

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, MARCH 11, 2014**

MINUTE ORDER NO. 7

SUBJECT: UPDATE TO TOBACCO USE, PREVENTION AND CESSATION POLICY TO INCLUDE ELECTRONIC SMOKING DEVICES (DISTRICTS: ALL)

OVERVIEW:

Board Policy A-99, Tobacco Use, Prevention and Cessation, provides guidelines for County programs addressing tobacco use, prevention, and cessation, with an emphasis on reducing access by minors and limiting exposure to secondhand smoke. Electronic cigarettes are currently included in this policy. In recent years there has been a proliferation of devices similar in form and function to electronic cigarettes. Electronic smoking devices include electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, and electronic hookah. The intent of this item is to provide clarification on the definition of electronic smoking devices and how they are addressed in County policies.

Electronic smoking device use is rising in popularity including youth. Sales of electronic cigarettes in the U.S. have tripled in recent years. From 2011 to 2012, the Centers for Disease Control and Prevention reported that use of electronic cigarettes by U.S. middle and high school students more than doubled.

The safety of electronic smoking devices has not been demonstrated. The Food and Drug Administration (FDA) has joined other health experts to warn consumers about potential health risks associated with electronic cigarettes. Nicotine, which is contained in many electronic smoking devices, is a highly addictive drug, which has numerous negative health risks. In addition, credible studies have found that the solutions in electronic smoking devices contain other harmful chemicals including carcinogens, small particles, and metals that can lead to lung disease and other health problems. These same chemicals are found in the vapor released when these products are used. Evidence of exposure to nicotine emitted from these devices has been found in both users of these devices and bystanders exposed passively to the vapors.

This item includes a suggested definition of electronic smoking devices that will provide clarity to the products governed by the guidance in Board Policy A-99. The proposed definition of electronic smoking device is an electronic and/or battery-operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances. "Electronic Smoking Device" includes any such electronic smoking device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. "Electronic smoking device" does not include any product specifically approved by the U.S. Food and Drug Administration for use in mitigation, treatment, or prevention of disease. This definition and language to incorporate the definition in Board Policy A-99 are included as proposed changes in the attachment to this item.

The clarification of the definition of electronic smoking devices in Board Policy A-99 supports *Live Well San Diego*, the County's ten-year initiative to support healthy, safe, and thriving communities. Specifically, these suggested changes will support healthy choices through policy changes for a healthy environment.

FISCAL IMPACT:

There is no fiscal impact as a result of these recommendations.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Receive staff language regarding recommendations for addressing electronic smoking devices in Board Policy A-99 and determine whether to adopt the suggested definition of electronic smoking devices in Board Policy A-99.

ACTION 7.1:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board took action as recommended.

AYES: Cox, Jacob, D. Roberts

NOES: Horn

ABSENT: R. Roberts

ACTION 7.2:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board directed the Chief Administrative Officer to return to the Board on May 6, 2014 with proposed regulatory language for the Board to review for ordinance and regulatory controls in which County policies for electronic smoking devices follow that of conventional cigarettes in all County facilities, all County workplaces, as well as indoor facilities located in the unincorporated area.

AYES: Cox, Jacob, D. Roberts

NOES: Horn

ABSENT: R. Roberts

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By 
Marvice E. Mazyck, Chief Deputy

