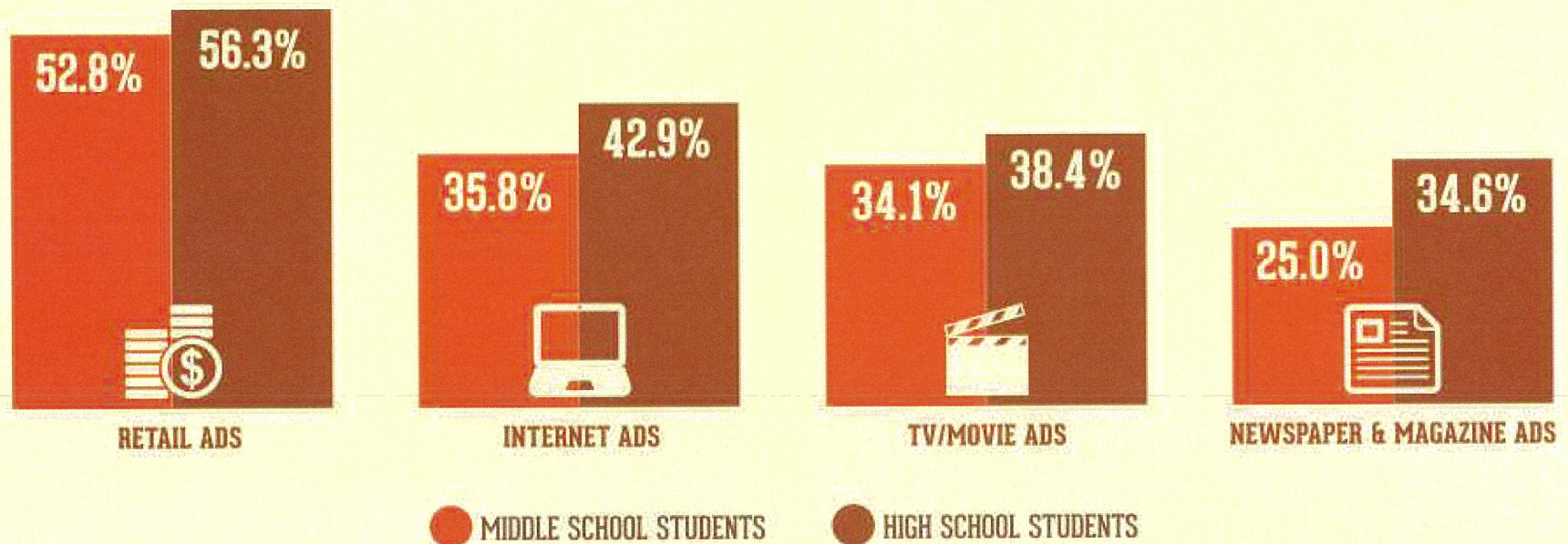
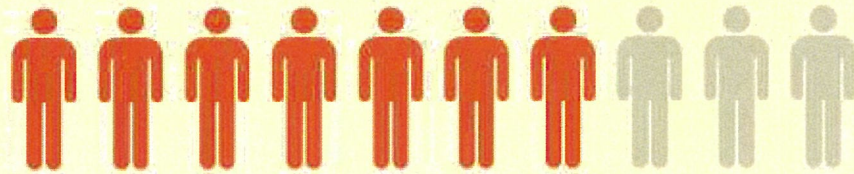
\*Includes combustible tobacco products (cigarettes, cigars, and hookahs)

## WHAT DO TEENS SAY IS IN THEIR E-CIG?<sup>3</sup>



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

# HIGH TEEN EXPOSURE TO E-CIG ADVERTISING<sup>1</sup>



National Institute on Drug Abuse

1. [MTF, 2015](#); 2. [Leventhal, 2015](#); 3. [Singh, 2016](#)

