



TO: Richard C. Rossi, City Manager
FROM: Claude-Alix Jacob, Chief Public Health Officer
DATE: November 21, 2013
SUBJECT: Response to Policy Order #26, adopted 7/29/13

Text of Order: That the City Manager be and hereby is requested to direct the City Solicitor to prepare ordinance language for adoption by the City Council on rules and regulations for usage of e-cigarettes similar to existing language for the use of tobacco products.

The introduction of electronic cigarettes, or e-cigarettes, onto the retail market has been accompanied by an extensive tobacco industry-funded marketing campaign that includes regular use of internet social networks and other advertising strategies that target younger demographic groups. Notwithstanding claims that this product is safe to the user and that it is a socially acceptable substitute for smoking cigarette in public spaces and in workplaces, there are several public health concerns associated with its use and its promotion.

First among these concerns is the established fact that the consumption of nicotine, even when it is not inhaled as smoke, poses significant health risks to the user. Although not widely known, nicotine is tied with elevated cardiovascular disease whether it is smoked, chewed, ingested, or vaporized. The use of a proprietary mixture of volatile organic compounds in the nicotine-infused vapor that is inhaled by the user also raises concerns. Evaluation of the risks posed by these chemicals in combination with nicotine itself has just begun, so it is not appropriate to draw any final conclusions at this time. It is reasonable to conclude, however, that any nicotine delivery product is likely to pose significant health risks with regular use.

The manner in which tobacco companies have targeted younger groups also poses a long-term concern, as many younger individuals may not understand that e-cigarettes are powerfully addictive and often serve as a “gateway” to a lifelong tobacco habit. It is unfortunately the case that this product has gained great popularity among young people, including many under the age of 18 who are not legally allowed to purchase traditional tobacco products.

It is also likely the case that e-cigarettes do represent a major improvement over combustible (smokable) tobacco products in limiting *secondhand exposures* to nicotine, ultrafine particulates, and dozens of toxic compounds and metals. While exhaled vapor from e-cigarettes is not free of these ingredients, it appears that the levels found may pose insignificant health risks if any at all. While it is reasonable to be concerned about long-term health impacts on the user themselves, it is important to acknowledge that the rationale used in Cambridge and elsewhere to advocate for a ban on smoking in the workplace and other public places (i.e. risk to non-smokers) may not be applicable to this product after more comprehensive exposure studies are carried out.

At the direction of the City Manager, the Cambridge Tobacco Advisory Committee has begun to review e-cigarette policy in the context of other policies limiting the use and purchase of tobacco products and has made the following recommendations:

- The current legal age for the purchase of all nicotine delivery products, including e-cigarettes should be set at 18 years old. Chapter 8.28, *Restrictions in Youth Access to*



- *Tobacco Products and on Smoking in Workplaces and Public Places*, should be amended to include a definition for “Nicotine Delivery Product” and this phrase should be added to the language of the Access of Minors to Tobacco Products sections (8.28.020, 8.28.030, and 8.28.040) of the ordinance in each place where that the term “tobacco products” is currently used, including the titles of each of these sections.
- A suggested definition for “Nicotine Delivery Product” is:

Nicotine Delivery Product means any manufactured article or product made wholly or in part of a tobacco substitute or otherwise containing nicotine that is expected or intended for human consumption, but not including a tobacco substitute prescribed by a licensed medical provider or a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Nicotine delivery products include, but are not limited to, e-cigarettes.

The Cambridge Tobacco Advisory Committee acknowledges that there may be a need to further restrict the use of e-cigarettes in workplaces and public places, both inside and outside. The Committee will review possible restrictions or prohibitions that would apply to the public use of e-cigarettes in early 2014 and will forward a recommendation to the City Manager for his consideration at that time.