

HB 4078

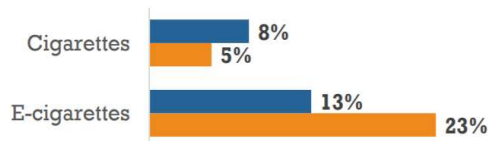
Ban Online & Telephone Sales of Nicotine Vaping Products

In 2017, the Oregon Legislature raised the tobacco and vaping purchase age to 21. Despite the law, youth bypass this age restriction by purchasing vaping products online or over the phone without any verification process. The recent health crisis associated with vaping-related illness, as well as rampant underage use, clearly demonstrate that it is time for the State of Oregon to close the internet loophole.

Background: The Food and Drug Administration (FDA) warns that vaping is “not safe for youth, young adults, pregnant women, or adults who do not currently use tobacco products.” Nicotine is highly addictive and can affect the developing brain, potentially harming teens and young adults. Even some “nicotine-free” e-cigarettes have been found to contain nicotine. What is more, nicotine vaping products are highly addictive – so much so that the LA Times reported in September that some people are now [turning to cigarettes to quit vaping](#).

Use of cigarettes in Oregon has decreased among 11th-graders. However, use of e-cigarettes **increased by nearly 80% between 2017 and 2019**.

Youth tobacco use, 11th grade, 2017 and 2019



Source: Oregon Healthy Teens, 2017 and 2019

Image Source - OHA Youth Vaping Crisis: 2019 Data Brief

What we know: Recent reports from the Oregon Health Authority, the Centers for Disease Control and Prevention (CDC), and others highlight the health risks and dramatic increase in youth vaping.

- New data shows **one in four** Oregon 11th-graders reporting vaping a nicotine product, with youth use of e-cigarettes increasing nearly 80% between 2017 and 2019.
- A [November 2019 report](#) based on a national survey in early 2019 estimated about **28% of high school students and 11% of middle school students (approximately 5.3 million young people)** said they had used e-cigarettes within the past month.
- According to the Brookings Institute, **19% of youth** report first trying an e-cigarette before the age of 13.
- Roughly **71%** of all youth who currently use conventional tobacco products started with vape products (2019 Healthy Teens Survey).
- As of December 5, 2019, the [CDC and state agencies](#) have reported **2,291 lung injury cases** and **48 deaths** linked to vaping. **Two-thirds** of vaping illnesses were between the ages of 18-24.

Our response: **HB 4078** will prohibit internet and telephonic sales of nicotine based inhalant delivery systems, as defined by Oregon statute, by adding these products to the existing ban on remote sales of tobacco products. The proposal will exempt marijuana items from the definition of “inhalant delivery systems” for purposes of the law. The ban will be administered by the Department of Justice’s Tobacco Enforcement Unit within its existing enforcement authority.

A ban on consumer purchase of internet and telephone vaping products sales will:

- Provide maximum enforcement of age purchase restrictions
- Allow us to more easily track product adulteration when it occurs
- Ensure that we are collecting applicable taxes on the purchase of these products
- Protect local vaping vendors from diversion of purchases to out of state sellers

Internet sales of cigarettes and smokeless tobacco are already illegal under state law. Adding inhalant delivery systems to that prohibition is consistent with current practice and an important community wellness strategy.

For more information, contact:

Rep Pam Marsh - Rep.PamMarsh@oregonlegislature.gov or 503-986-1405

Please join us in supporting a healthier community!
Ban Online & Telephone Sales of Nicotine Vaping Products

Supporters



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