# Mysterious Illness Linked to Vaping

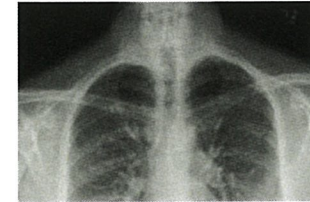
Aug. 31

HEALTH

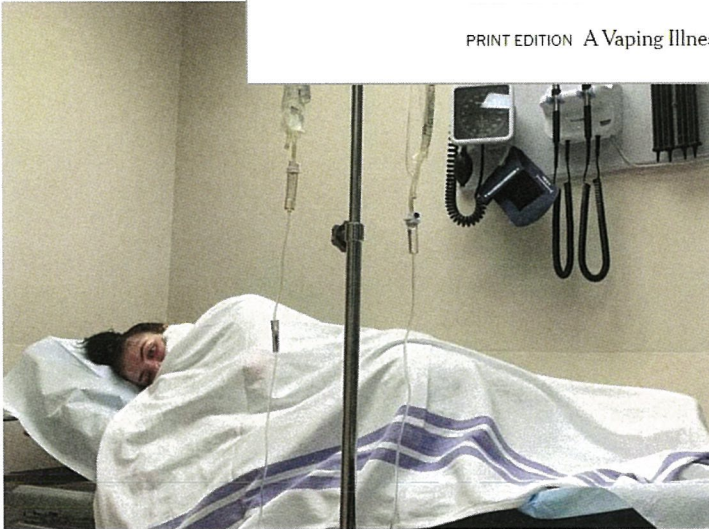
## The Mysterious Vaping Illness That's 'Becoming an Epidemic'

A surge of severe lung ailments has baffled doctors and public health experts.

By Sheila Kaplan and Matt Richtel



PRINT EDITION A Vaping Illness Is as Mysterious As It Is Sudden | September 1, 2019, Page A1



*Piper Johnson, an 18-year-old University of Northern Colorado student, is seen in an unidentified Colorado hospital being treated for vaping-related illness. Her family said she was the first confirmed case of the mysterious lung malady in Colorado.* The Denver Post

Caitlin Owens Sep 3, 2019

## Lung illnesses raise vaping concerns





# Deaths Are Linked to Vaping

Sept. 4, 2019

The New York Times

## Another Patient Has Died From Lung Disease After Vaping

Health authorities in Oregon are investigating the case but would not identify the age of the patient or the brand of the device used.

Aug. 26, 2019

## KHN Morning Briefing

Summaries of health policy coverage from major news organizations



MONDAY, AUG 26 2019

FULL ISSUE

## First Patient Dies Of Mysterious Lung Illness Linked To Vaping As Cases Tick Up Across The Country

Officials remain stumped by the infection-like symptoms, not knowing whether the illness has been



# More Deadly Consequences

U.S. Health Officials have identified about 450 possible cases relating to vaping, including as many as five six deaths, in 33 states.

- **The count includes newly reported deaths in California, Indiana and Minnesota.**
- **New Mexico has reported Eight such cases so far.**



Wisconsin man in medically-induced coma  
<https://fox6now.com/2019/07/25/burlington-man-suffers-lung-damage-from-vaping-put-into-medically-induced-coma/>

# More than Lung Disease



The screenshot shows the top portion of a webpage from the American College of Cardiology. At the top left is the ACC logo, a circular seal with a heart and the text 'AMERICAN COLLEGE OF CARDIOLOGY'. To its right is the text 'AMERICAN COLLEGE of CARDIOLOGY'. In the top right corner, there are links for 'Guidelines' and 'JACC', and a dropdown menu labeled 'All Types'. Below this is a dark blue navigation bar with white text and icons for 'Clinical Topics', 'Latest In Cardiology', 'Education and Meetings', and 'Tools and Pra'. The main content area features a large, bold title: 'E-Cigarettes Linked to Heart Attacks, Coronary Artery Disease and Depression'. Below the title is a subtitle: 'Data reveal toll of vaping; researchers say switching to e-cigarettes doesn't eliminate health risks'. The date 'Mar 07, 2019' is displayed. Below the date are social media sharing icons for Facebook, Twitter, LinkedIn, Email, and a plus sign, followed by the number '822' and a 'Print' icon. In the bottom right of the article area, there is a 'Font Size' control with three 'A' icons. At the bottom of the article area, the contact information for Nicole Napoli is provided: 'Contact: Nicole Napoli, nnapoli@acc.org, 202-375-6523'. A short paragraph of text follows: 'WASHINGTON (Mar 07, 2019) - Concerns about the addictive nature of e-cigarettes—now used by an estimated 1 out of 20 Americans—may only be part of the evolving public health'.

