

A significant number of youth are using electronic cigarettes (e-cigarettes), which provide a relatively new way to deliver the addictive substance nicotine without burning tobacco. The number of youth using ecigarettes is alarming and raises serious concerns that e-cigarettes could be an entryway to nicotine addiction and use of regular cigarettes for some kids. While it is still an open scientific question whether e-cigarettes might be able to help adult smokers give up cigarettes, kids should not be using any tobacco product, including e-cigarettes. In December 2018, the Surgeon General issued an advisory on ecigarette use among youth, declaring the growing problem an epidemic. The Surgeon General called for "aggressive steps to protect our children from these highly potent products that risk exposing a new generation of young people to nicotine."¹ Today, youth e-cigarette use remains a serious public health concern.

Youth E-Cigarette Use Trends

According to the National Youth Tobacco Survey (NYTS), released by the U.S. Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA), e-cigarettes have been the most commonly used tobacco product among youth since 2014. In 2023, over 2.1 million youth, including 10.0% of US high schoolers were current e-cigarette users.² Another national survey estimates that each day, more than 4,300 kids (under 18) try e-cigarettes for the first time.³

Kids are not just experimenting with e-cigarettes, but are using them frequently, leading to an addiction that is difficult to break. In 2023, 39.7% of high school e-cigarette users reported vaping on 20 or more days/month, and 29.9% reported daily use. In total, over half a million middle and high school students are vaping every single day.⁴ According to the FDA, "Teens who vape may end up addicted to nicotine faster than teens who smoke cigarettes. This is because vapes may expose users to more nicotine and may be used more frequently. Plus, e-cigarettes may come in flavors that appeal to youth. Appealing flavors may cause teens to vape longer and more often, putting them at risk for nicotine addiction."⁵

The youth e-cigarette epidemic has undermined progress in reducing overall youth tobacco use. There is also concern that use of e-cigarettes may function as a gateway to the use of more dangerous, combustible tobacco products. In 2016, the Surgeon General concluded that while more research is needed, evidence from several longitudinal studies suggests that e-cigarette use is "strongly associated" with the use of other tobacco products among youth and young adults, including conventional cigarettes.⁶ Reviewing a more recent and larger evidence base, a 2018 report by the National Academies of Science, Engineering and Medicine (NASEM) found the effect of e-cigarette use on cigarette smoking initiation to be causal, concluding that "There is substantial evidence that e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults." An analysis of data from the FDA's nationally representative Population Assessment of Tobacco and Health (PATH) study found that from 2013 to 2016, youth (ages 12-15) e-cigarette use was associated with more than four times the odds of trying cigarettes and nearly three times the odds of current cigarette use. The researchers estimate that this translates to over 43,000 current youth cigarette smokers who might not have become smokers without e-cigarettes.⁷ The NASEM report also concluded, "There is moderate evidence that e-cigarette use increases the frequency of subsequent combustible tobacco cigarette use" among youth and young adults.⁸ In addition, several studies find that the link between e-cigarette use and smoking initiation was stronger for those who had lower risk factors for smoking at baseline.⁹ In 2018, the Surgeon General declared that "any e-cigarette use among young people is unsafe, even if they do not progress to future cigarette smoking."¹⁰

Flavored E-Cigarettes Attract Youth

Flavors play a major role in the youth e-cigarette epidemic because they make it easier for new users to initiate use. In addition, many youth perceive flavored tobacco products to be less harmful.¹¹ The 2016 Surgeon General Report on e-cigarettes concluded that flavors are among the most commonly cited reasons for using e-cigarettes among youth and young adults.¹²

As of 2017, researchers had identified more than 15,500 unique e-cigarette flavors available online.¹³ Research shows that flavored products are not only popular among youth, but may play a role in initiation and uptake of tobacco products. The 2023 NYTS found that 89.4% of youth e-cigarette users use flavored products. Among youth e-cigarette users, the most commonly used flavor types were fruit (63.4%), candy/desserts/other sweets (35.0%), mint (27.8%) and menthol (20.1%).¹⁴ Earlier data from the 2016-2017 wave of the PATH study found that 70.3% say they use e-cigarettes "because they come in flavors I like."¹⁵ While the methodology is not comparable to the NYTS study, both surveys confirm that flavors are an important reason youth use e-cigarettes.

