

# OFFICE OF THE MAJORITY LEADER

SUFFOLK COUNTY LEGISLATURE

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## PRESS RELEASE

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# First-in-Nation Ban on E-Cigarettes

*Suffolk County Leads Nation in Regulating These High-Tech Smoking Devices*

**RIVERHEAD, NY**---At today's meeting of the County Legislature, Suffolk County became the first municipality in America to place common-sense restrictions on the latest, high-tech smoking threat, the electronic cigarette. Lawmakers from both sides of the aisle coalesced around a proposal championed by Legislative Majority Leader Jon Cooper (D-Lloyd Harbor) that puts "e-cigarettes" on a par with traditional smoking products by banning public use and restricting youth access.

With the cross appeal of an iPod and candy cigarettes, these devices closely resemble and mimic the act of smoking by having users inhale vaporized liquid nicotine (often through kid-friendly, flavored cartridges) created by an electronic ignition system. Inhaling actually makes the tip of the e-cigarette glow as if it was really burning! After inhaling, the user then blows out heated vapors producing a "cloud" of undetermined substances that looks similar to traditional tobacco smoke.

"We here in Suffolk County can be proud that we didn't sit on our hands and wait for Washington to act," says Cooper. "For decades, Big Tobacco falsely denied the health threat posed by cigarettes. This vote signals that our local government will not hesitate to take steps to protect the next generation of Suffolk residents from the newest health risks."

Cooper's legislation bans the sale of e-cigarettes to anyone under the age of 19 and prohibits their use in public places where traditional forms of smoking are already disallowed, such as restaurants and bars. However, the law allows consenting adults to use the devices in their own homes and in open-area venues where the smoking of standard cigarettes is still permitted.

Just like when Cooper championed the nation's first ban on the deadly dietary supplement ephedra, back in 2003, he faced stiff opposition to his proposed e-cigarette regulations from retailers and others who claimed that e-cigarettes were safe. Cooper's effort got a major boost on July 22nd when the U.S. Food and Drug Administration issued a public health warning based on tests it had performed on two leading brands of electronic cigarettes. The analysis, conducted by the FDA's Division of Pharmaceutical Analysis, found that samples of e-cigarette cartridges contained carcinogens, including nitrosamines, as well as other toxic substances such as diethylene glycol, a chemical used in antifreeze.

– MORE, MORE, MORE –

Cooper received strong support for his bill from John Banzhaf, executive director of Action on Smoking and Health (ASH), America's first antismoking organization and one that has been involved with the problem of FDA regulation of nicotine for over 30 years. Banzhaf had called upon Suffolk legislators to "give weight to the conclusions of this impartial scientific agency [the FDA], nationally recognized health experts and major national health organizations, and not be confused or distracted by largely-unsupported claims by companies with a huge financial stake in a product, industry-funded studies not published in reputable journals, and anecdotal evidence."

While long available in other parts of the world, e-cigarettes are now gaining popularity here in America. This is despite being banned by a growing number of countries, including Australia, Canada, Israel, Mexico and Singapore. Besides their availability on the Internet, e-cigarettes can be purchased in kiosks at shopping malls across the U.S., including numerous locations on Long Island. And since these devices do not contain tobacco, e-cigarettes are not currently governed by any state or federal regulations.

To make matters worse, this lack of governmental regulation meant that e-cigarette manufacturers and marketers have been free to make whatever claims they want about these devices. This includes telling customers that they are safe and can legally be used anywhere.

But now, by giving local law enforcement and public health officials the tool they need, Cooper's law closes the loophole in the existing ban on smoking in public smoking places. Now, non-smokers worried about the health effects of second-hand ingestion will no longer have to stress about being exposed to a cloud of e-cigarette vapor.

"I commend Legislator Cooper for taking a pro-active stance on health care with this legislation prohibiting the sale of this drug delivery device to individuals under the age of 19 and banning its use where cigarettes are banned," said Suffolk County Department of Health Services Commissioner Dr. Humayan Chaudhry.

The Suffolk County Executive is expected to sign Cooper's bill. The law will then take effect 90 days after it is signed by New York's Secretary of State in Albany.