



# Oregon Pediatric Society

A Chapter of the American Academy of Pediatrics. Incorporated in Oregon

DATE: February 6, 2020

TO: The Honorable Senator Laurie Monnes Anderson  
Chair of the Senate Committee on Health Care

FROM: William J. Byrne, M.D.  
Member of the Oregon Pediatric Society

SUBJECT: Senate Bill 1577 on Vaping Flavors

The Oregon Pediatric Society (OPS) is the state chapter of the American Academy of Pediatrics. Our membership is committed to preserving the health and well-being of all children in Oregon. For the record, my name is Dr. William Byrne, a retired professor of pediatrics from OHSU. OPS supports Senate Bill 1577, which prohibits distributing, selling, or allowing to be sold flavored inhalant delivery system products. We believe this legislation is an important step forward, and look forward to reviewing any amendments that might support banning all flavors in tobacco products.

E-cigarettes, which aerosolized nicotine, were developed as an intended “safe” alternative to cigarette smoking and as a strategy for smoking cessation. But vaping products have never been subject to testing or approval by the FDA, although the agency has the power to do so through the “deeming rule.” Vaping delivers to the mucous membrane surface of the lung small amounts of aerosolized organic compounds, volatile compounds, trace metals and particulate matter, not just water vapor as is often advertised.

In 2019 an epidemic of e-cigarette or vaping product use associated lung injury (EVALI) shocked the public into the realization that these products are anything but safe. As of January 21, 2020, 2,668 patients have been hospitalized with EVALI. Fifty-two percent were under the age of 24 and 1/3 of the 52% were under the age of 18. Sixty patients died including two in Oregon. Vitamin E acetate, not known to be in the product, was implicated as the principle but not likely the only causative agent. The highest risk groups for EVALI were those who used products containing the cannabinoid THC and bought exclusively from non-commercial sources. Nevertheless, even free of THC, the short term and long-term health effects of the flavored “designer” vaping liquids popular with teenagers and young adults remain unknown. But e-cigarettes and vaping can no longer be considered “safe”.

With the declining tobacco market in the U.S., it is no coincidence that four of the six largest makers of vaping products are controlled by RJ Reynolds, Phillip Morris, and the Japan Tobacco International. Their marketing strategies with designer flavoring and colorful packaging clearly target the teenage and young adult population. The 2019 “flavors of the year” include



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Strawberry Watermelon POP, Sunrise Pressed e-juice, Meteor Milk Space Jam, Pink Lemonade Risky, Sky Aeris, The Voyage Coastal Clouds and the Carnival Cali. Is the campaign successful? In 2018 more than 20% of high school students and 5% of middle schoolers report having used vaping products. To take it a step further, adolescent users of e-cigarettes are 3.6 time more likely to become users of tobacco products than non-users. This attempt by big tobacco to garner new younger generations of users of vaping and tobacco products became so obvious that in October 2019 the Federal Trade Commission launched an investigation of their business and marketing strategies.

Last fall's EVALI epidemic was a warning that should not be ignored. These products are not safe and clearly the business plan is to recruit younger generations. At the present time it appears that the Federal Government will leave regulation of these hazardous substances to the individual states. To take a stand in protecting children, please join me and the Oregon Pediatric Society in supporting House Bill 1577.