The e-cigarette epidemic was largely driven by <u>Juul</u> and its popular mint and mango flavors. However, Juul has since removed these products from the market, and in February 2020, the FDA restricted some flavors in cartridge-based e-cigarettes, but exempted menthol-flavored e-cigarettes and left flavored e-liquids and disposable e-cigarettes widely available in every imaginable flavor. As a result, youth use of these exempted products has grown substantially. Elf Bar—a disposable e-cigarette preferred by more than half of youth e-cigarette users—is the most popular e-cigarette brand among youth, followed by Esco Bars, Vuse, JUUL and Mr. Fog.¹⁶ Data from the International Tobacco Control (ITC) Youth Survey collected in August 2022 also found that Elf Bar was the top disposable brand reported among a sample of 16-19-year-olds in the United States.¹⁷ Disposable e-cigarette users reported using disposable e-cigarettes. Among current youth users of disposable e-cigarettes, the most commonly used flavor type was fruit (70.5%), followed by candy/desserts/other sweets (39.8%), mint (32.0%) and menthol (18.7%).¹⁸

Youth Access to E-Cigarettes

While tremendous progress had been made in reducing youth access to cigarettes, research shows that e-cigarettes are significantly easier for underage youth to purchase than cigarettes. Underage purchase attempts of vaping products are 35% less likely to trigger an ID request and 42% more likely to result in a sales violation, compared to purchase attempts for cigarettes.¹⁹ According to the 2021 Monitoring the Future Survey, over half (54.6%) 10th grade students say that it would be easy to get vaping devices.²⁰

While most high school e-cigarette users report getting their e-cigarettes from social sources, some underage minors are also able to buy their own e-cigarettes. According to the 2021 NYTS, 22.2% of high school e-cigarette users report buying e-cigarettes from a vape or tobacco shop in the past month and 17.7% reported buying them from a gas station or convenience store.²¹ A study in *JAMA Pediatrics* found that in California, e-cigarette sales to minors violations are significantly higher in tobacco and vape shops than any other type of retailer, with 44.7% selling to underage buyers.²²

In 2015, 80% of tobacco retailers sold e-cigarettes (an increase from 72% in 2014); e-cigarette sales and use data suggest availability has likely continued to increase in recent years.²³ With nearly half of adolescents visiting a convenience store at least once a week,²⁴ the chance a kid will have easy access to an e-cigarette retailer is high. Stanford researchers found that in 30 large U.S. cities, an average of 62.6% of public schools are within 1,000 feet (about 2 city blocks) of a tobacco retailer and 70% of city residents live within a half mile (about a 10 minute walk) from a tobacco retailer.²⁵

E-Cigarette Marketing Reaches and Appeals to Youth

The Surgeon General concluded that, "Themes in e-cigarette marketing, including sexual content and customer satisfaction, are parallel to themes and techniques that have been found to be appealing to youth and young adults in conventional cigarette advertising and promotion."²⁶ Similarly, a 2014 Congressional report provided detailed evidence that e-cigarette manufacturers resurrected the marketing practices used by tobacco companies for decades to attract kids to smoking.²⁷ By mimicking the tobacco industry's strategies, including celebrity endorsements, slick TV and magazine advertisements, and sports and music sponsorships, e-cigarette advertising has effectively reached youth and young adults.

The 2021 NYTS found that 70.3% of middle and high school students—17.77 million youth—had been exposed to e-cigarette advertisements from at least one source.²⁸ The investment in e-cigarette marketing has been coupled with an increase in use among youth and young adults. Studies using data from several national government surveys (PATH, NYTS) find that youth e-cigarette advertising exposure is significantly associated with e-cigarette use and greater exposure is associated with higher odds of use.²⁹

E-cigarette marketing expenditures have increased since the early years³⁰ and have continued to remain high. The U.S. Federal Trade Commission (FTC) documented a more than five-fold increase in advertising and promotion spending by e-cigarette companies, from \$197.8 million in 2015 to a peak of \$1.0 billion in 2019. In 2021, the top e-cigarette companies spent \$859.4 million to promote their products.³¹ Separate ad-tracking data found that JUUL led the large increase in spending between 2018 and 2019, followed by BAT/Reynolds (makers of Vuse) and ITG Brands (makers of blu). By 2020, after JUUL stopped marketing in all print, broadcast, and digital product marketing, BAT/Reynolds accounted for 90 percent of all tracked ad spending.³²

While cigarette advertising has been absent from TV and radio since 1971, spending on television advertising for e-cigarettes by the top e-cigarette companies reached \$93.8 million in 2019, before they ended all spending in this category in 2020. This category includes advertising on broadcast, cable, and satellite television channels, Internet television (e.g., Hulu, Netflix, Amazon Prime), and webisodes, but does not include product placement.³³ A study in *Pediatrics* found that from 2011 to 2013, exposure of youth aged 12-17 to e-cigarette advertisements on TV increased by 256%.³⁴ This same study estimated that e-cigarette advertisements may have reached an audience of up to 24 million youth. Research shows that ads on this medium are effective—a randomized trial exposing adolescent e-cigarette non-users to such ads showed that they led to 50% higher intentions to use e-cigarettes.³⁵

