

Electronic Smoking Devices

Community Impact and Policy

Presented to the Castle Rock Town Council by:

Taylor J. Roberts

Tri-County Health Department



Electronic Smoking Devices/Vape Basics

- Developed in China in 2006 to deliver nicotine without combustion
- Heat ESD/Vape fluid to create aerosol inhaled by user
 - Typically contains nicotine, flavoring and other chemicals
 - Nicotine levels vary significantly
 - Infinite flavors

Prevalence of Use

- Colorado Current Use 2017: 27%¹
- Douglas County Current Use: 30%
- Colorado Ever Use 2017: 44%
- Douglas County Ever Use 2017: 41%
 - 50% of HS Seniors
 - 257% increase 2013-2017
- National High School Current Use 2017: 11.7%²

¹ 2017 *Healthy Kids Colorado Survey*. University of Colorado, Colorado School of Public Health

² 2017 *National Youth Tobacco Survey*. U.S. Centers for Disease Control and Prevention

Public Health Concerns

- Nicotine addiction in youth
- Potential for harm to developing brain
 - Alters how synapses are formed
 - Can impact attention, memory and learning
- Potential links to COPD, chronic respiratory infections, pneumonia in adults and seizures in young users
 - Require additional investigation and study

Youth Access

- Douglas County
 - 41% high school students reported purchasing ESD/vape products from a gas station or convenience store
 - 52% accessed ESD/vape products from other source (family, friends, black market)
- Arapahoe County
 - 22% high school students reported purchasing ESD/vape products from a gas station or convenience store
 - 63% accessed ESD/vape products from other source (family, friends, black market)

Impact on Schools

- An epidemic of youth so addicted they can't get through classes without using
- Suspensions, Minor in Possession and Tobacco Free Schools Law violations spiking over last 24-36 months
- Increased pressure on School Resource Officers, often first contact with youth using ESD/vape

Douglas County Youth Substance Abuse Prevention Coalition

- Cross sector partnership formed in 2016 to assess and address youth substance abuse issues in Douglas County
- Identified youth ESD/Vape use as priority substance abuse issue
 - Support evidence based policy to limit youth access to tobacco/nicotine products

Current Federal Regulation

- U.S. Food and Drug Administration
 - “Deeming Rule” 2016
 - No sales to under 18 nationwide
 - Manufacturers submit health documents and ingredient listing 2018, not currently publically available
 - Additional proposed regulations in public comment and agency discussion

Current State Regulation

- ESD/Vape included in Colorado Tobacco Free Schools law
 - Possession of any tobacco/nicotine product on school grounds prohibited
- ESD/Vape not included in all state regulations
 - Not included in Amendment 35 (tobacco sales tax) or Colorado Clean Indoor Air Act

Current State Regulation

- Sale of tobacco/nicotine products does not require a license
 - Local PD may do compliance checks, but cannot levy a penalty against the retail establishment
 - Criminal summons may be issued for clerk, only
- Colorado HB19-1033
 - Signed into law 3/28/2019
 - Grants local governments the authority to regulate sales of nicotine containing products

Potential Solutions for Castle Rock

- License Tobacco Retail Sales Locations in Castle Rock
 - Evidence based strategy for reducing youth use of tobacco products
 - Retail outlets selling nicotine products must obtain and maintain a sales license with the Town of Castle Rock
 - Nominal fee to cover costs of enforcement
 - Enables local police department to enforce under age sales laws with fines and suspension/revocation of license

Potential Solutions for Castle Rock

- Increase Minimum Legal Sales Age of Nicotine Products to 21
 - Better restrict social access points for youth under 18
 - Lessen impact on schools
 - Build consistency across age restricted substances that is more in line with brain development
 - Simplify age verification for clerks

Thank you

- Taylor J. Roberts
 - Chronic Disease Prevention Coordinator
 - Tri-County Health Department
 - troberts@tchd.org