

Students Against Nicotine

Written Testimony of:

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**A Teen Perspective on the Risks of Vaping and E-Cigarettes to School-Aged
Youth**

**Before a Joint Hearing of the Senate Standing Committees on Consumer
Protection, Health, and Education**

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Honorable Senators,

My name is Abe Baker-Butler and I am Co-Founder and Director of Legislative Advocacy for Students Against Nicotine, a national student-led nonprofit working to combat teen cigarette and e-cigarette use through peer-to-peer education, workshops for adult prevention professionals, legislative advocacy, media projects, and other initiatives.¹ Thank you for inviting me to speak here today. I'd like to give you the youth perspective on the current e-cigarette epidemic.

Among my peers, vaping has become normalized out of a perception that it is not harmful, resulting from a lack of warnings and restrictions on product packaging in tandem with tantalizing flavors. This has led to the vernacularization of the term "juuling," to the emergence of a belief among youth that e-cigarettes are not harmful, and to mass teen use of e-cigarettes.

As the situation stands, the lack of regulation of flavors, marketing, and warnings creates a dangerous mix that increases the appeal of e-cigarettes, yet simultaneously diminishes perceptions of their harmfulness. As evidenced by recent articles in Time magazine and the New York Times, new damaging revelations about the risks of e-cigarettes appear with disturbing frequency.^{2 3}

New York's passage of Tobacco 21 was an extremely important first step to addressing the teen vaping epidemic, but it is not the full solution to this crisis. While Tobacco 21 does prevent minors from buying e-cigarettes, it nevertheless leaves an extremely attractive product on the market, and flavored e-cigarettes continue to permeate teen social life. By regulating flavors and marketing, however, the Legislature has the ability to decrease the appeal of e-cigarettes to youth and new users.

Many, if not all, of the current e-cigarette products on the market are targeted at new users, especially youth. Through flashy marketing, sleek products, and attractive flavors, I am watching as my friends, classmates, and peers are drawn to nicotine. The data is clear that misleading, youth-oriented marketing, and flavors targeted to teens are most responsible for teens starting e-cigarettes.^{4 5}

¹ Baker-Butler, Abe and Jack Waxman. "Students Against Nicotine." www.studentsagainstnicotine.org

² Kaplan, Sheila and Jan Hoffman. "Juil Knowingly Sold Tainted Nicotine Pods, Former Executive Says." *New York Times*, Section B, Page 8, 30 Oct. 2019. <https://www.nytimes.com/2019/10/30/health/juil-pods-contaminated.html>

³ Ducharme, Jamie. "Juil Illegally Claimed That Its Products Were Safer than Cigarettes, FDA Says." *Time*, 9 Sep. 2019. <https://time.com/5672210/juil-illegal-marketing-fda/>

⁴ "Flavors Hook Kids." *California Department of Public Health*, 2018. <https://www.flavorhookkids.org/>

⁵ "The Flavor Trap." *Campaign for Tobacco-Free Kids*, 2017. https://www.tobaccofreekids.org/microsites/flavortrap_full_report.pdf

With vaping products constantly becoming easier to conceal, it is nearly impossible for substance abuse prevention professionals, educators, and parents to identify all types of vaping devices. And it's not just their inconspicuousness that make these products hard to detect, it is their similarity in packaging and marketing to common food and other products. In workshops I lead for prevention educators across New York State, I always start with an activity where I put six images on the screen: three contain innocuous products ranging from candy to USB drives and three contain vaping devices.⁶ Never have I had a group that can correctly identify, for all of the six products, whether each is related to vaping.

If it's not pretty and it's not flashy and it doesn't evoke something pleasant, then it's not cool. If it has muted colors and a large-print warning on the box about possible fatality, it doesn't make people pay attention to you at a party. If it can't be easily concealed from a parent or teacher, it isn't as easy and thrilling to use.

Beguiling flavor names like Creme-Brulee, Cotton-Candy, Fruit-Medley, and even Fruity Pebble Cheesecake evoke imagery of copious candy, fresh fruits, and delectable desserts in a way clearly designed to expand e-cigarette marketing reach. These attractively-named flavors evoke curiosity among non-tobacco users, especially youth.

In fact, a review study conducted by researchers at the University of North Carolina found that e-cigarette products were more appealing to prospective users when they had pleasant flavors.⁷ Many teens cite flavors as their main reason for use of tobacco products, with 81.5% of youth e-cigarette users saying they use tobacco products "because they come in flavors I like."^{8, 9} Moreover, 63% of e-cigarette users do not even realize that e-cigarettes contain nicotine.¹⁰ Flavors mask the extremely high nicotine concentration and harsh tobacco taste of e-cigarettes, ensnaring teens and decreasing perception of harmfulness among youth. Banning flavors disincentivizes teen use. I am confident that my peers would not be interested in vaping a flavorless e-cigarette.

