

13-1204-52

MOTION ARIS, PARKS, HEALTH, AGING & REVENUE  
JAN 14 2014

Electronic smoking devices, also known as e-cigarettes, have recently been made available to consumers. These devices resemble traditional cigarettes, pipes, or cigars and mimic the act of smoking by having users inhale a vapor cloud which often contains nicotine; organic compounds such as benzene and toluene; and heavy metals such as nickel and arsenic.

The FDA indicated in an April 2011 letter to stakeholders that it intends to regulate e-cigarettes and related products in a manner consistent with its mission of protecting the public health. Potential regulatory activities could include registration, ingredient listing, and user fees. Potential FDA actions are currently being reviewed by the Office of Management and Budget. E-cigarette companies have yet to submit clinical trials to the federal government; however some private companies such as In-N-Out have taken steps to regulate use of e-cigarettes in their establishments. The World Health Organization, in a July 9, 2013 communication, notes that the safety of electronic smoking devices has not been scientifically demonstrated.

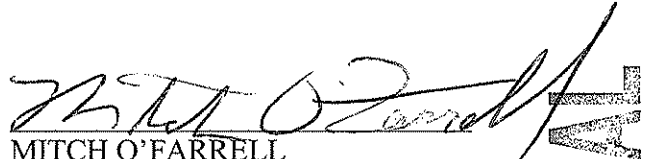
On October 3, 2013, the Los Angeles County Department of Public Health released a report relative to the rising prevalence of e-cigarette use in the County. The County supports the following three policy recommendations to address the prevalence of e-cigarettes in the County: (1) amend local smoke-free policies to include e-cigarettes use in the definition of smoking, (2) amend existing tobacco retailer licenses by including e-cigarettes in the definition of "tobacco product, and (3) impose higher taxes to discourage e-cigarette purchase among minors.

On December 4, 2013, the Council approved an Ordinance to regulate the sale of e-cigarettes. (C.F. 13-1204). On January 8, 2014, the City Attorney's Office released a draft Ordinance to revise the definition of smoking to include electronic smoking devices and to revise various provisions regarding the prohibition of smoking in certain places (C.F. 13-1204-S1). In its report, the City Attorney notes that a study published in the Journal of Environment and Public Health suggests that electronic smoking devices "may have the capacity to re-normalize tobacco use in a demographic that has had significant de-normalization of tobacco use previously." The City Attorney further notes a 2013 study in Nicotine and Tobacco confirmed that electronic smoking devices that contain nicotine also emit nicotine in the released vapor and involuntarily expose non-smokers to nicotine.


The City is taking various steps to protect the public health regarding regulation of e-cigarettes. In the interest of a thorough public discussion regarding this important public health issue, the Council should instruct the Chief Legislative Analyst to review the policy proposal from the Los Angeles County Department of Public Health and report to Council with any action the City can take to support these recommendations.

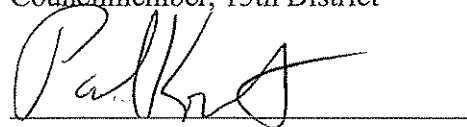
I THEREFORE MOVE that the City Council instruct the Chief Legislative Analyst (CLA) to review the policy proposal from the Los Angeles County Department of Public Health relative to e-cigarettes and report to Council with any actions the City can take to support these recommendations.

PRESENTED BY:

  
MITCH O'FARRELL  
Councilmember, 13th District

SECONDED BY:

  
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