E-cigarette companies market extensively on product websites and maintain a strong presence on social media sites popular among youth, like Facebook, YouTube, Instagram, and Twitter.³⁶ In 2021, e-cigarette companies spent \$1.5 million on social media marketing, an increase from the \$1.2 million spent in 2020. In 2019, in addition to the \$1.3 million they spent on social media marketing, they also spent \$6.8 million on endorsements from celebrities, influencers, brand ambassadors, and others often appearing on social media, which was a massive increase from \$288,000 in 2015, before ending all spending in this category in 2020.³⁷ One study found nearly 74,000 tweets about e-cigarettes in just a two month period, most of which were sent by a few commercial enterprises.³⁸ In 2021, 3.1 million youth who used social media reporting seeing e-cigarette-related content daily, and 4.5 million reported seeing that type of content weekly.³⁹

E-cigarette manufacturers have also placed ads on search engines and websites that focus on music, entertainment, and sports, which often have substantial youth and young adult audiences.⁴⁰ In 2021, e-cigarette companies spent \$15.8 million on internet and digital advertising, more than double what was spent in 2015.⁴¹ The companies rarely take steps to effectively prevent access to this advertising by minors, as evidenced by data from the 2021 NYTS, which found that 36% of high school students had been exposed to e-cigarette advertisements online.⁴²

A study analyzing Juul marketing noted that Juul was one of the first major e-cigarette brands to rely heavily on social media to market and promote its products. The study found that Juul's initial marketing expenditures in traditional channels were modest compared to competing brands, and that these expenditures decreased as the brand increased content and received more promotion on social media channels like Instagram and Twitter.⁴³

In addition, youth are exposed to e-cigarette marketing at the point of sale. In 2021, e-cigarette companies spent 77.3 percent (\$664.3 million) of their total advertising and promotion expenditures on price discounts, point-of-sale advertising, coupons, and payments to ensure prime retail space and affordable prices.⁴⁴ Consequently, it's no surprise that retail stores are the most common source of exposure to e-cigarette marketing among youth: 58.7% of middle and high school students—14.37 million youth—reported marketing exposure in retail stores in 2021.⁴⁵

Consistent with research on marketing of other tobacco products, studies have found that e-cigarettes are often stocked near kid-friendly products like candy. A national study found that in 2015, 20% of e-cigarette retailers had e-cigarettes displayed near candy, gum, soda, or ice cream.⁴⁶ Another study of e-cigarette retailers in North Carolina found that 13.6% stocked e-cigarettes next to candy and 14.8% stocked them next to cessation aids, sending mixed messages to consumers about the health risks of e-cigarettes.⁴⁷

Other tactics used by e-cigarette manufacturers to reach youth have included magazine ads that reach youth audiences; sponsorships and free samples at youth-oriented events such as auto races and music

festivals; celebrity spokespeople who depict e-cigarette smoking as glamorous; and sweet, kid-friendly flavors.

Health and Public Health Concerns

Under the right circumstances, e-cigarettes could benefit public health if they help significantly reduce the number of people who use conventional cigarettes and die of tobacco-related disease. However, these benefits must be weighed against the current epidemic of use among youth. As the Surgeon General stated in a 2020 report, "The potential benefit of e-cigarettes for cessation among adult smokers cannot come at the expense of escalating rates of use of these products by youth."⁴⁸

Many questions remain about the long-term health effects of these products and their effectiveness in helping smokers quit.⁴⁹ While we have much to learn about these new products, the evidence is already clear that it is unsafe for young people to use e-cigarettes or any other product containing nicotine.

As stated by the Surgeon General, "E-cigarette use poses a significant – and avoidable – health risk to young people in the United States. Besides increasing the possibility of addiction and long-term harm to brain development and respiratory health, e-cigarette use is associated with the use of other tobacco products that can do even more damage to the body."⁵⁰

Poisoning and Exposure to Liquid Nicotine. Delivered in high doses, nicotine can be lethal. The Surgeon General's report and the NASEM report both found that contact with e-liquids can cause adverse health effects and ingesting e-liquids can lead to death.⁵¹ Exposure to liquid nicotine found in e-cigarettes has resulted in thousands of calls to poison control centers, according to the American Association of Poison Control Centers (AAPCC).⁵² To begin to address the poisoning risk that e-cigarettes and liquid nicotine pose to young children, in 2016 Congress passed the Child Nicotine Poisoning Prevention Act, which gave the Consumer Product Safety Commission authority to enforce child resistant packaging standards for e-cigarette products. This law went into effect in July 2016, yet e-cigarette-associated cases

reported to U.S. poison centers have surged in recent years, reaching their highest level ever in 2022. From April 2022 to March 2023, 87.8% of e-cigarette-associated cases reported to U.S. poison centers occurred among children under age five.⁵³

