Flavored E-Cigarette and Tobacco Products

**OVERVIEW**

E-Cigarettes, also called personal vaporizers or “vapes”, present another way for smokers to ingest nicotine. E-Cigarettes have been marketed to young adults and adolescents through the use of candy and fruit flavors. They are also touted by some users as a “safer” alternative to smoking, and as a way to either quit smoking cigarettes, or to smoke in places where cigarette smoking is not allowed. However, no rigorous scientific studies have shown that they are safe for use.

While the Family Smoking Prevention and Tobacco Control Act of 2009 prohibited the sale of most flavored cigarettes, the flavor ban did not extend to menthol flavored cigarettes or to any flavored non-cigarette tobacco products such as cigars, hookahs, and e-cigarettes. In January 2020, the US Food and Drug Administration (FDA) ordered the removal of flavored cartridge-based e-cigarettes from the market. This rule does not prohibit the sale of tobacco and menthol flavored cartridge-based e-cigarettes, flavored disposable e-cigarettes, or refillable flavored e-cigarette products.

In absence of federal law, states are acting to remove flavored nicotine products from the shelves.

**AAP POSITION**

- Sales of e-cigarettes to minors younger than 21 years should be prohibited.
- Candy and fruit flavored e-cigarettes and tobacco products, which encourage youth smoking initiation, should be banned.
- Advertising of e-cigarettes in the media, on the internet, and in point of sale locations that can be viewed by youth, should be banned.
From 2017 to 2019, e-cigarette use more than doubled among high school students (from 11.7% to 27.5%) and tripled among middle school students (from 3.3% to 10.5%), according to the 2019 National Youth Tobacco Survey.

Flavored e-cigarettes have driven the e-cigarette epidemic – 97% of youth e-cigarette users report using a flavored product in the past month and 70% cite flavors as a reason for their use.

E-cigarettes entered the U.S. marketplace around 2007, and since 2014, they have been the most commonly used tobacco product among U.S. youth.

Among current e-cigarette users aged 45 years and older in 2015, most were either current or former regular cigarette smokers, and 13% had never been cigarette smokers. In contrast, among current e-cigarette users aged 18–24 years, 40.0% had never been regular cigarette smokers.

1 state – Bans the sale of all flavored e-cigarette and tobacco products (including menthol flavoring).

3 states – Ban the sale of all flavored e-cigarette products.

For information on current law or pending legislation in your state, please contact AAP State Advocacy at stgov@aap.org.

AAP Policy – E-Cigarettes and Similar Devices
https://pediatrics.aappublications.org/content/143/2/e20183652

AAP Policy – Public Policy to Protect Children from Tobacco, Nicotine, and Tobacco Smoke
http://pediatrics.aappublications.org/content/early/2015/10/21/peds.2015-3109.full.pdf+html


Campaign for Tobacco Free Kids – www.tobaccofreekids.org