# E-Cigarettes: Especially Bad for Youth & Young Adults

---

- **Long-term harm to brain development**
- **Risks include:**
  - nicotine addiction
  - mood disorders
  - permanent lowering of impulse control



Source: US Surgeon General. Know the Risks: E-cigarettes and Young People <https://e-cigarettes.surgeongeneral.gov/knowtherisks.html>

# Young People, Vaping and Nicotine Addiction

---

- **"These kids have behaviors that we often see in patients who have opioid or marijuana addiction," Sharon Levy of Boston Children's Hospital told the Post**
- **Addiction treatment specialists told The Post that some kids resort "to stealing from their parents or selling e-cigarette paraphernalia to support their habits."**

# Young People, Vaping and Nicotine Addiction



April 2, 2018

HEALTH

## 'I Can't Stop': Schools Struggle With Vaping Explosion

School and health officials struggling with a sudden influx of easily concealed e-cigarettes fear vaping is creating a new generation of nicotine addicts.

By Kate Zernike

PRINT EDITION With Barely A Puff, Vaping Floods Schools | April 2, 2018, Page A1




# Juul Hearings in Congress


The New York Times  
**Juul Targeted Schools and Youth Camps, House Panel on Vaping Claims**  
Published Jul 25 2019



James Monsees, co-founder of Juul Labs, defended his company's response to the rising rate of teenage vaping before a House subcommittee on Thursday. Mark Wilson/Getty Images

Juul rep tells a ninth grade class its device 'totally safe,' teens testify

Share   

 Updated: 4:03 PM CDT Jul 26, 2019

# Leading Youth Initiation Brands



Source: Nessmith & Nessmith vs Juul Labs, Inc, Altria Group, Inc., and Philip Morris USA, Inc.

<https://tobacco.ucsf.edu/sites/tobacco.ucsf.edu/files/wysiwyg/Juul%20lawsuit%20-%20Florida%20April%202019.pdf>



# Former FDA Commissioners Speak Out Against Juul's Claims

---

Juul's potent but palatable vapors lend themselves better to getting new tobacco users hooked than helping others quit - Former FDA Commissioner David Kessler

Juul's youth appeal will make it hard for the company to prove its product has a net public health benefit - Former FDA Commissioner Scott Gottlieb

# Juul Co-Founder, Chief Product Officer

---

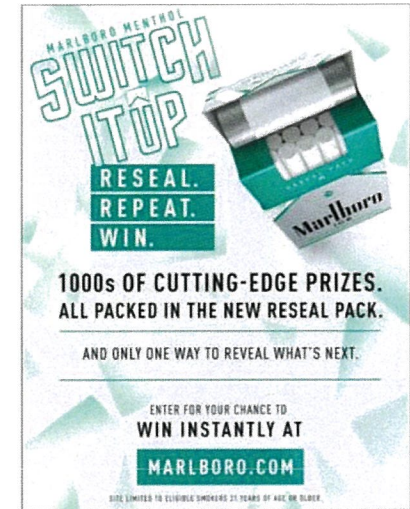
"I cannot state more emphatically: Juul is not a cessation product," James Monsees told Congress.

# In Contrast: Juul Ads

Contrary, Juul continues to run ads and promote its product as cessation product to smoking. “Make the Switch.”



