

Oregon Should Ban E-Cigarette Sales to Minors

Dr. Todd Huffman, for the Eugene *Register-Guard*, July 27th 2014

Suppose there were a product with only one active ingredient, an ingredient indisputably mood-altering, addictive and in other forms prohibited for sale to minors. And suppose this product was portrayed in mass marketing as sexy and fun, available in alluring flavors such as bubble gum, cotton candy and gummy bear.

Should we be surprised when such a mind-bending product with juvenile aromas appeals to children and teens? Might the product's makers and marketers remind us of the wicked Child Catcher, enticing the children in *Chitty Chitty Bang Bang* to the carriage cage with lollipops and treacle tarts and ice cream?

And should we be stunned that such a product – known as an Electronic Nicotine Delivery System, and better known as an “e-cigarette” – is indeed available in Oregon without sales restrictions to minors? And that the 2014 Legislative Session whiffed on its chance to pass a bill that would have banned such sales? Thirty-eight states have already done their duty to protect children and passed such commonsense legislation.

On the market since 2007, e-cigarettes have catapulted into the mainstream. Sales are approaching \$2 billion annually. Marketed as an option to help smokers kick the habit – a claim for which research to date is inconclusive – half of current young adult users are nonsmokers, suggesting that unlike other tobacco cessation products such as patches and gums, e-cigarettes contribute to primary nicotine addiction, and to the renormalization and reglamorization of smoking behaviors.

Due to their novelty and the initial uncertainty of these products as drugs, devices, or tobacco products, e-cigarettes have yet to receive any federal oversight. They cannot be regulated like other tobacco products, with measures such as warning labels regarding addiction, restrictions on product marketing, and biochemical testing to ensure truth in labeling.

This may change. On April 25th, the Food and Drug Administration released proposed regulations for extending its tobacco regulating authority to e-cigarettes and other alternative tobacco and nicotine products. The regulations would restrict sales to minors under age 18, require health warnings on packaging, prohibit vending machine sales, and prohibit marketing these products as healthy or safe.

The proposed FDA rules do not, however, address the use of candy and fruit flavors, which appeal to youth, and do not require child proof packaging to prevent poisonings. And even if enacted, the proposed regulations would not go into effect until at least 2 years after the rule is finalized.

Which is why in the absence of strong and immediate federal regulation, states must lead the way on this issue by restricting e-cigarette purchasing by minors and marketing targeted at children and adolescents, and banning candy and fruit-flavored nicotine delivery products which encourage youth smoking initiation. And to prevent poisoning, all liquid cartridges for e-cigarettes should be required to be sold in child-proof packaging.

As pediatricians, we do everything in our power to keep our young patients safe from poisonous products, like prescription medications and household cleaners. We do no differently when it comes to liquid nicotine.

After all, we know that nicotine has negative effects on brain development from the prenatal period into adolescence. We know that nicotine is highly addictive – ask any smoker who has quit or tried to quit. And we know that nicotine is a powerful neurotoxin, possibly causing vomiting, seizures, or even respiratory failure in the child who drinks it or drips it on their skin. Calls to poison control centers related to child e-cigarette exposure increased nationally from one per month four years ago to 215 per month as of February 2014.

For all the potential good in e-cigarettes as an aid to reduce or stop smoking, they have as much or more potential harm to increase nicotine addiction in teens and young adults. For this reason, and for the potential toxic effects on children of liquid nicotine, Oregon lawmakers must act swiftly during the next legislative session to at the least ban the sale and marketing of e-cigarettes to children. Let's put a stop to the Child Catcher seducing our children to his addictive and dangerous products.