HEALTH, EDUCATION, NEIGHBORHOOD, PARKS, ARTS & RIVER

MOTION

E-cigarettes (also referred to as vaping devices or vapes) entered the marketplace around 2007, and since 2014, they have been the most commonly used tobacco product among youth in the United States. According to the Centers for Disease Control and Prevention (CDC), in 2018 more than one in four high school students used an e-cigarette in the past 30 days. This was a 77.8 percent increase in e-cigarette usage from 2017 and virtually erased any progress achieved in reducing youth tobacco product use that had occurred in prior years.

As of October 1, 2019, 1,080 cases of vaping associated pulmonary injury (VAPI) requiring hospitalization and 18 vaping associated deaths have been reported to the CDC. Eighty percent of these patients are under 35 years old. Over 100 of these hospitalizations and two of these deaths occurred in California. One of the two California deaths was in Los Angeles County. While the exact cause of illness is not known, most cases involve vaping cannabis compounds, a mixture of a cannabis compound and nicotine, or just nicotine alone.

Virtually all vaping devices that are sold today have not been reviewed by the United States Food and Drug Administration (FDA) to determine if they are appropriate for public health. In 2017, the FDA issued Guidance that extended the deadline to August 2022 for e-cigarette manufacturers to submit their applications for market review. A United States district court sided with public health groups that sued the FDA for granting this extension and ordered the FDA to begin review next year. However, by the time e-cigarette manufacturers will be required to submit their pre-market review applications, e-cigarettes will have been on the market for nearly fifteen years without any FDA analysis of their safety and alleged benefit.

The reports of illness and death caused by unregulated vaping devices is a public health crisis. In response, the City and County of San Francisco has passed an Ordinance that prohibits the sale of any electronic cigarette or vaping devices that has not received an order from the FDA approving their marketing. The State of Massachusetts has also enacted emergency legislation to ban the sale of all vaping products for four months in response to this public health emergency.

The City of Los Angeles is not content to wait and do nothing as the numbers of illnesses and even deaths associated with unregulated vaping devices increases daily.

I THEREFORE MOVE that, in response to the public health threat posed by non-FDA approved vaping devices and the rapid onset of lethal lung disease caused by vaping, the Council REQUEST that the City Attorney draft an ordinance that will prohibit the sale of all e-cigarettes and vaping devices until such devices are approved by the FDA and deemed safe.

PRESENTED BY: _____
PAUL KORETZ
Councilmember, 5th District

SECONDED BY: _____

dlp

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