Juul “Switch”

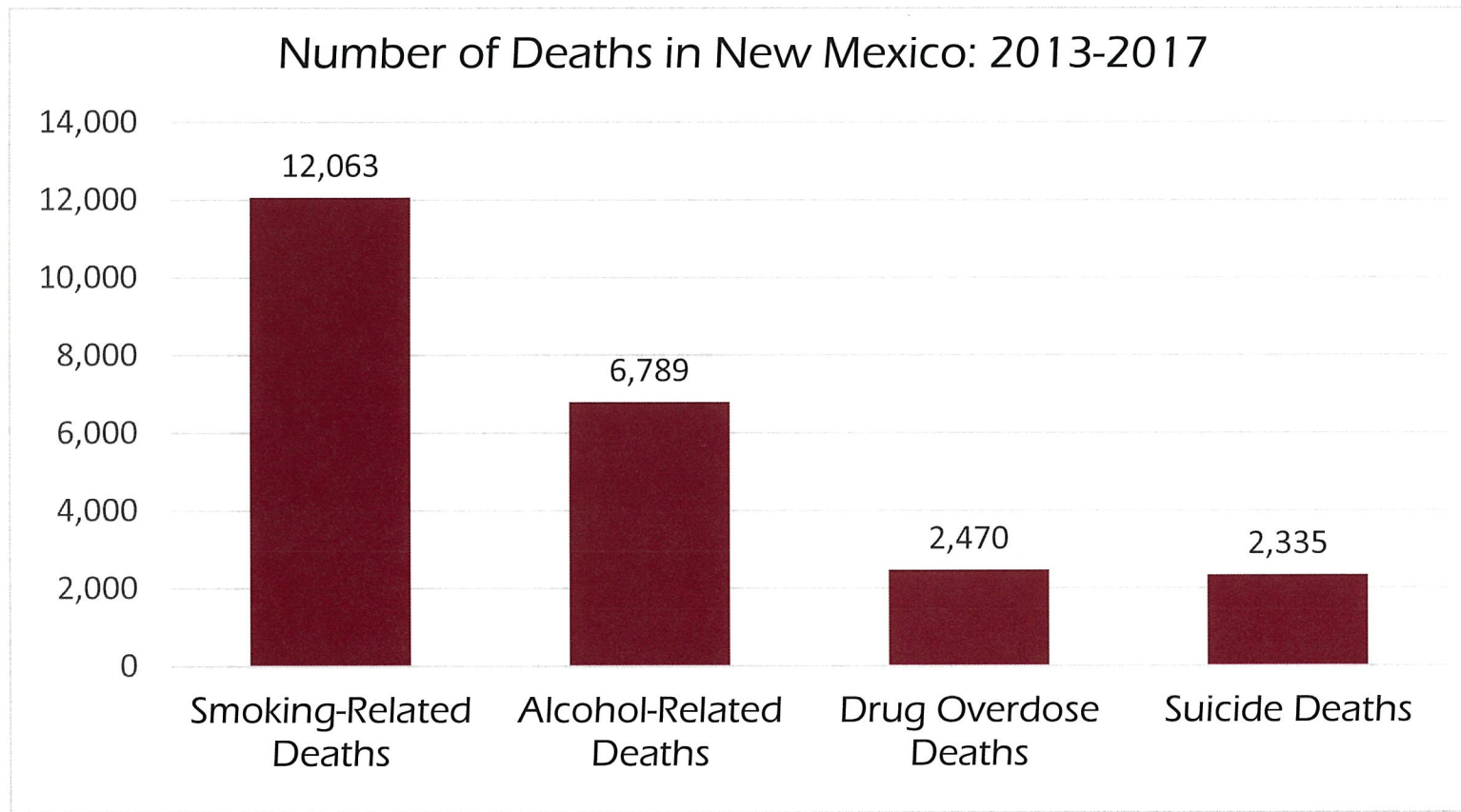


Philip Morris (Altria)

Source: Nessmith & Nessmith vs Juul Labs, Inc, Altria Group, Inc., and Philip Morris USA, Inc.


