

# DUTCHESS COUNTY REPORTS FIRST ILLEGAL E-CIGARETTE SALE TO A MINOR

## *First Violation Issued in New York State*

**Poughkeepsie, NY** ... The Dutchess County Department of Health (DCDOH) has issued the first documented violation for sale of an electronic cigarette (e-cigarette) in New York State. The violation was issued during routine Adolescent Tobacco Use Prevention Act (ATUPA) compliance checks last month. E-cigarettes are battery-operated devices designed to look like regular tobacco cigarettes that work using an atomizer to heat liquid containing nicotine, turning it into a vapor that can be inhaled and creating a vapor cloud that resembles cigarette smoke. These devices can have potential health impacts since they contain nicotine and traces of toxic chemicals, including known cancer-causing substances. The sale of e-cigarettes to anyone under the age of 18 is prohibited under New York State Public Law effective January 1, 2013.

Dutchess County Commissioner of Health Dr. Michael Caldwell said, "We have made great progress in reducing youth initiation to smoking over the last decade. Preventing children and teens from purchasing tobacco products as well as any new devices containing nicotine such as e-cigarettes helps ensure that progress continues. We work closely with local businesses to make sure they understand the rules and regulations about tobacco compliance and since 2009, we have seen a 25% reduction in the number of illegal tobacco product sales to minors."

The Dutchess County Sanitary Code requires retail establishments to have a permit to sell tobacco, cigarettes or cigarette-like products. The Health Department conducts checks to ensure retail establishments are following the requirements. These checks may include verifying that businesses are not selling age-restricted products to minors, that proper signage is posted, and that the businesses possess and post required permits. Currently, the Department permits and inspects over 300 vendors throughout Dutchess County.

According to the Centers for Disease Control (CDC), the use of e-cigarette products has increased dramatically over the past three years. Youth can be attracted to these novel devices, especially as the prices are becoming more affordable for the teen population and marketers claim e-cigarettes are a less harmful alternative to smoking.

New York State Health Commissioner Nirav R. Shah, M.D., M.P.H. noted the concerns health officials have about e-cigarette products, particularly for youth. "Electronic cigarettes are marketed in youth-friendly candy and fruit flavors including bubblegum, cookies and cream, and cola," explained Dr. Shah. "Any products designed to deliver more than trace amounts of nicotine can lead to addiction. The majority of adults who use tobacco products became addicted to the nicotine in those products before reaching the age of eighteen. Electronic cigarettes may serve as a pathway to nicotine addiction for children, leading them to smoke cigarettes and use other tobacco products."

"Under the leadership of Governor Cuomo, the sale of electronic cigarettes is prohibited to minors. This recent action by the Dutchess County Department of Health to enforce the law underscores the County's commitment to ensuring that our children grown up free of nicotine addiction," continued Dr. Shah.

The Dutchess County Department of Health has been a recognized leader in preventing the illegal sales of tobacco products to minors for over 18 years. In 1996, the Department was awarded a New York State Department of Health (NYSDOH) "Outstanding Health Education Programming" Award for its Tobacco Compliance

Program which had resulted in an amazing 73% reduction in illegal over-the-counter tobacco sales to minors. Since that time, the Health Department has maintained its strong leadership and continues to be recognized as one of the leading Departments of Health across New York State.

Dutchess County Executive Marcus J. Molinaro commended the Department of Health's tobacco prevention work. "We continue our efforts to ensure Dutchess County is a safe and healthy place to live. As County Legislator, I was proud to sponsor the Clean Indoor Air Law of 2003. Today, we continue to work to prevent the dangers of smoke hand smoke and nicotine addiction, from designating our county parks as smoke free to ensuring local retailers understand the importance of keeping tobacco and other tobacco like products out of the hands of young people; we are working hard to keep Dutchess County healthy."

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