

Agenda Item Number:

**ORANGE COUNTY BOARD OF HEALTH
AGENDA ITEM SUMMARY**

Meeting Date: 1/27/2016

Agenda Item Subject: E-Cigarettes: Trends and Policy Options

Attachment(s): E-Cigarettes: Trends and Policy Options (slide presentation)

Staff or Board Member Reporting: Coby Jansen Austin (staff) and Alejandra Camargo (TRU Youth)

Purpose: ___ Action
 ___ Information only
 ___X___ Information with possible action

Summary Information: Coby will provide an overview of surveillance data describing electronic cigarette use patterns among adults, including former, current, and non-smokers, as well as data on youth tobacco use. Then Carrboro High School TRU Club co-president Alejandra will share her experience and observations on use and trends from the perspective of a young person growing up in Orange County. Coby will wrap-up by providing an overview of the current regulatory landscape – at the federal, state and local level – and present potential policy options to the Board of Health.

Based on the existing evidence, staff recommend that the Board of Health develop a policy to prohibit use of e-cigarettes in indoor areas of bars and restaurants.

Recommended Action: ___ Approve
 ___ Approve & forward to Board of Commissioners for action
 ___X___ Approve & forward to BOH Mental Health and
 Substance Abuse Subcommittee for further study and policy
 development
 ___ Accept as information
 ___ Revise & schedule for future action
 ___ Other (detail):

E-Cigarettes: Trends & Policy Options

Board of Health
January, 27 2016

Coby Jansen Austin, MPH

Alejandra Camargo, TRU Co-
President, Carrboro High School

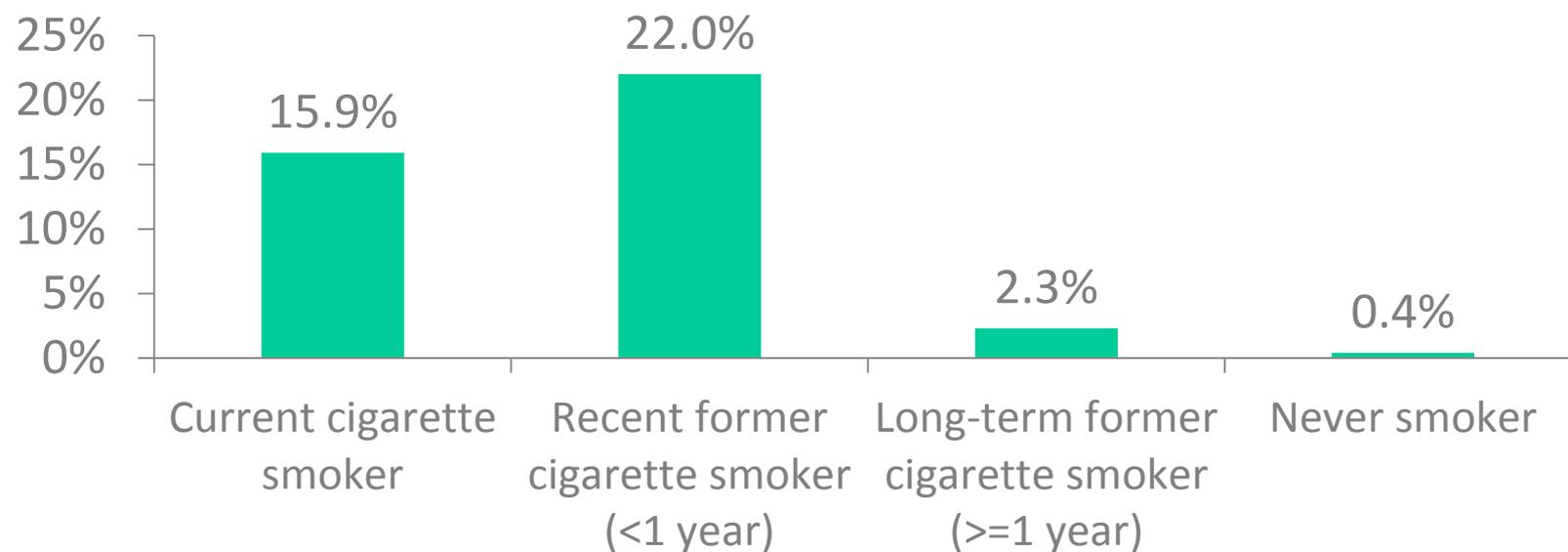


Photo Credits: CDC,
ecigarette-mods.com,
pinterest.com, vapes.com

Trends in Adult Use: United States

- About 16% of cigarette smokers are “dual users”
- 1 out of 5 people who recently quit smoking use e-cigs
- Rarely used by never smokers

