



City Council Meeting - Final

August 21, 2023
7:00 PM

A. PRC2023-015 Proclamation in Support of Vaping Enforcement Actions



A PROCLAMATION

BY THE MAYOR OF THE CITY OF SMYRNA

In Support of Vaping Enforcement Actions

Whereas, in January 2020 the Food & Drug Administration "FDA" issued industry guidance that detailed the agency's enforcement priorities relating to e-cigarettes, vapes and other electronic nicotine delivery systems "ENDS" products, that prioritized enforcement against "any flavored, cartridge-based ENDS products"; and

Whereas, the January 2020 guidance created a loophole, whereby all disposable vaping products were insulated from any enforcement for going on three years; and

Whereas, since January 2020, millions of illegal, disposable vaping products, primarily manufactured in China and produced in kid friendly flavors have poured into the United States; and

Whereas, since 2019, the CDC's National Youth Tobacco Survey shows that youth usage of disposable vaping products is up 2188%; and

Whereas, the FDA's Center for Tobacco Products recently stated that the "majority of e-cigarettes used by youths are disposable and flavored."; and

Whereas, an overwhelming majority of disposable vaping products have been introduced after the FDA regulatory submission threshold date of August 8, 2016, and/or have not complied with FDA's regulatory pathways for the marketing of new tobacco products that ensures products on store shelves are appropriate for the protection of public health; Now

Therefore, I, Derek Norton, Mayor of the City of Smyrna, along with the Smyrna City Council, urge the FDA to take action to protect our youth and young adults from the danger of unregulated, disposable e-cigarettes by providing clear enforcement guidance to retailers and distributors in the United States; publish a directory of FDA approved disposable vapor products; encourage retailers to remove all illegal disposable vapor products from shelves; and urge the federal government to enforce these actions across all jurisdictions, at all ports and border control points of entry.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Smyrna to be affixed upon this 21st *day of* August *in the*
year of Our Lord 2023 .



Derek Norton

Mayor

Derek Norton