

CITY OF LOS ANGELES  
CALIFORNIA

HOLLY L. WOLCOTT  
Interim City Clerk

When making inquiries relative to  
this matter, please refer to the  
Council File No.



ERIC GARCETTI  
MAYOR

Office of the  
CITY CLERK

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March 11, 2014

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 13-0002-S143, at its meeting held March 4, 2014.



City Clerk  
srb

Mayor's Time Stamp  
OFFICE OF THE MAYOR  
2014 MAR -5 PM 2:16  
CITY OF LOS ANGELES

City Clerk's Time Stamp  
CITY CLERK'S OFFICE  
2014 MAR -5 PM 2:09  
CITY CLERK  
BY \_\_\_\_\_ DEPUTY

SUBJECT TO THE CONCURRENCE OF THE MAYOR

COUNCIL FILE NO. 13-0002-S143

COUNCIL DISTRICT \_\_\_\_\_

COUNCIL APPROVAL DATE MARCH 4, 2014

RE: THE CITY'S POSITION TO SUPPORT LEGISLATION AND/OR ADMINISTRATIVE ACTION THAT WOULD URGE THE FOOD AND DRUG ADMINISTRATION TO ASSERT AUTHORITY OVER THE INGREDIENTS IN E-CIGARETTES AND OTHER NICOTINE DELIVERY DEVICES

**MAR 17 2014**

LAST DAY FOR MAYOR TO ACT \_\_\_\_\_  
[10 Day Charter requirement as per Charter Section 231(h)]

**DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY**

APPROVED

✓

\*DISAPPROVED

\*Transmit objections in writing pursuant to Charter Section 231(h)

DATE OF MAYOR APPROVAL OR DISAPPROVAL 3/10/14

CITY CLERK  
DEPUTY  
2014 MAR 11 AM 9:12  
CITY CLERK'S OFFICE

E.G.  
MAYOR

29

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City's position to support legislation and/or administrative action that would urge the Food and Drug Administration to assert authority over the ingredients in e-cigarettes and other nicotine delivery devices.

Recommendation for Council action, pursuant to Resolution (Koretz - O'Farrell - Parks), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 Federal Legislative Program SPONSORSHIP and/or SUPPORT of legislation and/or administrative action that would urge the Food and Drug Administration to assert authority over the ingredients in e-cigarettes and other nicotine delivery devices.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst (CLA). The City Administrative Officer has not completed a financial analysis of this report.

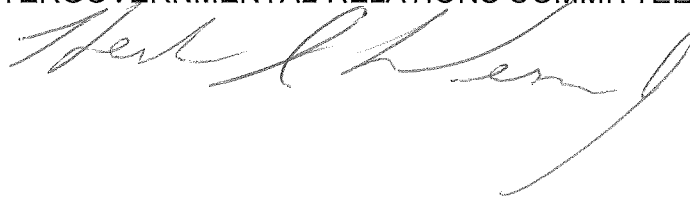
Community Impact Statement: None submitted.

Summary:

At its regular meeting of February 21, 2014, the Rules, Elections and Intergovernmental Relations Committee considered a CLA report and Resolution (Koretz - O'Farrell - Parks) relative to the City's position to support legislation and/or administrative action that would urge the Food and Drug Administration to assert authority over the ingredients in e-cigarettes and other nicotine delivery devices. The CLA report, attached to the Council file, provides a summary of the Resolution and additional background information. After consideration and having provided an opportunity for public comment, the Committee recommended that Council adopt the accompanying Resolution. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE



<b>MEMBER</b>	<b>VOTE</b>
WESSON:	YES
HUIZAR:	YES
LABONGE:	YES

ep  
13-0002-S143 2-21-14

**ADOPTED**

MAR 4 2014

**LOS ANGELES CITY COUNCIL**

-NOT OFFICIAL UNTIL COUNCIL ACTS-

13-0002-5143

RULES, RESOLUTIONS & INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, many electronic cigarette (e-cigarette) devices contain many chemicals, along with nicotine, including volatile organic compounds, such as benzene and toluene; heavy metals, such as nickel and arsenic; tobacco specific carcinogens; and carbon compounds such as formaldehyde and acrolein; and

WHEREAS, The Campaign for Tobacco-Free Kids is calling on the Food and Drug Administration (FDA) to regulate e-cigarettes to protect public health, including through further research on the contents, and through the setting of standards on said content, of e-cigarettes; and

WHEREAS, the U.S. Court of Appeals has determined that e-cigarettes can be regulated by the FDA as a tobacco product, and the FDA is undertaking a process of public review while considering such a potential assertion of authority; and

WHEREAS, a municipality, county or state may take some actions and assert some authority, but the federal government and specifically the FDA is the appropriate jurisdiction for many matters pertaining to e-cigarettes and other nicotine delivery devices:

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-2014 Federal Legislative Program a call for action urging the Food and Drug Administration (FDA) to assert authority over the ingredients in e-cigarettes and other nicotine delivery devices, and support for any federal legislation or action which would encourage and enable such an assertion of authority by the FDA.

PRESENTED BY: Paul Koretz

PAUL KORETZ  
Councilmember, 5<sup>th</sup> District

Mitch O'Farrell  
MITCH O'FARRELL  
Councilmember, 13<sup>th</sup> District

Bernard C. Parks  
SECONDED BY  
BERNARD PARKS  
Councilmember, 8<sup>th</sup> District

I CERTIFY THAT THE FOREGOING  
RESOLUTION WAS ADOPTED BY THE  
COUNCIL OF THE CITY OF LOS ANGELES  
AT ITS MEETING OF MAR 4 2014  
BY A MAJORITY OF ALL ITS MEMBERS.



HOLLY L. WOLCOTT  
INTERIM CITY CLERK

BY [Signature]  
DEPUTY

[Signature] DEC 4 2013