



## DEPARTMENT OF HEALTH

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**FOR IMMEDIATE RELEASE**

January 23, 2020

20-007

### **Hawai'i Department of Health forewarns manufacturers, distributors and sellers of flavored cartridge e-cigarettes about FDA enforcement actions**

HONOLULU – The Hawai'i Department of Health (DOH) is forewarning companies that make, distribute or sell flavored cartridge- or pod-based e-cigarettes to stop or risk the U.S. Food and Drug Administration (FDA) taking enforcement actions against them. The FDA announced the enforcement policy on Jan. 2, 2020, and companies have until the end of this month to comply.

The significant rise in vaping among youth across the nation prompted the FDA to issue its notification. The FDA is excluding tobacco or menthol flavors from their restriction and currently is not focusing on refillable e-cigarettes and e-liquid flavors which are popular with youth in Hawai'i. FDA has the following site for the public to report their concerns: <https://www.fda.gov/tobacco-products/about-center-tobacco-products-ctp/contact-ctp>.

The FDA refers to e-cigarettes as electronic nicotine delivery systems (ENDS). The cartridge-based products are often called "pods," "vapes," or "JUUL," the brand popular with youth. These smaller hi-tech e-cigarettes popular with middle and high school students are easy to use and conceal. They resemble thumb-drives, computer hot spots, or highlighters, and rely on USB ports to charge their batteries. Youth sometimes decorate and personalize these devices with thin sticker type "skins" in Hello Kitty® and camouflage designs. Users do not emit large plumes when they exhale, making the devices easy to use discreetly.

"E-cigarettes and vaping products are unsafe, unregulated and illegal for persons under the age of 21," said Bruce Anderson, director of the Hawai'i Department of Health. "States across the nation are now looking to the FDA for guidance and details on the federal agency's planned enforcement actions. In the meantime, Hawai'i is letting companies know what's on the horizon."

"Nothing is more important than protecting the safety and well-being of our youth," Anderson added. "The high concentration of nicotine in the pod-based devices can negatively affect the developing brain of youth, impairing learning, attention and memory,

disrupting sleep, and causing mood disorders. Nicotine also primes the developing brain for addiction to other substances.”

The health department has supported vaping prevention policies since the 2012 legislative session. This year, DOH will be advocating for increased regulatory authority and supporting the following legislation in the session that is now underway:

- A state restriction on flavored tobacco products;
- Additional taxation on e-cigarettes; and
- A ban on the shipping and handling of e-cigarettes to individual customers in Hawai'i.

In addition to pursuing changes in the law, the DOH is stepping up prevention efforts by providing funding for 14 youth intervention organizations in communities in every county. New mass and social media campaigns will also be launched in February 2020.

In addition to the FDA's enforcement policy, the U.S. Consumer Product Safety Commission (CPSC) sent reminders to vape shops that liquid nicotine is responsible for thousands of calls to poison control centers. One milligram of liquid nicotine has been shown to be lethal to young children. The CPSC has stated “packaging must be designed to prevent children from accidentally accessing and ingesting liquid nicotine, and must restrict the flow of liquid nicotine under specific conditions.”

Parents are encouraged to talk to their children about the dangers of e-cigarettes. For more information, visit [www.HawaiiNoVape.com](http://www.HawaiiNoVape.com). To report or get help on potential nicotine poisoning, call the Hawaii Poison Control Center at 1-800-222-1222.

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