

**MEDICAL SOCIETY**  
of the  
**STATE OF NEW YORK**

Elizabeth Dears, Esq.

Senior Vice President /  
Chief Legislative Counsel

*Division of Governmental Affairs*  
**MEMORANDUM IN SUPPORT**

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**S.4188-A (RITCHIE)**

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**A.7154-A (ROSENTHAL)**

**AN ACT to amend the public health law, in relation to prohibiting e-cigarettes on school grounds**

This measure amends the public health law to prohibit the use of an e-cigarette on school grounds. **The Medical Society of the State of New York strongly supports this bill.**

Electronic cigarettes are defined as electronic devices that deliver vapor which is inhaled by an individual user, and shall include any refill, cartridge and any other component of such a device. These devices deliver nicotine to the user. While they do not contain tobacco or emit smoke, they do heat up liquid nicotine and emit water vapor. They are not currently regulated by the FDA, and are not subject to tobacco laws since they do not contain tobacco. There is, however, little known about the chemical make-up of the liquid nicotine or the harm to individuals from inhaling the water vapor directly or through secondhand exposure.

Testing performed by the FDA found that electronic cigarettes can be dangerous because users inhale carcinogens and toxic chemicals, such as diethylene glycol, an ingredient found in antifreeze. For this reason, New York banned the sale and distribution of electronic cigarettes to minors under the age of 18 in 2012.

The Medical Society (MSSNY) has extensive policy calling for electronic cigarettes to be treated the same as tobacco products, and to place electronic cigarettes and all nicotine delivery devices under the purview of the US Food and Drug Administration. MSSNY also supports policies that eliminate exposure to second-hand smoke in the pediatric population.

Since school grounds are where children spend much of their days, this legislation is necessary to protect minors from the dangers of these unregulated devices, particularly since they have not been proven to be safe for use at any age. Because they are so easily hidden, students bring these electronic cigarettes into the classrooms and use them while class is in session. Besides being distracting for other students, their use may pose major health risks. These devices may not be included under tobacco-free school regulations because they do not contain tobacco.

Children often mimic the actions of adults in order to appear older, and using electronic cigarettes at a young age is seen as a first step to smoking regular cigarettes as teenagers and adults.

Because of the above information, **The Medical Society of the State of New York strongly supports this measure and urges that it be passed.**

Respectfully submitted,

**ELIZABETH DEARS, ESQ.**

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