Percentage of adults who currently use e-cigarettes, by smoking status, US, 2014

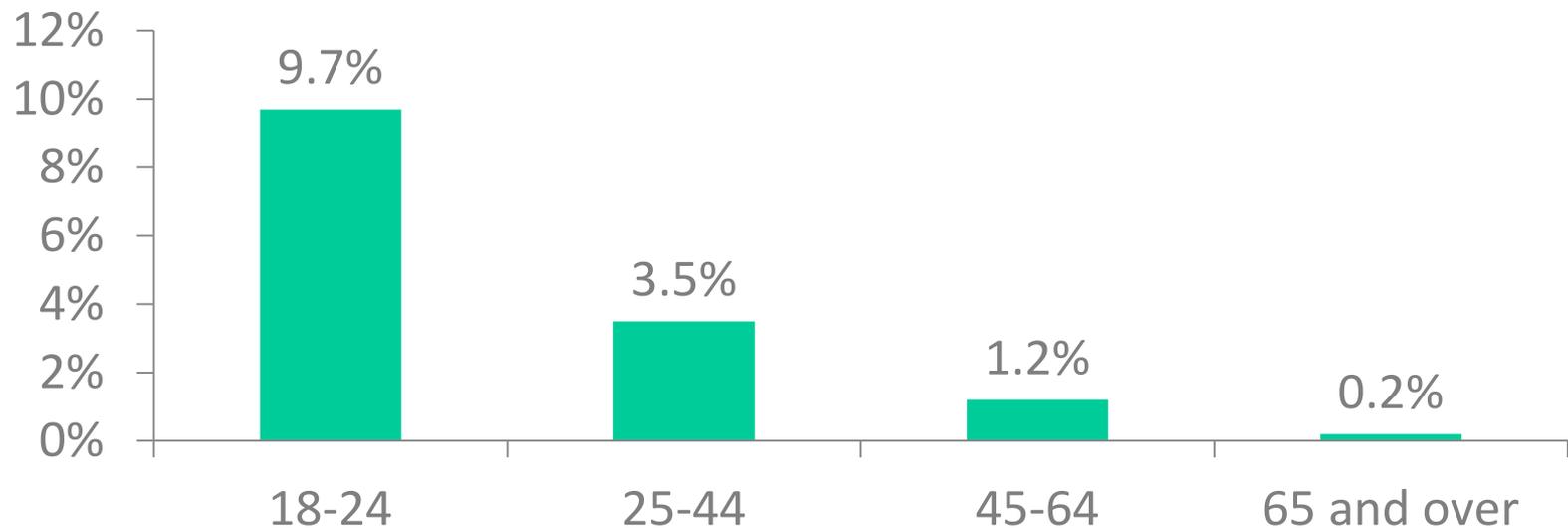


SOURCE: CDC/NCHS, National Health Interview Survey, 2014

Trends in Adult Use: United States

Younger adults are more likely to have tried e-cigs and currently use e-cigs

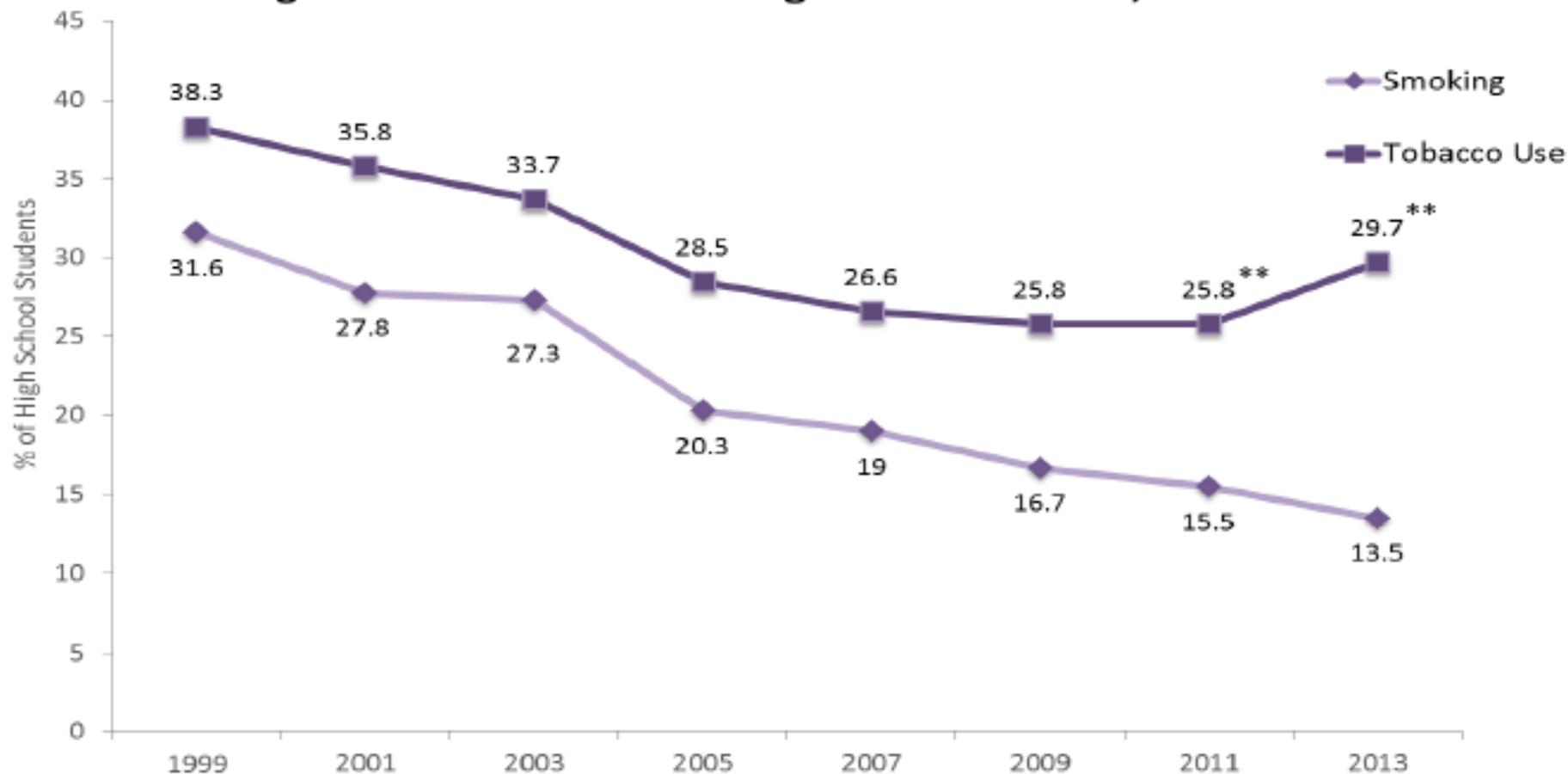
Percentage of adults who had never smoked cigarettes and who had ever tried an e-cigarette, by age: US, 2014



SOURCE: CDC/NCHS, National Health Interview Survey, 2014

Trends in Youth Use: North Carolina

High School Current* Smoking and Tobacco Use, 1999-2013



*Current use is defined as using on one or more of the past 30 days. **In 2011, N.C. YTS began tracking use of emerging tobacco products, including electronic cigarettes, clove cigars, dissolvable tobacco products, flavored cigarettes, flavored little cigars, hookahs or waterpipes, roll-your-own cigarettes, and snus. Data on emerging tobacco product use prior to 2011 are not available.