<https://tobacco.ucsf.edu/sites/tobacco.ucsf.edu/files/wysiwyg/Juul%20lawsuit%20-%20Florida%20April%202019.pdf>

# Cigarettes Kill Thousands of New Mexicans Every Year



Source: New Mexico Department of Health. New Mexico Substance Use Epidemiology Profile, 2018

# Tobacco Sales to Minors in New Mexico

 **FDA U.S. FOOD & DRUG ADMINISTRATION**

U.S. Food & Drug Administration  
Center for Tobacco Products  
10903 New Hampshire Avenue  
Silver Spring, MD 20993

**WARNING LETTER**

VIA UPS

MAY 4 2017

Valero  
Attn: Site Manager  
1620 Carlisle Boulevard Southeast  
Albuquerque, NM 87106

Re: FDA Warning Letter Regarding Tobacco Retailer Inspection Violation  
Reference Number: 16NM001222AB

Dear Sir or Madam:


This Warning Letter is notification from the United States Food and Drug Administration (FDA) advising you that Valero was observed to be in violation of federal tobacco laws and regulations. Failure to correct these violations may lead to federal enforcement actions, including monetary penalties. Your response is requested in 15 working days.

On July 6 and September 3, 2016, an inspector representing the FDA completed a two-part inspection of the establishment, located at 1620 Carlisle Boulevard Southeast, Albuquerque, NM 87106. During this inspection the establishment was in violation because you or your employee sold cigars to a minor.

This inspection revealed that the establishment sells, distributes, and/or advertises tobacco products, including cigars, which requires that the establishment and its owners comply with federal laws and regulations governing such practices. The violation observed during the July 6 and September 3, 2016, two-part inspection includes the following:

1. A minor was able to buy Swisher Sweets Cherry Dynamic cigars on September 3, 2016, at approximately 2:20 PM in the establishment.

A retailer must NOT sell covered tobacco products, such as cigars, to a person younger than 18 years of age. Doing so violates 21 C.F.R. § 1140.14(b)(1) (2016).

 Department of Health and Human Services

Food and Drug Administration  
Center for Tobacco Products  
10903 New Hampshire Avenue  
Silver Spring, MD 20993

**WARNING LETTER**

December 15 2016

VIA UPS

Family Dollar  
Attn: Site Manager  
1416 Eubank Boulevard Northeast  
Albuquerque, NM 87112

Re: FDA Warning Letter Regarding Tobacco Retailer Inspection Violation  
Reference Number: 17NM000222

Dear Sir or Madam:

This Warning Letter is notification from the United States Food and Drug Administration (FDA) advising you that Family Dollar was observed to be in violation of federal tobacco laws and regulations. Failure to correct these violations may lead to federal enforcement actions, including monetary penalties. Your response is requested in 15 working days.

On October 15, 2016, an inspector representing the FDA completed an inspection of the establishment, located at 1416 Eubank Boulevard Northeast, Albuquerque, NM 87112. During this inspection the establishment was in violation because you or your employee sold cigars to a minor.

This inspection revealed that the establishment sells, distributes, and/or advertises tobacco products, including cigars, which requires that the establishment and its owners comply with federal laws and regulations governing such practices. The violation observed during the October 15, 2016, inspection includes the following:

1. A minor was able to buy Swisher Sweets cigars on October 15, 2016, at approximately 2:29 PM in the establishment.

# Tobacco Sales to Minors: 15% Violation Rate

---

- Sales to minors occurred in 15% of inspected retailers in 2016 in NM
- Eight counties had a violation rate over 20%



## Possible explanations:

- No dedicated funding for enforcement
- Current penalty structure focuses on clerk not retailer

# Policy Recommendation: Sales to Minors

---

- ✓ Modernize penalty structure
- ✓ License ALL tobacco retailers
  - ✓ Including e-cigarette retailers



# Policy Recommendation: Increase Funding for Tobacco Use Prevention

---

State MSA Revenue, 2019  
\$34.7 million

CDC-Recommended  
Funding Level for NM  
\$23 million



Sources: Campaign for Tobacco Free Kids: <https://www.tobaccofreekids.org/assets/factsheets/0365.pdf>; US Centers for Disease Control and Prevention, 2014 Best Practices for Comprehensive Tobacco Control Programs

