

Dear School Partners,

My office joins many individuals in our schools, the public health sector, law enforcement officials, and parents across the nation and here in Mississippi, in the concern about nicotine vaping products, particularly those sold by JUUL Labs, and the increased use of these products by our children. I am especially alarmed that this largely unregulated industry is creating a new pathway for addiction in our youth. These products are not only inherently dangerous due to the substantial amount of nicotine contained in the pods, but are also susceptible to “homemade” mixing in which controlled substances are being incorporated into the pods that are vaped. I encourage each of you to educate yourselves as well as the parents of your students about this growing epidemic. With this letter, I want to share information and resources to help you address the increasing use of these products by students, and to offer our support and partnership in this fight to protect our children.

For those of you who are unaware of what we are fighting, I want to share some information provided by the Surgeon General.¹ Electronic cigarettes/vaping devices are battery-powered devices that heat liquid into a vapor for the user to inhale. They come in different shapes and sizes. The popular JUUL devices resemble a USB flash drive and are easily concealed in the palm of the hand and the vapor is odorless, allowing students to vape or Juul without anyone noticing. The liquid in the vaping devices often contains a high concentration of nicotine, a highly addictive substance that can lead to serious health consequences for young brains and bodies that are still developing. Nicotine is considered a gateway drug to more potent and unlawful controlled substances. The e-liquid (also known as juice) that is contained in JUUL pods has a nicotine concentration of 5%. Vaping one pod provides 200 puffs which is equivalent to the amount of nicotine one would ingest by smoking an entire pack of regular cigarettes.² Other unhealthy chemicals including carcinogens may also be contained in the e-liquids.

The Mississippi Department of Health has evidence that, more often than not, students who have never smoked are turning to e-cigarettes as a perceived "safe" form of nicotine use. In 2014, one in four school students used or had tried e-cigarettes.³ While traditional cigarette use among Mississippi high schoolers is at an all-time low of 7.2%, e-cigarette use by that same group has reached 11.5%. According to research released by the CDC's Office on Smoking and Health, nearly 1 in 11 US middle and high school students used cannabis in an e-cigarette in 2016. That equates to more than 2 million youth who have used cannabis in an e-cigarette, including nearly 1 in 3 high school (1.7 million) students and nearly 1 in 4 middle school students (425,000).⁴

¹ U.S. Department of Health and Human Services, *E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General* (2016), *Fact Sheet*, available at https://ecigarettes.surgeongeneral.gov/documents/2016_SGR_Fact_Sheet_508.pdf.

² Ibarra, Ana B. *JUUL E-Cigarettes and Teens: 'Health Problem of the Decade?'*. CNN (March 15, 2015), available at <https://www.cnn.com/2018/03/15/health/juul-e-cigarette-partner/index.html>.

³ Mississippi Department of Health, *E-Cigarettes*, available at http://www.healthmys.com/msdhsite/_static/43,0,94,705.html.

⁴ See Research Letter at <http://jamanetwork.com/journals/jamapediatrics/fullarticle/10.1001/jamapediatrics.2018.1920>

While JUUL is currently the most popular brand of vaping products being sold, a number of other brands are also available in both corporate retail shops as well as "mom and pop" shops. The prevalence of vape shops in the state is on the rise. The Alcohol and Tobacco Enforcement Division in the Attorney General's Office has recently identified more than 75 vape shops and lounges in the state. The sale of vaping products by both corporate retailers and "mom and pop" shops is virtually unregulated in Mississippi. The pods used in vaping devices are easily manipulated and some vape shops in Mississippi have illegally made and sold pods containing the deadly opioid fentanyl. The truth is that no one can be sure what is contained in some of the pods.

In the upcoming legislative session, I intend to introduce legislation to address the lack of regulation in the sale of vaping products; to strengthen penalties and enforcement efforts for those who choose to unlawfully sell these products to persons under 18 years of age; to address potency standards of nicotine and other chemicals used by unregulated stores where chemicals are mixed and sold for use in nicotine vaping devices; and, to revise the "tobacco" definition to include nicotine vaping products which will result in these products being subject to taxation as with traditional tobacco products. I encourage each of you to contact your legislators and urge them to pass legislation that provides for more regulatory control over an industry that is exploding in our state and negatively impacting our children.

I also want to make you aware that JUUL Labs has actively promoted its "prevention education program" and has offered a monetary incentive to schools to pilot their program. It is our understanding that JUUL no longer reaches out to schools proactively after a number of Attorneys General asked them to cease its education programs in their states. However, if you have been or are contacted by a JUUL representative, I urge you to explore alternative options. There is a long history of tobacco companies attempting to sponsor and promote their education programming in schools. However, the U.S. Surgeon General and the Campaign for Tobacco Free Kids have found that industry-sponsored prevention programs are ineffective and may even work to encourage kids to smoke. The Centers for Disease Control and Prevention's Office of Smoking and Health has similarly found that the presence of the tobacco industry in school settings may increase the likelihood of youth tobacco product initiation. I believe that prevention education programming by companies that profit from the sale of nicotine vaping products are equally ineffective and would only serve to encourage use of vaping products by our children.

Please know that my office stands with you, ready to be a partner and serve as a resource in this fight for our children's future health. All of us in Mississippi have worked hard to reduce traditional cigarettes and nicotine use among children, and we will resist all efforts to undermine our progress. We will be providing links and materials on our website at www.agjimhood.com in the near future for you to access, including awareness and prevention resources. In conjunction with The Partnership for a Healthy Mississippi, we are also developing a brochure to alert parents of the dangers their children face when vaping. This will be available for free download on both offices' webpages and will be distributed to churches and community groups. To request a copy, call 601-359-3279 or email riring@ago.state.ms.us.

Thank you for all you do for our children each and every day.

Sincerely,

Jim Hood