

E-Cigarettes Legislation Talking Points

I am introducing legislation to regulate the use and sale of e-cigarettes in the City and County of San Francisco. Since they are so similar, this common-sense legislation will regulate e-cigarettes the same way that we do with regular cigarettes.

Ordinance Proposed would:

1. Allow smoking e-cigarettes in the same places that cigarettes are allowed; prohibit them where cigarettes are prohibited.
2. Prohibit sale of e-cigarettes on City and County property and other places cigarettes can't be sold.
3. Require a tobacco permit for the sale or furnishing of e-cigarettes.

Talking Points

- **“We are introducing common sense policies for San Francisco that will regulate the smoking of e-cigarettes in the same way that cigarettes are already regulated.”**
- **“You can smoke e-cigarettes in all the places where you can currently smoke.”** You will be prohibited from smoking them where you already can't smoke.
- **“The health effects of e-cigarettes, especially long-term, are unknown. Existing research into the health effects of E-cigarettes shows potential harms.”** – Important for the health aspects to be researched thoroughly before relaxing restrictions on their use in public. The city has a responsibility to first protect public health with common-sense policies.
- **“There is too much unknown about e-cigarettes.”** It would be reckless of us to allow their proliferation into public spaces without knowing more science about their effects on others. If an individual wants to use an unregulated product, that is their choice, but innocent parties should not be exposed.
- **Most of what is perceived about e-cigarettes has been put out there by the e-cigarette companies.** They are being marketed by their manufacturers as a “safe” alternative to regular cigarettes, but there is no independent science to back this up. Research by the FDA and in peer-reviewed journals has found carcinogens, toxins and high levels of addictive nicotine in e-cigarettes.

- **“We are joining the lead of many other cities and jurisdictions with common sense policies that protect people from second-hand air pollution.”** This includes LA, which is looking at regulations. Communities like Contra Costa County, Richmond CA, New York, Chicago, Boston, Seattle and others have already passed bans and regulations. In addition, because they are so similar to regular cigarettes, they are already banned in hospitals, on airplanes and in most airports.
- **“By regulating E-cigarettes the same way as cigarettes – businesses and law enforcement will have clear guidelines.”**
- **“This is not just water vapor, as some claim.”** It can be smelled and emits pollution, including toxins and cancer-causing agents. **E-cigarettes emit secondhand aerosols – and that air pollution contains unregulated amounts of a variety of toxins and cancer-causing agents, and nicotine.** Until we know more about them, we should err on the side of safety and protect our citizens by regulating their use and sale within the City of San Francisco – the same way we do cigarettes.
- **We are joining the lead of many other cities around the Bay Area and the country that are looking to restrict the use and sale of e-cigarettes.** This includes Richmond, LA, New York and Chicago, Boston, Seattle and others have already passed bans and regulations. In addition, because they are so similar to regular cigarettes, they are already banned in hospitals, on airplanes and in most airports.

This legislation helps us avoid costly enforcement

- **Because e-cigarettes look and act so much like regular cigarettes, allowing people to use them in restaurants, bars and other workplaces will complicate and potentially drive up the cost of enforcing existing cigarette laws.** Enforcement of our health code is complaint driven – so there will be no way to determine whether a complaint originated from an e-cigarette or a traditional cigarette.
- **We need uniformity in the health code to help business owners comply with the law.** Business owners will have a more difficult time complying with the law if e-cigarettes are allowed where cigarettes are not.

Young People

- **Rather than helping people quit, E-cigarettes could become a gateway for young people to begin smoking cigarettes.** There are more than 250 brands of e-cigs available – in flavors like watermelon, bubble gum, cotton

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candy, gummy bears, candy cane and strawberry. They come in all sorts of attractive flavors and colors that are clearly aimed at young people.

- A CDC study found that more than 1.8 million young people had tried e-cigs and that the number of middle and high school students using e-cigarettes doubled between 2011 – 2012.
- Local data has shown that retailers are selling these products to minors without checking ID.