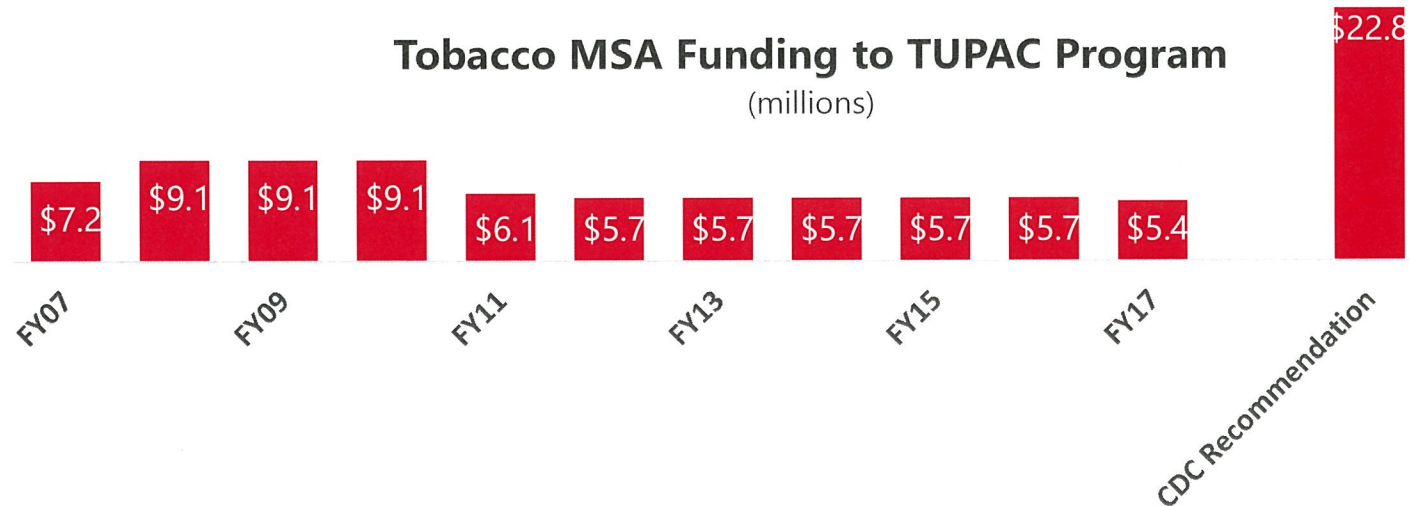


# State Programs Need More Funding to Address Vaping Crisis

	FY09	FY20
State Funding for Prevention & Cessation Programs	\$9.6 M	\$5.7 M
HS Youth Smoking Rate	24.0%	10.6%
HS Youth Vaping Rate	N/A	24.7%

Sources: NM DOH IBIS: [https://ibis.health.state.nm.us/indicator/complete\\_profile/TobaccoSmokeYouth.html](https://ibis.health.state.nm.us/indicator/complete_profile/TobaccoSmokeYouth.html) 2009 and 2017 youth smoking rates. 2017 youth vaping rate. House Bill 2, 2008 and 2019.

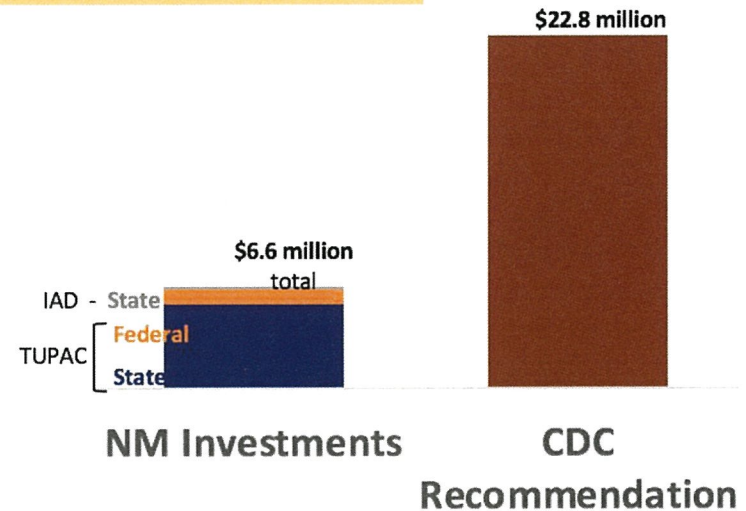
# Tobacco Use Prevention State Investments