E-cigarette ingredients and constituents. There is insufficient research on the long-term effects of using e-cigarettes, which involves regular inhalation of nicotine, glycerin or some other solvent, and other additives.⁵⁴ According to the Surgeon General, "E-cigarette aerosol is not harmless. It can contain harmful and potentially harmful constituents, including nicotine."55 The nicotine present in e-cigarette aerosol is absorbed by users and bystanders.⁵⁶ Studies have found other chemicals and toxins present in some e-cigarettes, including formaldehyde, acrolein, volatile organic compounds like toluene, tobacco-specific nitrosamines, and metals like nickel and lead.⁵⁷ These compounds are generally present at levels much lower than in cigarette smoke, although the compounds themselves are found on FDA's list of harmful or potentially harmful substances.⁵⁸ A study of current adolescent e-cigarette users and dual users (e-cigarettes and cigarettes) found significantly higher levels of volatile organic

Number of calls to poison control centers involving exposures to e-cigarette devices and liquid nicotine.*

2011	269
2012	459
2013	1,540
2014	4,011
2015	3,733
2016	2,899
2017	2,470
2018	3,139
2019	5,356
2020	3,832
2021	5,360
2022*	6,745
Through Oct. 2023*	6,581

* Preliminary data, as poison centers continue to update their reports.

compounds, some of which are carcinogenic, in those users compared to non-users.⁵⁹ Of note, similar levels of some these compounds were found in users of non-nicotine e-cigarettes, increasing the concern that even non-nicotine e-cigarettes increases exposure to harmful chemicals.⁶⁰ Because FDA has just begun to regulate e-cigarettes, which are available in hundreds of different brands⁶¹, there is no way for consumers to know for sure yet what is in the products or the aerosol.⁶²

In addition, while some of the other substances, such as flavorings, used in e-cigarettes might be labeled as "generally recognized as safe," some researchers as well as the organization primarily responsible for granting that designation⁶³ have noted that it applies to ingestion, not for other exposures such as inhalation. The NASEM report committee expressed concern about flavor additives because even to-date, they "have not been widely tested for sensitizing, toxic, or irritating potency."⁶⁴ In its 2016 report, the

Surgeon General stated that, "while some of the flavorings used in e-cigarettes are generally recognized as safe for ingestion as food, the health effects of their inhalation are generally unknown" and noted that some of the flavorings found in e-cigarettes have been shown to cause serious lung disease when inhaled.⁶⁵ An article in the *Journal of the American Medical Association* raised concerns that the chemical flavorings found in some e-cigarettes and e-liquids could cause respiratory damage when the e-cigarette aerosol is inhaled deeply into the lungs.⁶⁶

Impact of Nicotine. E-cigarettes and refill liquids contain widely varying levels of nicotine, and the nicotine delivered through the aerosol can also vary depending on the device characteristics and user practices.⁶⁷ While e-cigarettes can be used for non-nicotine products, including marijuana, more than two-thirds of youth e-cigarette users report using e-cigarettes exclusively for nicotine-containing products.⁶⁸ Nicotine is a highly addictive drug that can have lasting damaging effects on adolescent brain development and has been linked to a variety of adverse health outcomes for the developing fetus.⁶⁹ Nicotine also impacts the cardiovascular system.⁷⁰ The Surgeon General concluded that, "The use of products containing nicotine poses dangers to youth, pregnant women, and fetuses. The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe."⁷¹

Campaign for Tobacco-Free Kids, April 10, 2024 / Laura Bach

⁶ HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General.* Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016. See also, Leventhal, AM, et al., "Association of Electronic Cigarette Use With Initiation of Combustible Tobacco Product Smoking in Early Adolescence," *Journal of the American Medicine Association*, 314(7):700-707, 2015. Wills, Thomas A, et al., "Longitudinal study of e-cigarette use and onset of cigarette smoking among high school students in Hawaii," Tobacco Control, published online first January 25, 2016. Wills, TA, et al., "E-cigarette use is differentially related to smoking onset among lower risk adolescents," *Tobacco Control*, published online August 19, 2016. Barrington-Trimis, JL, et al., "E-Cigarettes and Future Cigarette Use," *Pediatrics* 138(1), published online July 2016.

¹ Office of the Surgeon General, "Surgeon General's Advisory on E-Cigarette Use Among Youth," December 18, 2018, <u>https://e-cigarettes.surgeongeneral.gov/documents/surgeon-generals-advisory-on-e-cigarette-use-among-youth-2018.pdf</u>.

