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Dear School Partners,

My office has recently heard from many public health officials, school districts, police departments, and parents about the prevalence of e-cigarette and vaping products, particularly those sold by JUUL Labs, and the increased use of these products by young people. In addition, I have visited many schools and school districts in recent weeks and have heard directly about the alarming and pervasive use of these products.

Over the last few years, e-cigarette use has increased 900% among high school students in the United States.[1] In 2015, almost 50% of Massachusetts high school students reported having used e-cigarettes at least once.[2] Based on recent reports, usage rates have only increased since then. We write to share information and resources to help you address the growing use of these products by students, and to offer our support and partnership.

Electronic cigarettes are battery-powered devices that heat liquid into a vapor for the user to inhale.[3] While electronic cigarettes come in varying shapes and sizes, the popular JUUL devices have a sleek, modern design that resembles a USB flash drive. The liquid ("e-liquid," "juice," or "pod") in vaping devices often contains nicotine, a highly addictive substance that can lead to serious health consequences for young people whose brains and bodies are still developing. The e-liquid contained in JUUL pods has a notably high nicotine concentration of 5%. Vaping one pod is equivalent to 200 puffs or one whole pack of traditional combustible cigarettes.[4] E-liquids may also contain other unhealthy chemicals and compounds, including carcinogens.

My office has recently been made aware that JUUL Labs has contacted Massachusetts schools to promote their "prevention education program" and offer schools a monetary incentive to pilot this program. <u>If you or your school district has been or is contacted by a JUUL representative, we urge you to explore alternative options.</u>

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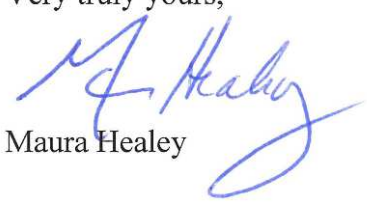
[1] U.S. Department of Health and Human Services, *E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General* (2016), available at https://www.cdc.gov/tobacco/data_statistics/sgr/e-cigarettes/pdfs/2016_SGR_Front_Matter_508.pdf.
[2] Massachusetts Department of Public Health and Massachusetts Department of Elementary and Secondary Education, *2015 Report: Health & Risk Behaviors of Massachusetts Youth*, available at https://www.mass.gov/files/documents/2016/09/vp/youth-health-risk-report-2015.pdf.
[3] 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://e-cigarettes.surgeongeneral.gov/documents/2016_SGR_Fact_Sheet_508.pdf.
[4] 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.

There is a long history of tobacco companies attempting to sponsor and promote their education programming in schools. 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.[5] 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. Thus, it is critical that public health and school-based efforts to prevent youth tobacco and nicotine product use remain independent of these industry influences.[6] As an alternative to JUUL Labs' program, we recommend that schools consider utilizing one of the free prevention resources available listed in the attached Table A or purchasing evidence-based curricula, for which funding from federal, state, and local grant programs may be available.

Under Massachusetts law, sale of tobacco products, including electronic cigarettes, to minors is prohibited.[7] If you or members of your school community have information about online or local retailers that are selling electronic cigarettes, e-liquid, (vaping) juice, or pods to minors, we encourage you to notify our office by calling our Consumer Hotline at 617-727-8400 or filing a complaint online at https://www.mass.gov/how-to/file-a-consumer-complaint.

My office stands with you, ready to be a partner and serve as a resource in addressing this serious public health risk. All of us in Massachusetts have worked hard to reduce traditional cigarette and nicotine use among minors, and we will resist all efforts to undermine this progress. If you have questions or would like to discuss this matter with our office, please contact Elise Yannett in the Policy & Government Division at 617-963-2154 or elise.yannett@state.ma.us. Thank you for all you do for our young people.

Very truly yours,



Maura Healey

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[5] Campaign for Tobacco-Free Kids. *Big Surprise: Tobacco Company Prevention Campaigns Don't Work; Maybe It's Because They Are Not Supposed To*, available at https://www.tobaccofreekids.org/assets/factsheets/0302.pdf.

[6] Centers for Disease Control and Prevention Office on Smoking and Health, *Tobacco Industry-Sponsored Youth Prevention Programs in Schools* (April 2018), available at http://www.amcno.org/pdf/Tobacco%20industry%20sponsored%20youth%20prevention%20programs_CDC%20Office%20on%20Smoki....pdf

[7] 940 CMR 21.00, available at https://www.mass.gov/files/documents/2016/08/wj/940-cmr-21-00.pdf

Table A: Educational and Informational Resources
Know the Risks: E-Cigarettes and Young People • Source: U.S. Surgeon General • Description: An informational website for youth and adults that includes a fact sheet, video, frequently asked questions, and parent tip sheet. • Website/URL: https://e-cigarettes.surgeongeneral.gov/
E-Cigarette Ads and Youth & Teachers and Parents: That USB Stick Might Be an *E-Cigarette* • Source: Centers for Disease Control and Prevention (CDC) • Description: A four-page brochure with facts and infographics on e-cigarettes and youth advertising, and a poster for teachers and parents with information on e-cigarettes and JUUL. • Website/URL: https://www.cdc.gov/vitalsigns/pdf/2016-01-vitalsigns.pdf and https://www.cdc.gov/tobacco/basic_information/e-cigarettes/pdfs/parent-teacher-ecig-508.pdf
JUUL and Youth: Rising E-Cigarette Popularity • Source: Campaign for Tobacco Free Kids • Description: A four-page fact sheet on JUUL, including information about the devices, use among youth, health concerns, and marketing. • Website/URL: https://www.tobaccofreekids.org/assets/factsheets/0394.pdf
What's the Hype?: JUUL Electronic Cigarette's Popularity with Youth & Young Adults • Source: Public Health Law Center at Mitchell Hamline School of Law • Description: A webinar and "question and answer" document on JUUL, its popularity among youth, health concerns, and the company's recent outreach to schools. • Website/URL: http://www.publichealthlawcenter.org/webinar/what%E2%80%99s-hype-juul-electronic-cigarette%E2%80%99s-popularity-youth-young-adults
Flavor Campaign Flyer & Vaping Fact Sheet • Source: Massachusetts Health Promotion Clearinghouse and Massachusetts Department of Public Health • Description: A flyer for adults on flavored tobacco products and a one-page info sheet on vaping. • Website/URL: http://massclearinghouse.ehs.state.ma.us/TOB/TC3471kit.html and http://massclearinghouse.ehs.state.ma.us/TOB/TC3477.html
Get Outraged – Make Smoking History! • Source: Massachusetts Department of Public Health • Description: A website with information on state and local laws, Tobacco-Free Community Partnerships, how the tobacco industry targets young people, and how people can take action and get involved. • Website/URL: http://makesmokinghistory.org/
Project Here • Source: Massachusetts Office of the Attorney General and the GE Foundation • Description: An initiative to make substance use prevention education available to all public middle schools in Massachusetts through an educational toolkit, a digital app, and a grant program for evidence-based curricula. • Website/URL: https://www.here.world/
Tobacco Prevention Toolkit • Source: Stanford University School of Medicine • Description: A toolkit for teachers with in-classroom units and lesson plans on e-cigarettes, tobacco and nicotine. The toolkit includes PowerPoints, discussion guides, worksheets, and activities. • Website/URL: https://med.stanford.edu/tobaccopreventiontoolkit/E-Cigs.html
CATCH My Breath Youth E-Cigarette Prevention Program • Source: The CATCH Global Foundation and University of Texas at Houston School of Public Health • Description: A school-based prevention program with lesson plans for middle school and high school teachers. • Website/URL: https://catchinfo.org/modules/e-cigarettes/