Source: NM TUPAC; CDC, *Best Practices for Comprehensive Tobacco Control Programs*

# Tobacco Use Prevention and Cessation in New Mexico

NM's current investment is **24.7%** of the Centers for Disease Control and Prevention recommendation



Source: NM TUPAC; CDC, *Best Practices for Comprehensive Tobacco Control Programs—2014*

Source: NM TUPAC; CDC, *Best Practices for Comprehensive Tobacco Control Programs—2014*

# Counter Advertising Examples

State of Hawai'i — 808noVape.org

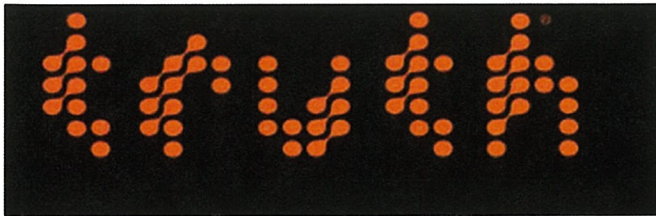
Don't Juul: <https://808novape.org/dontjuul/>

Formaldehyde: <https://808novape.org/formaldehyde/>

truth<sup>®</sup> campaign

Don't test on Humans:

<https://www.thetruth.com/articles/videos/tested-on-humans?gclid=aw.ds>



## WE'RE COUNTING ON YOU

LESS THAN 6% OF TEENS STILL SMOKE. FINISHING THE JOB WILL COME DOWN TO YOU. BE CREATIVE. ENLIST FRIENDS. SPREAD TRUTH. TELL US WHAT YOU NEED TO FINISH IT.

## WE SPEAK IN FACTS

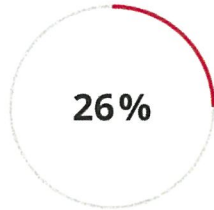
WE'RE ABOUT GETTING THE REAL FACTS IN FRONT OF AS MANY PEOPLE AS WE CAN. WHAT, YOU THOUGHT WE CALL OURSELVES TRUTH BECAUSE WE JUST LIKE THE WAY IT SOUNDS?

## GAMING NOT SHAMING

THIS ISN'T ABOUT THROWING STONES AT SMOKERS. IT'S ABOUT FINDING AND TURBO-CHARGING NEW FUN WAYS TO DO WHAT NO GENERATION HAS EVER DONE BEFORE - END SMOKING.

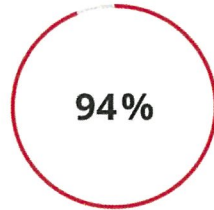
## QUICK FACTS

---



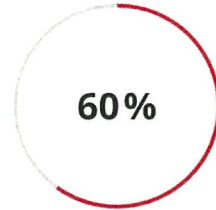
**26%**

**HAWAI'I HIGH SCHOOL  
STUDENTS**  
are using e-cigarettes



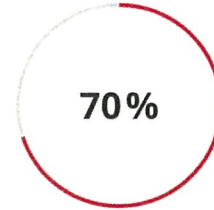
**94%**

**OF ONLINE PURCHASE  
ATTEMPTS**  
by teens were successful



**60%**

**OF TEENS**  
believe occasional use of e-  
cigarettes does little or no harm



**70%**

**MIDDLE & HIGH SCHOOLERS**  
have recently seen e-cigarette  
advertising

**NO  
VAPE**

**THINK E-CIGARETTES ARE  
HARMLESS?**

**THINK AGAIN!**

---

Play Ingredient Hopscotch. Click ingredients to the left to learn more about what's in your vape.

# Questions?

## Contact Information

Laurel McCloskey  
Chronic Disease Prevention Council  
laurel@chronicdiseasenm.org

Mahesh Sita  
American Heart Association  
mahesh.sita@heart.org