 ² Birdsey, J, et al., ^aTobacco Product Use Among U.S. Middle and High School Students — National Youth Tobacco Survey, 2023, ^a Morbidity and Mortality Weekly Report (MMWR) 72(44):1173-1182, November 3, 2023, <u>https://www.cdc.gov/mmwr/volumes/72/wr/mm7244a1.htm</u>.
 ³ Substance Abuse and Mental Health Services Administration (SAMHSA), HHS, Results from the 2022 National Survey on Drug Use and Health, NSDUH: Detailed Tables, Table 4.10A, <u>https://www.samhsa.gov/data/report/2022-nsduh-detailed-tables</u>.

⁴ Birdsey, J, et al., "Tobacco Product Use Among U.S. Middle and High School Students — National Youth Tobacco Survey, 2023," *MMWR* 72(44):1173-1182, November 3, 2023, <u>https://www.cdc.gov/mmwr/volumes/72/wr/mm7244a1.htm</u>.

⁵ FDA Center for Tobacco Products, *Resources for Professionals About Vaping & E-Cigarettes: A Toolkit for Working with Youth*, <u>https://digitalmedia.hhs.gov/tobacco/hosted/Vaping-ECigarettes-Youth-Toolkit.pdf</u>.

⁶ Barrington-Trimis, JL, et al., "E-Cigarettes and Future Cigarette Use," *Pediatrics*, 138(1), published online July 2016. Wills, TA, et al., "Ecigarette use is differentially related to smoking onset among lower risk adolescents," *Tobacco Control*, published online August 19, 2016. ⁷ Berry, KM, et al., "Association of Electronic Cigarette Use with Subsequent Initiation of Tobacco Cigarettes in US Youths," *JAMA Network Open* 2(2), published online February 1, 2019.

⁸ National Academies of Sciences, Engineering, and Medicine. 2018. Public health consequences of e-cigarettes. Washington, DC: The National Academies Press. http://nationalacademies.org/hmd/Reports/2018/public-health-consequences-of-e-cigarettes.aspx.

⁹ Barrington-Trimis, JL, et al., "E-Cigarettes and Future Cigarette Use," *Pediatrics* 138(1), published online July 2016. Wills, TA, et al., "Ecigarette use is differentially related to smoking onset among lower risk adolescents," *Tobacco Control*, published online August 19, 2016. Berry, KM, et al., "Association of Electronic Cigarette Use with Subsequent Initiation of Tobacco Cigarettes in US Youths," *JAMA Network Open* 2(2), published online February 1, 2019.

¹⁰ Office of the Surgeon General, "Surgeon General's Advisory on E-Cigarette Use Among Youth," December 18, 2018, <u>https://e-cigarettes.surgeongeneral.gov/documents/surgeon-generals-advisory-on-e-cigarette-use-among-youth-2018.pdf</u>.

¹¹ Huang, L-L, et al., "Impact of Non-menthol Flavours in Tobacco Products on Perceptions and Use Among Youth, Young Adults and Adults: A Systematic Review," *Tobacco Control*, 26(6):709-719, 2017. Kowitt, SD, et al., "Perceptions and Experiences With Flavored Non-Menthol Tobacco Products: A Systematic Review of Qualitative Studies," *International Journal of Environmental Research and Public Health* 14(4):338, 2017. Pepper, JK, et al., "Adolescents' interest in trying flavoured e-cigarettes," *Tobacco Control*, 25: ii62-ii66, published online September 15, 2016. Dai, H, et al., "Flavored electronic cigarette use and smoking among youth," *Pediatrics*, 138(6), November 2016.
¹² HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

¹³ Zhu, Š-H, et al., "Evolution of Electronic Cigarette Brands from 2013-2014 to 2016-2017: Analysis of Brand Websites," *Journal of Medical Internet Research* 20(3), published online March 12, 2018.

¹⁴ Birdsey, J, et al., "Tobacco Product Use Among U.S. Middle and High School Students — National Youth Tobacco Survey, 2023," *MMWR* 72(44):1173-1182, November 3, 2023, <u>https://www.cdc.gov/mmwr/volumes/72/wr/mm7244a1.htm</u>.

¹⁵ FDA, "Modifications to Compliance Policy for Certain Deemed Products: Guidance for Industry, Draft Guidance," March 13, 2019, https://www.fda.gov/media/121384/download.

¹⁶ Cooper, M, et al., "E-Cigarette Use Among Middle and High School Students—United States, 2022," *MMWR* 71(40):1283-1285, October 7, 2022, https://www.cdc.gov/mmwr/volumes/71/wr/pdfs/mm7140a3-H.pdf.

¹⁷ Hammond, D, et al., "Trends in vaping and nicotine product use among youth in Canada, England and the USA between 2017 and 2022: evidence to inform policy," *Tobacco Control*, Online ahead of print, doi: 10.1136/tc-2023-058241, November 8, 2023.

