



E-cigarettes have not been proven to be a safe alternative to smoking.

### What are e-cigarettes?

- E-cigarettes are typically battery-operated devices containing nicotine and other chemicals that produce a vapor that is inhaled.<sup>1</sup>
- Most e-cigarettes are designed to look like cigarettes, but some resemble everyday items such as pens.
- E-cigarettes do not contain tobacco, but many contain varying levels of nicotine, which is primarily derived from tobacco.

### Are e-cigarettes safe to use?

- E-cigarettes are not currently regulated by the Food and Drug Administration. There is no way for consumers to know what types or concentrations of potentially harmful chemicals are found in e-cigarettes or how much nicotine they are inhaling.<sup>2,3</sup>
- To date, there is no evidence that using e-cigarettes or inhaling the secondhand vapor they emit is safe. Studies have shown the presence of heavy metals and carcinogens in e-cigarette vapor.<sup>4,5,6</sup>
- No long-term studies have been conducted on e-cigarettes, so the lasting impact on the health of the user and those exposed to the secondhand vapor is unknown.

### Can e-cigarettes help people quit smoking?

- To date, e-cigarettes are not a proven way to quit smoking.
- Until more is known, people looking to quit should use FDA-approved smoking cessation aids that are shown to be safe and effective, such as nicotine gum, lozenges and patches.
- Free quitting assistance is available to all Minnesotans through QUITPLAN® Services by calling 1-888-354-PLAN or visiting [www.quitplan.com](http://www.quitplan.com).

### Why should communities care about e-cigarettes?

- Some advertisements for e-cigarettes encourage smokers to use them in places where they cannot use traditional cigarettes.<sup>7,8</sup>
- E-cigarettes can complicate enforcement of smoke-free laws, as it may be difficult to distinguish e-cigarettes from traditional cigarettes.
- E-cigarettes often have candy flavors such as chocolate, bubble gum and fruit punch, and research shows that flavored tobacco products appeal to children and teens.<sup>9</sup>
- A CDC study found that use of e-cigarettes among middle and high school students more than doubled between 2011 and 2012.<sup>10</sup>
- The three largest tobacco companies (Phillip Morris, R.J. Reynolds and Lorillard) now have their own e-cigarette product lines and are putting significant time and money into promoting these new tobacco products.<sup>11</sup>



Communities can regulate e-cigarettes.

## How does Minnesota law treat e-cigarettes?

- In Minnesota, e-cigarettes are taxed as a tobacco product and it is illegal to sell them to minors.<sup>12</sup>
- Currently, using e-cigarettes does not meet the definition of “smoking” under Minnesota’s Clean Indoor Air Act – so using them in public places, such as bars and restaurants, is not against the law.
- Since Minnesota workplaces became smoke-free in 2007, clean indoor air has become the standard and 85 percent of Minnesotans support the statewide smoke-free law.<sup>13</sup> Many businesses and localities are now taking action to limit the use of e-cigarettes.

## Communities across Minnesota are now taking action.

- The City of Duluth has banned the use of e-cigarettes anywhere smoking is prohibited, including bars, restaurants and transit stops. The city has also prohibited the sampling of tobacco products, including e-cigarettes, in retail stores and required that all e-cigarettes be sold behind the counter.
- The City of Mankato has prohibited e-cigarette stores from providing samples to customers and also requires sellers to get a retail tobacco license.
- Hennepin County has banned the use of e-cigarettes on county property.
- Housing and Redevelopment Authorities in St. Cloud, Eveleth and Worthington have included e-cigarettes in their smoke-free housing policies.
- Hennepin County Technical College has banned the use of e-cigarettes on its campus.
- Rock County has required that all e-cigarettes be sold behind the counter in retail stores.
- Scott County has included e-cigarettes in its smoke-free work place policy.
- Target Field has prohibited e-cigarette use in the stadium.

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## What can be done by communities to regulate e-cigarettes?

Although the FDA has the authority to regulate e-cigarettes, it has yet to take action. As a result, many state and local governments and businesses are choosing to regulate these new products.



### Businesses can:

- » Ban the use of e-cigarettes on their property.



### Cities and counties can:

- » Update indoor air laws to include a ban on e-cigarettes.
- » Require e-cigarette stores and “vapor lounges” to be licensed as tobacco retailers.
- » Prohibit the use of e-cigarettes on city or county grounds.
- » Restrict the sale of flavored e-cigarettes to adults-only stores.
- » Require that e-cigarettes be sold behind the counter in stores.



### Minnesota can:

- » Update the Minnesota Clean Indoor Air Act to include e-cigarettes.
- » Require that e-cigarettes be sold behind the counter in stores.
- » Prohibit the sampling of e-cigarettes in stores.
- » Require that the ingredients in e-cigarettes be disclosed.