



**Signature Report**

**Resolution 20-04**

**Proposed No. 20-04.1**

**Sponsors**

1           A RESOLUTION encouraging the Washington state  
2           Legislature to adopt broad regulations to protect  
3           Washington's youth from the potential harmful effects of  
4           vapor product use.

5           WHEREAS, according to the World Health Organization, the prevalence of  
6           tobacco smoking has decreased steadily since the beginning of the twenty-first century,  
7           and

8           WHEREAS, in 2016 the United States Office of the Surgeon General released a  
9           report on E-Cigarette Use Among Youth and Young Adults, and

10          WHEREAS, most e-cigarettes contain nicotine, a highly addictive chemical that  
11          can harm adolescent brain development, and

12          WHEREAS, the younger an individual start using nicotine, the more likely they  
13          will become addicted, and

14          WHEREAS, one in four high school seniors in King County report vaping in the  
15          past 30 days, and

16          WHEREAS, on July 18, 2019, the King County Board of Health was briefed on  
17          vaping in King County by Public Health - Seattle & King County subject matter experts  
18          and representatives from the youth, LGBTQ and educator communities on the impacts of  
19          vaping and their experience, and

20 WHEREAS, as of December 27, 2019, a total of 2,561 hospitalized cases of lung  
21 injury associated with vaping known as EVALI, including 55 deaths, have been reported  
22 to the Centers for Disease Control and Prevention ("the CDC"), and

23 WHEREAS, as of December 12, 2019, seven incidents of severe lung disease  
24 associated with vaping have been reported in King County, and

25 WHEREAS, on September 27, 2019, Governor Jay Inslee issued Executive Order  
26 19-03 that directed the Washington state Department of Health to ban flavored vapor  
27 products and work to identify the cause of a recent outbreak of vaping-related lung  
28 injuries, and

29 WHEREAS, the King County Board of Health submitted a letter to the  
30 Washington state Board of Health supporting the need to act and demonstrating the King  
31 County Board of Health's commitment to taking action to prevent vaping-related lung  
32 injuries, and

33 WHEREAS, the Washington state Board of Health adopted an emergency rule to  
34 create chapter 246-80 WAC to ban the sale of flavored vapor products for 120 days  
35 beginning October 10, 2019, and

36 WHEREAS, on November 18, 2019, the Washington state Board of Health  
37 adopted a new section to their emergency rule that bans the sale of vapor products  
38 containing vitamin E acetate due to the prevalence of this compound in laboratory test  
39 samples conducted by the CDC, and

40 WHEREAS, as of January 2, 2020, the U.S. Food and Drug Administration ("the  
41 FDA") stated that to date, no e-cigarette or other electronic nicotine delivery systems  
42 ("ENDS") products have been authorized by the FDA, which means that all ENDS

43 products currently on the market are considered illegally marketed and are subject to  
44 enforcement, at any time, at the FDA's discretion, and

45 WHEREAS, on January 2, 2020, the U.S. Food and Drug Administration issued a  
46 notice that they intend to prioritize enforcement of only some illegally marketed ENDS  
47 products by focusing on flavored, cartridge-based ENDS products and not menthol, and

48 WHEREAS, cartridge-based ENDS products are the primary vaping products  
49 used by minors and menthol is the most popular e-cigarette flavor used by teens, and

50 WHEREAS, mint is the herb plant that produces menthol, and

51 WHEREAS, cartridge-based ENDS products, while not sold as refillable, are in  
52 fact easily refillable with e-liquid products that will remain on the shelves in thousands of  
53 sweet candy-like flavors, and

54 WHEREAS, 97 percent of youth who vape used a flavored e-cigarette in the past  
55 month and most students report vaping for flavor, and

56 WHEREAS, Washington state law preempts local jurisdictions from enacting  
57 policies locally that could be more stringent than state law to prohibit youth from access  
58 to vapor products;

59 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF HEALTH OF  
60 KING COUNTY:

61 The Board of Health encourages the Washington state Legislature to adopt broad

62 regulations to protect Washington's youth from the potential harmful effects of vapor  
63 product use.  
64

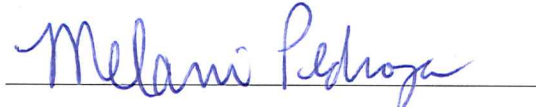
Resolution 20-04 was introduced on and passed by the Board of Health on 1/16/2020,  
by the following vote:

Yes: 9 - Mr. McDermott, Dr. Delecki, Ms. Honda, Dr. Daniell, Ms.  
Kohl-Welles, Ms. Marx and Mr. Lewis  
Excused: 4 - Ms. Lambert, Mr. Baker, Ms. Mosqueda and Ms.  
Morales

KING COUNTY BOARD OF HEALTH  
KING COUNTY, WASHINGTON

  
\_\_\_\_\_  
Jeanne Kohl-Welles, Chair

ATTEST:

  
\_\_\_\_\_  
Melani Pedroza, Clerk of the Board

**Attachments:** None