¹⁸ Birdsey, J, et al., "Tobacco Product Use Among U.S. Middle and High School Students — National Youth Tobacco Survey, 2023," *MMWR* 72(44):1173-1182, November 3, 2023, <u>https://www.cdc.gov/mmwr/volumes/72/wr/mm7244a1.htm</u>.

 Levinson, AH, et al., "Asking for Identification and Retail Tobacco Sales to Minors," *American Journal of Public Health*, 145(5), 2020.
 ²⁰ University of Michigan, 2021 Monitoring the Future Study, *Trends in Availability of Drugs as Perceived by 10th Graders*, http://monitoringthefuture.org/data/21data/table16.pdf.

²¹ Gentzke, A, et al., "Tobacco Product Use and Associated Factors Among Middle and High School Students—National Youth Tobacco Survey, United States, 2021," *MMWR* 71(5):1-29, March 11, 2022, https://www.cdc.gov/mmwr/volumes/71/ss/pdfs/ss7105a1-H.pdf.

²² Roeseler, A, et al., "Assessment of Underage Sales Violations in Tobacco Stores and Vape Shops," *JAMA Pediatrics*, published online June 24, 2019.

²³ D'Angelo, H, et al., "E-Cigarette availability, price promotions and marketing at the point-of-sale in the contiguous United States (2014-2015): National estimates and multilevel correlates," *Preventive Medicine Reports*, published online June 26, 2020.

²⁴ Sanders-Jackson, A, et al., "Convenience store visits by US adolescents: Rationale for healthier retail environments," Health & Place 34:63-66, 2015.

²⁵ Advancing Science & Policy in the Retail Environment (ASPiRE) Center, *Tobacco Density & Access*, August 2020, http://aspirecenter.org/wp-content/uploads/2020/08/ASPiRE_RetailTobaccoDensityandAccess_ExecSumm.pdf.

²⁶ HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General.* Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

²⁷ "Gateway to Addiction? A Survey of Popular Electronic Cigarette Manufacturers and Marketing to Youth," April 14, 2014, https://www.markey.senate.gov/imo/media/doc/Report-E-Cigarettes-Youth-Marketing-Gateway-To-Addiction-2014-4-14.pdf.

²⁸ Gentzke, A, et al., "Tobacco Product Use and Associated Factors Among Middle and High School Students—National Youth Tobacco Survey, United States, 2021," *MMWR* 71(5):1-29, March 11, 2022, <u>https://www.cdc.gov/mmwr/volumes/71/ss/pdfs/ss7105a1-H.pdf</u>.

²⁹ Wang, Y, et al., "Association of e-Cigarette Advertising, Parental Influence, and Peer Influence With US Adolescent e-Cigarette Use," JAMA Network Open 5(9):e2233938, 2022. Singh, T, et al., "Exposure to Advertisements and Electronic Cigarette Use Among US Middle and High School Students," Pediatrics, published online April 25, 2016. Dai, H & Hao, J, "Exposure to Advertisements and Susceptibility to Electronic Cigarette Use Among Youth," Journal of Adolescent Health, published online August 12, 2016.

³⁰ HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General.* Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016. Kornfield, R, et al., "Rapidly increasing promotional expenditures for e-cigarettes," *Tobacco Control*, Published Online First, doi: 10.1136/tobaccocontrol-2014-051580, April 30, 2014. See also: Dutra, L, *Adolescent E-cigarette Use: What We Already Know.* 2014 data from Kantar Media. Presentation at the FDA "Electronic Cigarettes and the Public Health: A Public Workshop," June 1, 2015. Legacy, *Vaporized: E-Cigarettes, Advertising, and Youth,* April 2014. Truth Initiative, *Vaporized: Youth and Young Adult Exposure to E-Cigarette Marketing*, November 2015, <u>https://truthinitiative.org/sites/default/files/media/files/2019/03/Vaporized-Youth-Exposure-To-E-Cigarette-Marketing.pdf.</u>

³¹ U.S. Federal Trade Commission (FTC), *E-Cigarette Report for 2021*, April 3, 2024, <u>https://www.ftc.gov/system/files/ftc_gov/pdf/E-CigaretteReportfor2021.pdf</u> [2021 data for top 9 manufacturers . Earlier reports included data from the top 5 or 6 companies].
 ³² Welding, K, et al., "ENDS advertising expenditures in English language media in the USA, 2015-2020," *Tobacco Control*, online ahead of print, doi: 10.1136/tc-2022-057279, August 16, 2022.

³³ FTC, E-Cigarette Report for 2021, April 3, 2024 [data for top 9 manufacturers only].

³⁴ Duke, JC, et al., "Exposure to Electronic Cigarette Television Advertisements Among Youth and Young Adults," *Pediatrics* 134(1):e29-36, July 2014.

