



BOH
6-12-19

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Director of Health & Human Services
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TO: Eileen Donoghue, City Manager and Members of the City Council

FROM: Kerran Vigroux, Director of Health & Human Services

DATE: May 15, 2019

RE: MOTION BY R. ELLIOT – REQUEST CITY MANAGER/HEALTH DIRECTOR
REPORT ON E-CIGARETTES/VAPING REGULATIONS AND OUTREACH
PROGRAMS TO INFORM PUBLIC OF HEALTH RISKS

- E-cigarettes and similar products are defined as “tobacco products” in the *Regulation of the Lowell Board of Health Restricting the Sale of Tobacco Products* and, therefore, are treated just like any other types of traditional tobacco products;
- A permit issued by the Health Department is required before any establishments can sell these products;
- The sale of tobacco products to anyone under the age of 21 is prohibited. Violators are subject to fines ranging from \$100 to \$300 and tobacco permit suspensions;
- The sale of any “flavored” tobacco products, including e-cigarettes and similar products, is only allowed at “Retail Tobacco Stores”. Retail Tobacco Stores are “adult-only” establishments engaged primarily in the sale of tobacco products. “Flavored tobacco” doesn’t include mint, menthol, or regular tobacco flavors;
- Vaping is prohibited anywhere smoking is prohibited by local, state or federal laws or regulations. Violators are subject to \$100 fines and those in control of the premises are subject to fines ranging from \$100 to \$300 and suspension or revocation of the license to operate;
- Outreach on the effects and dangers of vaping is conducted by Diane Knight, director of the North Essex Tobacco Free Community Partnership, a program funded by the Mass. Department of Public Health to do education and outreach about the dangers of smoking and vaping, as well as conduct presentations about different types of tobacco products;
- Ongoing retailer education about these products takes place during routine inspections conducted by the Lowell Tobacco Control Program, which operates out of the Lowell Health Department;
- The Massachusetts Department of Public Health launched a statewide public information campaign last fiscal year which focused on educating parents on how to talk to their children about the dangers of vaping. On April 3, 2019, a new campaign focusing on educating middle and high school students was launched during the Kick Butts Day event held at the state house. We’re currently collaborating with the North Essex Tobacco Free Community Partnership to disseminate the attached resources to the Lowell Public Schools.
- Cessation support through counseling and nicotine patches is provided by the Massachusetts Smokers’ Helpline 7 days a week, 24 hours a day through the number 1-800-QUIT-NOW.