TOBACCO

REALITY

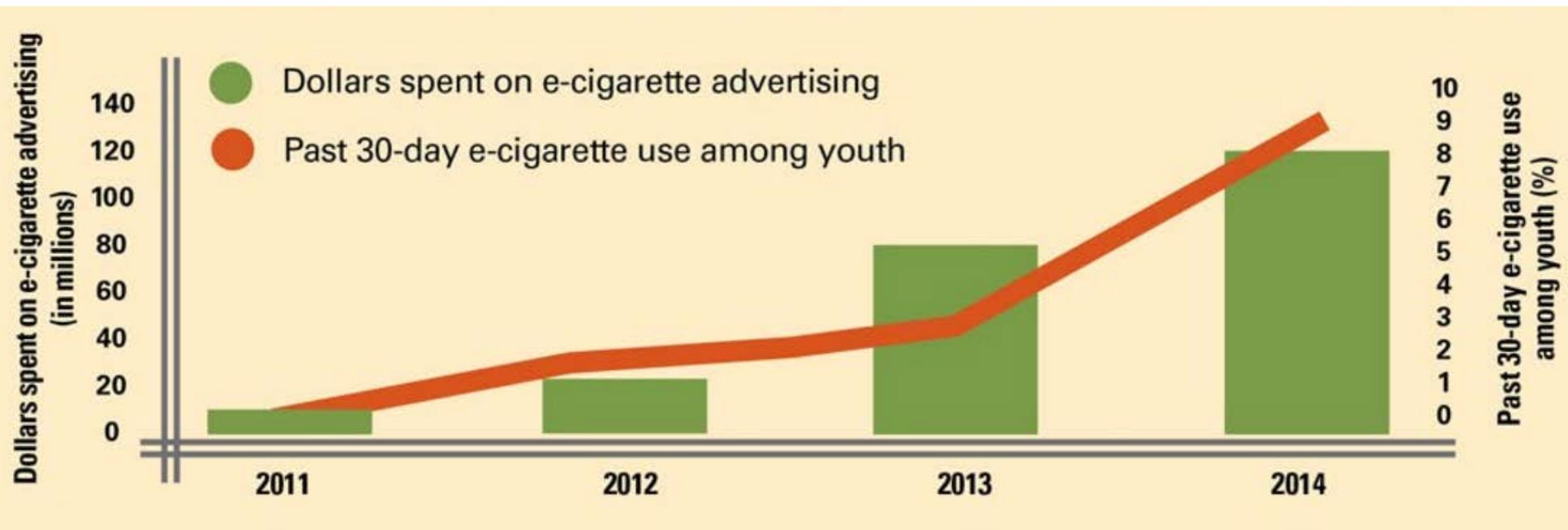
UNFILTERED

Alejandra Camargo

Carrboro High School

Youth Perspective

E-cigarette use among youth is rising as e-cigarette advertising grows



7 in 10 US middle and high school youth were exposed to e-cigarette ads in 2014

Source: National Youth Tobacco Survey, 2011-2014; Kim et al (2014); Truth Initiative (2015), as referenced in CDC Vital Signs (January 2016) - Available at: www.cdc.gov/vitalsigns/pdf/2016-01-vitalsigns.pdf

Potential Benefits

For current smokers:

- Promote cessation
- Reduce disease risk & morbidity for those who quit combustible

Potential Harms

For current smokers:

- Disease risk associated with incomplete cessation (dual use is common)
- Increased nicotine addiction (by using e-cigs in places where normally wouldn't smoke)

For youth: (appeal - flavors/marketing)

- New nicotine addiction
- Potential for graduation to smoking
- Brain development
- Future disease risks

For former smokers:

- Potential for relapse or return to addiction

For society/non-smoker:

- Secondhand aerosol exposure

Federal Regulations



FDA's Current Authority: Regulate e-cigarettes as drugs or devices, but only if they are marketed for therapeutic purposes.

FDA's Proposed Authority: “Deeming rule” would regulate e-cigs as tobacco products (April 2014):

- No sales to minors
- Free sampling prohibited
- Warning label requirements
- Manufacturers required to register with the FDA and seek the agency's review of new products

North Carolina Laws



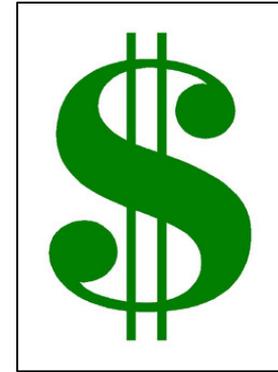
Tobacco product



Childproof packaging



No sales to minors



Excise tax



Online purchase permitted

Photo Credits: learnnc.org; www.tobaccofreekids.org; ivaporshop.com; jostarusa.com; clipartbest.com

References: N.C. Gen. Stat. §14-313(4); N.C. Gen. Stat. §14-401.18A; N.C. Gen. Stat. §14-313(b); N.C. Gen. Stat. §105-113.35; N.C. Gen. Stat. § 14-313(b2)

Online Purchasing Facilitates Access

Teens can buy electronic cigarettes easily online

- Youth buy rate of 93.7%
- No attempts to verify ages at delivery
- 95% of delivered orders simply left at the door



**Online
purchase
permitted**

Photo Credits: jostarusa.com

References:

Tob Control 2014;23:iii26-iii30

JAMA Pediatr. 2015;169(3):e1563

E-Cigs Use Regulations Across the US

Include e-cigs in smoke-free laws:

8 states

**400+ counties and
municipalities**

Mostly cover bars, restaurants, and workplaces

Local Regulations on E-Cigs Use in North Carolina

No statewide policy restricting e-cig use

Government Property

50+ counties and municipalities in NC prohibit e-cig use in or on government property
- Including Orange County