³⁵ Farrelly, M, A Randomized Trial of the Effect of E-cigarette Television Ads on Intentions to Use E-Cigarettes. Presentation at the FDA "Electronic Cigarettes and the Public Health: A Public Workshop," June 1, 2015.

³⁶ "Gateway to Addiction? A Survey of Popular Electronic Cigarette Manufacturers and Marketing to Youth," April 14, 2014, <u>https://www.markey.senate.gov/imo/media/doc/Report-E-Cigarettes-Youth-Marketing-Gateway-To-Addiction-2014-4-14.pdf</u>. See also, Noel, JK, Rees, VW, & Connolly, GN, "Electronic cigarettes: a new 'tobacco' industry?" *Tobacco Control* 20:81, 2011. ³⁷ TTO: Circuit Based 4 April 2: 2024 Idea for the tota and the provided time actual

³⁷ FTC, *E-Cigarette Report for 2021*, April 3, 2024 [data for top 9 manufacturers only].

³⁸ Huang, J, et al., "A cross-sectional examination of marketing of electronic cigarettes on Twitter," *Tobacco Control* 23:iii26-iii30, 2014.
 ³⁹ Gentzke, A, et al., "Tobacco Product Use and Associated Factors Among Middle and High School Students—National Youth Tobacco Survey, United States, 2021," *MMWR* 71(5):1-29, March 11, 2022, <u>https://www.cdc.gov/mmwr/volumes/71/ss/pdfs/ss7105a1-H.pdf</u>.
 ⁴⁰ Richardson, A, et al., "Tobacco on the web: surveillance and characterization of online tobacco and e-cigarette advertising," *Tobacco Control*, Published Online First: February 14, 2014.

⁴¹ FTC, *E-Cigarette Report for 2021*, April 3, 2024 [data for top 9 manufacturers only].

⁴² Gentzke, A, et al., "Tobacco Product Use and Associated Factors Among Middle and High School Students—National Youth Tobacco Survey, United States, 2021," *MMWR* 71(5):1-29, March 11, 2022, <u>https://www.cdc.gov/mmwr/volumes/71/ss/pdfs/ss7105a1-H.pdf</u>.

⁴³ Huang, J, et al., "Vaping versus Juuling: how the extraordinary growth and marketing of Juul transformed the US retail e-cigarette market," *Tobacco Control*, published online May 31, 2018.

⁴⁴ FTC, E-Cigarette Report for 2021, April 3, 2024 [data for top 9 manufacturers only].

⁴⁵ Gentzke, Å, et al., "Tobacco Product Use and Associated Factors Among Middle and High School Students—National Youth Tobacco Survey, United States, 2021," *MMWR* 71(5):1-29, March 11, 2022, <u>https://www.cdc.gov/mmwr/volumes/71/ss/pdfs/ss7105a1-H.pdf</u>.

⁴⁶ D'Angelo, H, et al., "E-Cigarette availability, price promotions and marketing at the point-of-sale in the contiguous United States (2014-2015): National estimates and multilevel correlates," *Preventive Medicine Reports*, published online June 26, 2020.

⁴⁷ Wagoner, KG, et al., "Availability and Placement of Nicotine Delivery Systems at the Point-of-Sale," *Nicotine & Tobacco Research*, 20(8):1020-1024, 2018.

⁴⁸ HHS, Smoking Cessation. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2020.
 ⁴⁹ CDC, "Electronic Cigarettes." <u>https://www.cdc.gov/tobacco/basic_information/e-cigarettes/index.htm</u>.

Accessed March 16, 2018.

⁵⁰ HHS, Know the Risks: E-Cigarettes & Young People, accessed March 15, 2018 at https://e-cigarettes.surgeongeneral.gov/knowtherisks.html.
 ⁵¹ HHS, E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016. National Academies of Sciences, Engineering, and Medicine (NASEM), Public Health Consequences of E-Cigarettes, Washington, DC: The National Academies Press, 2018, http://nationalacademies.org/hmd/Reports/2018/public-health-consequences-of-e-cigarettes.aspx.

⁵² American Association of Poison Control Centers, "Electronic Cigarettes and Liquid Nicotine," <u>https://aapcc.org/track/ecigarettes-liquid-nicotine</u>.

 ⁵³ Tashakkori, NA, et al., "Notes from the Field: E-Cigarette–Associated Cases Reported to Poison Centers — United States, April 1, 2022– March 31, 2023," *MMWR* 72:694-695, 2023, <u>https://www.cdc.gov/mmwr/volumes/72/wr/mm7225a5.htm?s_cid=mm7225a5_w</u>.
 ⁵⁴ CDC, "Dual Use of Tobacco Products." <u>http://www.cdc.gov/tobacco/campaign/tips/diseases/dual-tobacco-use.html#ten</u>. Accessed November

 19, 2015.
 ⁵⁵ HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General.* Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health. 2016.

