



## MEMORANDUM OF SUPPORT

### S.8531 (Hoylman-Sigal)/A.9110 (Rosenthal) Eliminates Loopholes in 2020 E-Cigarette Law

On behalf of our 2.6 million school children, their families and educators, we strongly urge you to support eliminating loopholes in New York State's flavored e-cigarette law. We are deeply concerned about the prevalence of tobacco use and its effects on our children and communities.

**Closing these loopholes will ensure the 2020 law which prohibits the sale of flavored e-cigarettes will have the intended impact – to protect children from the harms of tobacco and e-cigarettes.**

This bill would eliminate a number of loopholes, and give local health departments stronger enforcement abilities against unauthorized sales of flavored e-cigarette products by several means:

- Suspend, revoke, or cancel a vapor product dealer's certificate of registration for unauthorized sales;
- Cancel all such certificates of registration the dealer may hold in the state after three violations in a five-year period;
- Provide penalties if a vapor products dealer without a certificate of registration does not allow an authorized inspector to inspect the business; and
- Enhance record retention requirements and include penalties for failing to comply with such requirements.

**We must protect our children and close these loopholes now - as tobacco manufacturers continue to make e-cigarettes stronger, while aggressively targeting young people with youth targeted flavors, enticing packaging, and positive messaging about these products.**

Further, recent research and surveys show concerning data and why we must act. The National Youth Tobacco Survey shared findings recently that about half of students who ever tried e-cigarettes report currently using them still. And almost all of the students report exclusively using flavored e-cigarettes – **one study found that 71 percent of survey participants between the ages of 14 and 21 would quit if they did not have flavor choices.**

**Data shows that nearly a fourth of high schoolers in New York use electronic cigarettes, and schools continue to struggle with supporting students in this epidemic.** We need YOUR help in combatting this epidemic, by closing loopholes in the 2010 law so we can better protect children.

Please support S.8531/A.9110 – as together we can Support Kids, Raise Awareness, and make every child's potential a reality.



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