

Sara Prem
Advocacy Specialist
American Lung Association
Kansas & Greater Kansas
City

Chairman Patton
House Judiciary Committee
Kansas State Capitol
300 SW 10th Street
Topeka, KS 666612

Re: Support for HB 2450: Amending the Kansas clean indoor air act to include vaping of tobacco-derived products

Chairman Patton,

When Kansas passed its clean indoor air act in 2010, it was a significant achievement which removed cigarettes and secondhand smoke from public spaces across the state. In recent years, we have seen a major increase in the use of electronic cigarettes and vaping products across the state meaning that Kansans are increasingly being exposed to secondhand emissions from electronic cigarettes. Allowing the use of e-cigarettes in public spaces and workplaces undermines the success of Kansas' Clean Indoor Air Act.

All Kansans have the right to breathe healthy air and the amendment to K.S.A. 2019 Supp. 21-6109, adding electronic cigarettes to the definition of "smoking" regulated by the Clean Indoor Air Act, would protect Kansans from potentially harmful chemicals in secondhand emissions from e-cigarettes as well as help to create an environment that discourages e-cigarette use among children and encourages e-cigarette users to quit. According to the CDC, secondhand e-cigarette emissions (aerosol) is not harmless "water vapor" and is not as safe a clean air¹.

The American Lung Association in Kansas and Greater Kansas City is very concerned that we do not know exactly what is in e-cigarettes and e-cigarette emissions or what the full health consequences are of exposure to these emissions. 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 lead². Because of the limited data available on the safety of exposure to e-cigarettes emissions, the National Institute for Occupational Safety and Health, in 2015 issued a recommendation that e-cigarettes be included in smoke free workplace policies³.

E-cigarettes are a tobacco product and the American Lung Association remains concerned about their full impact on public health, particularly because they are now the most commonly used tobacco product among youth. As the FDA begins its oversight of these products, we will undoubtedly learn more about them and what safeguards should be put in place to products the public health.

Please remember the American Lung Association in your will or trust.

In the meantime, we fully support the effort to add e-cigarettes to the definition of “smoking” in the Clean Indoor Air Act and we commend Attorney General Schmidt and the House Judiciary Committee for their leadership in making the public spaces of Kansas healthier and safer for all to enjoy. In that vein, the Lung Association hopes that state lawmakers will consider closing other loopholes in the smoke free law in the future, in particular the exemption for state-regulated casinos where a number of workers and patrons continue to be exposed to high levels of secondhand smoke and e-cigarette aerosol.

Sincerely,

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¹ CDC Office on Smoking and Health, “Electronic Nicotine Delivery Systems: Key Facts,” October 2016. Accessed January 21, 2020. <https://www.cdc.gov/tobacco/stateandcommunity/pdfs/ends-key-facts-oct-2016.pdf>

² Cheng, T, “Chemical Evaluation of Electronic Cigarettes,” Tobacco Control 23:ii11-ii17, May 2014. http://tobaccocontrol.bmj.com/content/23/suppl_2/ii11.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>

³ Current Intelligence Bulletin 67: Promoting Health and Preventing Disease and Injury Through Workplace Tobacco Policies, <http://www.cdc.gov/niosh/updates/upd-04-02-15.html>

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