



NEW YORK STATE SENATOR

Jack M. Martins

Senator Martins Announces New Law to Protect Children From Nicotine

JACK M. MARTINS January 14, 2015

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Senator Jack M. Martins (R-7th Senate District) announced that legislation to protect children from nicotine has been signed into law by Governor Andrew Cuomo. The legislation, which Senator Martins supported in the Senate, will prohibit the sale of liquid nicotine to minors and require childproof containers to protect against accidental poisoning.

“This law will help protect children from both addiction and tragedy. Banning the sale of liquid nicotine to minors is another step in the fight to keep this highly addictive substance out of children’s hands. Requiring a substance that is potentially lethal to children to be sold in childproof packaging is a commonsense step that will help prevent tragic accidents,” said Senator Martins.

Liquid nicotine, often known as electronic liquid or e-liquid, is a composite of nicotine and other chemicals. Concentrated liquid nicotine is highly toxic, even in small doses, and if ingested, liquid nicotine may cause tremors, vomiting, seizures, and potentially, death. For infants and children, ingesting liquid nicotine is likely particularly lethal. According to a 2014 Centers for Disease Control Report, the number of calls to poison control centers involving liquid nicotine rose from one per month in September 2010 to 215 per month in February 2014. More than half of the calls (51.1%) involved children under age 5.

Liquid nicotine is readily available and sold for use in electronic cigarettes. Although New York banned the sale of electronic cigarettes to minors in 2010, the law did not expressly prohibit the sale of liquid nicotine to minors or set packaging requirements.

The new law:

- Prohibits the sale of liquid nicotine to minors: Businesses selling liquid nicotine are required to have specific signage indicating that the sale of this product to minors is strictly prohibited.
- Requires childproof packaging for sales: This prohibits any business owner from selling liquid nicotine unless it is packaged in a child-resistant bottle designed to prevent accidental exposure. Violators are subject to a civil penalty of up to \$1,000.