⁵⁶ CDC, "Dual Use of Tobacco Products." <u>http://www.cdc.gov/tobacco/campaign/tips/diseases/dual-tobacco-use.html#ten</u>. Accessed November 19, 2015.

⁵⁷ Cheng, T, "Chemical Evaluation of Electronic Cigarettes," *Tobacco Control* 23:ii11-ii17, May 2014.

http://tobaccocontrol.bmj.com/content/23/suppl_2/tii11.full. Goniewicz, ML, et al., "Levels of selected carcinogens and toxicants in vapour from electronic cigarettes," *Tobacco Control* 23(2):133-9, March 6, 2013. Williams, M, et al., "Metal and Silicate Particles Including Nanoparticles Are Present in Electronic Cigarette Cartomizer Fluid and Aerosol," *PlosOne*, 8(3), March 2013. See also Williams, M, "Electronic Cigarette Liquids and Vapors: Is It Harmless Water Vapor," presented October 3, 2013 at TRDRP Electronic Cigarette Webinar,

http://www.trdrp.org/docs/Williams%20ecig%20vapor%20this%20time%20slides%202013.pdf.

⁵⁸ Goniewicz, ML, et al., "Levels of selected carcinogens and toxicants in vapour from electronic cigarettes," *Tobacco Control* 23(2):133-9, March 6, 2013. Williams, M, et al., "Metal and Silicate Particles Including Nanoparticles Are Present in Electronic Cigarette Cartomizer Fluid and Aerosol," *PlosOne* 8(3), March 2013. See also FDA, "Harmful and Potentially Harmful Constituents in Tobacco Products and Tobacco Smoke: Established List," March 2012, <u>http://www.fda.gov/TobaccoProducts/GuidanceComplianceRegulatoryInformation/ucm297786.htm.</u> ⁵⁹ Rubenstein, ML, et al., "Adolescent Exposure to Toxic Volatile Organic Chemicals from E-Cigarettes," *Pediatrics* 141(4):e20173557, 2018.

⁶⁰ Rubenstein, ML, et al., "Adolescent Exposure to Toxic Volatile Organic Chemicals from E-Cigarettes," *Pediatrics* 141(4):e20173557, 2018.
 ⁶¹ Zhu, S-H, et al., "Four Hundred and Sixty Brands of E-cigarettes and Counting: Implications for Product Regulation," *Tobacco Control* 23(Suppl 3):iii3-iii9, 2014. http://tobaccocontrol.bmj.com/content/23/suppl 3/iii3.full.

⁶² CDC, "Dual Use of Tobacco Products." <u>http://www.cdc.gov/tobacco/campaign/tips/diseases/dual-tobacco-use.html#ten</u>. Accessed November 19, 2015.

⁶³ Flavor and Extract Manufacturers Association of the United States (FEMA), *The Safety Assessment and Regulatory Authority to Use Flavors* – *Focus on E-Cigarettes*, Revised March 3, 2015, <u>http://www.femaflavor.org/safety-assessment-and-regulatory-authority-use-flavors-focus-e-cigarettes</u>.

⁶⁴ NASEM, Public Health Consequences of E-Cigarettes, 2018, p. 5-31.

⁶⁵ HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

⁶⁶ Barrington-Trimis, JL, Samet, JM, & McConnell, R, "Flavorings in Electronic Cigarettes: An Unrecognized Respiratory Health Hazard?" *The Journal of the American Medical Association*, doi:10.1001/jama.2014.14830, published online November 10, 2014.

⁶⁷ NASEM, Public Health Consequences of E-Cigarettes, 2018.

⁶⁸ CDC, "Characteristics of Electronic Cigarette Use Among Middle and High School Students—United States, 2015," *MMWR* 65(50-51):1425-1429, <u>https://www.cdc.gov/mmwr/volumes/65/wr/pdfs/mm655051a2.pdf</u>.

⁶⁹ HHS, *The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General,* CDC, Office of Smoking and Health (OSH), 2014, <u>http://www.surgeongeneral.gov/library/reports/50-years-of-progress/index.html</u>. See also: CDC Office on Smoking and Health, "Electronic Nicotine Delivery Systems: Key Facts," July 2015. Accessed November 19, 2015.

http://www.cdc.gov/tobacco/stateandcommunity/pdfs/ends-key-facts2015.pdf

⁷⁰ HHS, How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General, Centers for Disease Control and Prevention, Office on Smoking and Health, 2010 http://www.ncbi.nlm.nih.gov/books/NBK53017/.
 ⁷¹ HHS, E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.