An argument e-cigarette supporters often make is that a lack of appealing flavors and marketing unfairly disadvantages adults trying to quit cigarettes. But this is a clear case of misinformation. While there is no doubt flavors are appealing and may improve taste, they are not the reason why e-cigarettes can work as a smoking cessation tool. First, it is important to note that e-cigarettes have not been approved by the FDA as effective smoking cessation

⁶ "Stigs, Wax and Diacetyl: What Every Youth Advocate Needs to Know About Vaping." Baker-Butler, Abe and Judy Mezey, *Students Against Nicotine and Student Assistance Services*, 7 Oct. 2019, <https://bit.ly/2Cbf11V>

⁷ "E-cigarette flavors decrease perception of harm among youth." *UNC School of Medicine*, 25 Oct. 2019, <https://www.med.unc.edu/fammed/2019/10/25/e-cigarette-flavors-decrease-perception-of-harm-among-youth/>

⁸ Ambrose, BK, et al. (2015). "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014." *Journal of the American Medical Association*, 314(17), 1871-1873. <https://www.ncbi.nlm.nih.gov/pubmed/26502219>

⁹ "The Flavor Trap." *Campaign for Tobacco-Free Kids*, 2017. https://www.tobaccofreekids.org/microsites/flavortrap/full_report.pdf

¹⁰ "JUUL e-cigarettes gain popularity among youth, but awareness of nicotine presence remains low." *Truth Initiative*, 18 Apr. 2018, <https://truthinitiative.org/press/press-release/juul-e-cigarettes-gain-popularity-among-youth-awareness-nicotine-presence>

devices.¹¹ Second, the real reason e-cigarettes can sometimes aid smoking cessation is because they are even more addictive than cigarettes, with one cartridge often containing as much nicotine as an entire pack of combustible cigarettes.¹² This is what keeps former smokers on e-cigarettes--not whimsical-sounding flavors. Flavors are what introduce teens to a world of addiction.

Research shows that restrictions on flavors and marketing are effective tools to decrease teen e-cigarette use. According to the Tobacco Policy Center, in an evaluation¹³ of New York City's restriction on the sale of flavored tobacco products other than cigarettes, researchers found that after implementation of this policy, teens were not only less likely to ever try flavored tobacco products, but were also less likely to ever try any type of tobacco.

A ban on flavors, marketing restrictions, and stricter imposition of warnings on e-cigarette packaging are what we need to stop this epidemic.

Something that many adults don't realize is that most teens agree with the position I just articulated. My peers frequently come up to me, furtively glance down the high school hallway, and then tell me that they feel the same way that I do about e-cigarette regulation. Yet, they are not speaking out because of the intense stigma and sense of e-cigarette coolness that pervades teen social circles. I can confidently say that there is a silent majority of teens who support the policies I urge.

What's even more surprising to many adults is that oftentimes, these teens in "the silent majority" are e-cigarette users themselves. A few have broken the silence, including Jack Solomon and Fletcher Faden, both 17-year old e-cigarette users. Solomon has said that he "cannot help himself" from using e-cigarettes as a result of their addictive quality, and believes flavors need to be banned for the younger generation. As Faden explains, banning flavored liquids would encourage "a lot of kids to make the right choice." Faden and Solomon both appeared in the e-cigarette video PSA "Juulers Against Juul," created by Jack Waxman, with whom I founded Students Against Nicotine.¹⁴

E-cigarettes have been on the market for only about a decade, and there is still much we do not know about their effects.¹⁵ Yet, we do know that the nicotine in these devices is harmful to brain development not only for children, but for teens and those in their early twenties.¹⁶

¹¹ "What We Know About Electronic Cigarettes." *Smokefree.gov*, National Institutes of Health (NIH). <https://smokefree.gov/quit-smoking/ecigs-menthol-dip/ecigs>

¹² Fraga, John-Anthony. "The Dangers of Juuling." *National Center for Health Research*. <http://www.center4research.org/the-dangers-of-juuling/>

¹³ Farley, Shannon M. & Michael Johns (2017). "New York City flavoured tobacco product sales ban evaluation." *Tobacco Control* 26(1), 78-84. <https://tobaccocontrol.bmi.com/content/26/1/78.full>

¹⁴ Waxman, Jack and Sam Friedman. "Juulers Against Juul." 3 May 2018, <https://www.youtube.com/watch?v=7FsNG7RcStQ>

¹⁵ "What We Know About Electronic Cigarettes." *Smokefree.gov*, National Institutes of Health (NIH). <https://smokefree.gov/quit-smoking/ecigs-menthol-dip/ecigs>

¹⁶ "Nicotine & Addiction." *Smokefree.gov*, National Institutes of Health (NIH). <https://teen.smokefree.gov/the-risks-of-tobacco/nicotine-addiction>

Research has also demonstrated that non-nicotine flavoring compounds themselves, including diacetyl, can cause severe negative health effects, such as “popcorn lung.”¹⁷ and new research from the Yale Tobacco Center of Regulatory Science indicates these chemicals can react when vaped to form unanticipated, likely harmful chemicals, such as acetals.^{18 19} Only time will reveal the full scope of negative effects of flavorings in these devices, for teens and adults.


I see my friends addicted, falling behind in school, facing negative health prognoses. Teens close to members of our organization have been hospitalized. Lives are being destroyed by flavored e-cigarettes.

I can accomplish something by talking to my peers as an individual but legislative steps can impact thousands.

Think about your children, think about their friends. It’s our future at stake.

Thank you.

Sincerely,



Abe Baker-Butler
Co-Founder, Director of Legislative Advocacy
Students Against Nicotine

¹⁷ “Popcorn Lung: A Dangerous Risk of Flavored E-Cigarettes.” *American Lung Association*. 2016.

<https://www.lung.org/about-us/blog/2016-07-popcorn-lung-risk-ecigs.html>

¹⁸ Weir, William. “Juul users inhaling chemicals not listed.” *Yale News*. 30 July 2019.

<https://news.yale.edu/2019-07-30-juul-users-inhaling-chemicals-not-listed>

¹⁹ Erythropel, Hanno C. et al. (2019) “Flavorant–Solvent Reaction Products and Menthol in JUUL E-Cigarettes and Aerosol.” *American Journal of Preventive Medicine* 57(3) 425-427.

[https://www.ajpmonline.org/article/S0749-3797\(19\)30187-4/fulltext](https://www.ajpmonline.org/article/S0749-3797(19)30187-4/fulltext)