

Wilmington, Delaware  
October 3, 2019

#4712

**Sponsor:**

**Council  
Member  
Shabazz**

**Co-Sponsors:**

**Council  
Members  
McCoy  
Harlee  
Dixon  
Congo**

**WHEREAS**, the health issues surrounding E-cigarettes, sometimes called “e-cigs”, “vapes”, “mods”, “e-hookahs”, and “vape pens” has become a major focus of the federal government, various Cities and now States throughout the country that are interested in or have already passed legislation banning the selling of e-cigarettes or vapes due to two issues 1) the large number of middle and high school youth in the country, estimated at 3.6 million by the Centers for Disease Control and Prevention in 2018 and, 2) the 530 confirmed cases of lung injury in 38 states related to E-cigarette use announced by the Centers for Disease Control and Prevention during the week of September 16, 2019; and

**WHEREAS**, E-cigarettes come in many different shapes and sizes, some looking like a flash drive, pens or even like real cigarettes and typically contain a battery, a heating element, and a place to hold a liquid that contains nicotine and other chemicals, that produces an aerosol into the air; and

**WHEREAS**, the Centers for Disease Control and Prevention has noted that e-cigarette aerosols generally contain fewer harmful chemicals than burned tobacco products, the aerosols can still contain cancer-causing chemicals and tiny particles that can reach deep into the lungs and can contain substances including nicotine, heavy metals like lead, volatile chemical compounds and many contain child-friendly flavors manufacturers use as a way to advertise to youth and encourage their use by middle and high school age youth; and

**WHEREAS**, JUUL is currently the top selling e-cigarette brand in the United States, and according to the manufacturer a single JUUL e-cigarette pod contains as much nicotine as a pack of 20 regular cigarettes; and

**WHEREAS**, there are mixed studies on whether e-cigarettes help adults quit smoking normal cigarettes which the United States Food and Drug Administration does not currently approve e-cigarettes as a method to quit smoking cigarettes; and

**WHEREAS**, the City of San Francisco in 2018 passed a law mandating that any e-cigarette products be evaluated by the FDA before being sold which the manufactures did not do which caused vape sales to halt in San Francisco; and

**WHEREAS**, on September 11, 2019, the Trump Administration announced that as part of its ongoing work to tackle the epidemic of youth e-cigarette use, the FDA intends to finalize a compliance policy in the coming weeks that would prioritize the agency's enforcement of the premarket authorization requirements for non-tobacco-flavored e-cigarette products including mint and menthol due to the epidemic of youth e-cigarette use primarily due to the use of popular fruit, and menthol or mint flavors; and

**WHEREAS**, the Governor of Massachusetts on Tuesday, September 24, 2019 declared a public health emergency due to the nationwide outbreak of a lung illness associated with the devices on all sales of e-cigarette and vaping products in Massachusetts immediately halting all retail and online sales of nicotine flavored, non-flavored, and marijuana vaping products through January 25, 2020; and

**WHEREAS**, the State of Delaware is joining the growing examination of possible connections between e-cigarettes and respiratory illness and began investigating in early September of this year three possible cases of lung illnesses connected to a national outbreak of severe pulmonary disease reported in 33 other states with Delaware Public Health Director Karyl Rattay urging people to quit using these devices and strongly encouraging youth to avoid using e-cigarette products.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Wilmington City Council strongly encourages the Delaware General Assembly to develop and support legislation that would further examine the dangers of e-cigarettes to youth and adults, prevent the sale of non-tobacco flavored e-cigarettes in Delaware and have the Delaware Public Health Department study any possible connections to cases of severe pulmonary disease and e-cigarette use throughout the state.

Passed by City Council,

Attest: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution encourages the Delaware General Assembly to develop and support legislation that would further examine the dangers of E-Cigarettes to youth and adults, prevent the sale of non-tobacco flavored E-Cigarettes in Delaware, and have the Delaware Public Health Department study any possible connections to cases of severe pulmonary disease and E-Cigarette use throughout the state.