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**Expanding County Smoke-Free Ordinances to Include E-Cigarettes and Marijuana**

Los Angeles County has long recognized the public health risks associated with tobacco use and has adopted regulations to limit the exposure of residents to secondhand smoke. However, our County ordinances have not been updated since the recent increases in the popularity of electronic cigarettes (e-cigarettes) and the 2016 legalization of recreational marijuana consumption. These two changes have significantly impacted our communities and compel the County to examine its existing regulations to ensure it is taking the necessary steps to protect the public’s health with regard to these products.

The availability of e-cigarettes and their popularity among youth has steadily increased since the introduction of e-cigarette products several years ago. Some of these electronic smoking devices are created to look exactly like traditional cigarettes, cigars, or pipes. In public environments it can be difficult to distinguish the use of an electronic smoking device from the use of a traditional tobacco product. Other devices are specifically designed to look like other household items, like USB flash drives.

**MOTION**

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Ridley-Thomas \_\_\_\_\_

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These devices are often favored by teenager users because they are relatively easy to hide from parents and teachers.

Furthermore, e-cigarette use among youth is a growing public health concern. E-cigarettes are marketed using a wide variety of media channels and approaches that have been used in the past to market conventional tobacco products to youth. And e-cigarette manufacturers have also marketed flavors designed to attract younger consumers, with such as bubble gum, cotton candy, apple juice and sour gummy worms. Disturbingly, both national and local data indicate that these marketing efforts targeting youth have been successful.

E-cigarettes are now the most commonly used form of tobacco by youth in the U.S, according to a 2016 Surgeon General's report on e-cigarette use among youth. A recent national survey of the Youth Risk Behavior Survey found that 24% of high school students reported using e-cigarettes during the past 30 days. The 2015 LA County Health Survey demonstrated that in Los Angeles County, about 79,000 young adults aged 18 through 24 use e-cigarettes. Additionally, the Surgeon General's report indicates that youth who use tobacco products such as e-cigarettes are more likely to use other tobacco products like cigarettes in the future.

Although several studies have found lower levels of carcinogens in e-cigarette aerosol compared to smoke emitted by traditional cigarettes, e-cigarette aerosol does emit a concoction of chemicals harmful to public health, so e-cigarettes also create secondhand smoke risks. According to a 2015 California State Health Officer's report on e-cigarettes, mainstream and secondhand e-cigarette aerosol have been found to contain at least ten chemicals that are on California's Proposition 65 list of chemicals, including benzene (which is found in car exhaust) and heavy metals such as nickel, tin,

and lead. The chemicals in the aerosol are known to cause cancer as well as birth defects and other reproductive harm. They also contain high concentrations of ultrafine particles that are inhaled and become trapped in the lungs, according to the same State Health Officer's report.

Prohibiting electronic smoking devices in smoke-free locations protects the public from dangerous secondhand smoke while simultaneously decreasing youth exposure to e-cigarettes. In June 2016, California added e-cigarettes to its existing definition of tobacco products, thereby including e-cigarettes in California state smoke-free laws. It is time for the County to take a similar action and update our smoke-free ordinances to include e-cigarettes as well.

In addition to the need to include e-cigarettes in Los Angeles County smoke-free ordinances, we must also update the ordinances to address the smoking of marijuana. The passage of Proposition 64 in 2016 legalized the sale and consumption of recreational marijuana. While the sale of recreational marijuana remains illegal in unincorporated Los Angeles County, medical marijuana shops are permitted and residents are free to smoke both for medical and recreational purposes. While less is known about the impacts of secondhand marijuana smoke exposure compared to secondhand tobacco smoke due to federal research limitations, research indicates that exposure to marijuana smoke poses a significant health risk to smokers. According to the CDC, smoking marijuana exposes the consumer to many of the same hazardous substances found in tobacco that are linked to cardiovascular and respiratory harm.

Despite these health concerns, marijuana use is not addressed in any of the County's existing smoke-free regulations. Though smoking marijuana in public or in any area designated as non-smoking under state law is already prohibited under Proposition

64, it remains unclear at this time whether Proposition 64 limits marijuana smoking in areas where tobacco smoking is prohibited by County law. Even if this provision does impact County restrictions, ensuring uniformity in smoke-free regulations between tobacco and marijuana in Los Angeles County could guard against future loopholes arising from any changes to State law that would alter the prohibition of marijuana smoking in areas where tobacco smoking is banned. Thus, Los Angeles County should explore whether updating local smoke-free ordinances to include marijuana is necessary to protect the health of County residents.

In a motion introduced by Supervisor Ridley-Thomas in March of this year, this Board requested a report back from County Counsel and the Department of Public Health with recommendations about how we may want to amend the Tobacco Retailer Licensing program. It is possible that after receiving that report, this Board will want to consider including e-cigarettes in the County's Tobacco Retailer Licensing program in order to reduce youth access to e-cigarettes. However, while the Board eagerly awaits that report back, the Board should not hesitate to update its outdated smoke-free ordinances and consider new interventions in this area.

**WE, THEREFORE, MOVE** that the Board of Supervisors direct the Director of Public Health, in consultation with County Counsel, to report back in 30 days with recommendations for:

- a) including e-cigarettes in the existing County smoke-free ordinances;
- b) including marijuana in the existing County smoke-free ordinances; and
- c) strengthening and broadening the County's existing smoke-free ordinances to reflect best practices and promising policy innovations.