



April 22, 2015

The Honorable Eric Garcetti
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

RE: Resolution 15-0002-S8 [SB 24 (Hill)] - Oppose

Dear Mayor Garcetti and Members of the Council:

The American Cancer Society Cancer Action Network (ACS CAN) is the nation's leading voice advocating for public policies that are helping defeat cancer. We are writing in opposition to Resolution 15-0002-S8 which supports SB 24 (Hill) because it could undermine efforts to adequately regulate e-cigarettes. We view this bill as a step backwards in the national efforts to combat the exponentially increasing use of e-cigarettes amongst youth and adults.


A recent study by CDC researchers in the journal *Nicotine & Tobacco Research* found that the amount of youth who have never smoked traditional cigarettes, but have used e-cigarettes has more than tripled from 79,000 in 2011 to more than 263,000 in 2013. The study also found that amongst youth who had never smoked traditional cigarettes, but had used e-cigarettes at least once, 43.9% intended to smoke traditional cigarettes. In comparison, only 21.5% of youth who had never smoked cigarettes or e-cigarettes had an intention to smoke traditional cigarettes.

ACS CAN supports keeping e-cigarettes out of the hands of teens and adolescents, but those policies should not make it more difficult to subject e-cigarettes to the same tobacco control laws that we know work to keep kids from using tobacco products and help people quit. We also know that focusing solely on youth access in tobacco control has limited effectiveness when not implemented with proven tobacco prevention strategies, such as smoke-free laws.

The tobacco companies are employing strategies across the country that attempt to have e-cigarettes treated differently than traditional cigarettes in order to evade regulation. This is a desirable outcome for the industry because e-cigarettes could avoid regulation that applies to tobacco in such areas as youth access, use in public places, advertising restrictions, taxes and licensing. Unfortunately, this bill plays right into that tobacco company strategy. There are more than eighty separate instances in SB 24 (Hill) where e-cigarettes are pulled out and referenced separately from other tobacco products.

The current definition of e-cigarettes in section 119405 of the Health and Safety Code is inadequate to tackle the increasing problem of youth access to e-cigarettes and this bill does nothing to address that. The current definition of an e-cigarette is very narrow in that it only includes products that can provide an inhalable dose of nicotine. Many products claim to not contain nicotine and many may contain other harmful substances. The definition also does not include all the components that make up electronic smoking devices so nicotine solutions sold separately from the actual smoking devices would still be allowed to be sold to minors.

Sincerely,


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