Other Public Places

- Dare County: Bars and Restaurants
- Durham County: Smoke-Free Public Places Rule
- Some campaigns to promote voluntary policies

Current Restrictions on E-Cig Use in Orange County

- Tobacco-free schools
- County buildings, vehicles and within 50 ft of DSS and Health Dept
- Chapel Hill Public Library
- UNC Athletic Facilities*
- UNC Hospitals
- Chapel Hill: employees cannot use in buildings and vehicles
- Private businesses (as desired)



* E-cig use also discouraged in places that are smoke-free, esp. libraries, lab buildings, residence halls and instructional facilities. Source: Daily Tarheel - <http://www.dailytarheel.com/article/2014/03/uncs-e-cigarette-policy-to-be-determined>

Current Restrictions on E-Cigs Use in Orange County



Photo from DSI Comedy Theatre, 2015

Potential Exposure In Public Places

Lessons from studies about secondhand smoke exposure:

- **Restaurants** can be important sites of **exposures to children and adults**, even the principal point of exposure for children from nonsmoking homes
- **Servers and bartenders** in places where smoking is permitted may be exposed to high levels of secondhand smoke
- **Among the highest concentrations of nicotine** measured in public places were those found in bars and lounges



References: Klepeis NE. (1999); Jarvis MJ, Foulds J, Feyerabend C. (1992); Jenkins RA, Counts RW. (1999); Maskarinec MP, et al. (2000)

Photo Credit: thetimes.co.uk; laweekly.com

Survey of Bars and Restaurants in NC

20-question survey, mailed to 663 owners/managers

20.3% response rate

- **Most restaurants restrict e-cig use**
 - More than two thirds of restaurants either ban use inside (46%) or limit use to designated areas (21%)
- **Restaurants more likely than bars to restrict e-cig use inside**
 - Bars: 10% ban use, 12% designate areas
- **Complaints received from customers and employees related to e-cig use indoors**
 - 16% - from customers; 8% - from employees

Staples, C.A.H. (2015). Restaurant and Bar Owners and Managers Respond to North Carolina's Smoke-free Law, Electronic Cigarette Use Inside their Businesses, and Smoke-free Outdoor Seating. Masters Thesis. Available at:

http://thescholarship.ecu.edu/bitstream/handle/10342/4960/Staples_ecu_06000_11451.pdf?sequence=1

SAMPLE POLICY OPTIONS

Option A: No Board of Health Rule, but encourage:

- voluntary policies by employers
- ordinances by municipalities & county

Staff Recommendation

Option B: Board of Health Rule prohibiting use in indoor areas of bars and restaurants.

Option C: Board of Health Rule prohibiting use in all indoor public places.

Note: Board of Health Rules apply to all jurisdictions within the county, including municipalities.

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ANRF (10/2/15). States and Municipalities with Laws Regulating E-Cigarettes.

CDC Grand Rounds: E-cigarettes: An Emerging Public Health Challenges. 10/20/2015 (Presentation).

CDC Vital Signs (January 2016) E-Cigarette Ads and Youth. Available at: www.cdc.gov/vitalsigns/pdf/2016-01-vitalsigns.pdf

Huang J, Kornfield R, Szczypka G, Emery SL. A cross-sectional examination of marketing of electronic cigarettes on Twitter. *Tob Control*. 2014;23:iii26–iii30.

Jarvis MJ, Foulds J, Feyerabend C. Exposure to passive smoking among bar staff. *British Journal of Addiction*. 1992;87(1):111–3.

Jenkins RA, Counts RW. Personal exposure to environmental tobacco smoke: salivary cotinine, airborne nicotine, and nonsmoker misclassification. *Journal of Exposure Analysis and Environmental Epidemiology*. 1999;9(4):352–63.

Klepeis NE. An introduction to the indirect exposure assessment approach: modeling human exposure using microenvironmental measurements and the recent National Human Activity Pattern Survey. *Environmental Health Perspectives*. 1999;107(Suppl 2):365–74.

Maskarinec MP, Jenkins RA, Counts RW, Dindal AB. Determination of exposure to environmental tobacco smoke in restaurant and tavern workers in one US city. *Journal of Exposure Analysis and Environmental Epidemiology*. 2000;10(1):36–49.

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Sutfin, E.L. (2014) Electronic Nicotine Delivery Systems. Breathe Easy NC Conference (Presentation)

Williams RS, Derrick J, Ribisl KM. Electronic Cigarette Sales to Minors via the Internet. JAMA pediatrics. 2015;169(3):e1563-e1563.



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