



EDITORS: Representatives from Oregon Health Authority and the Oregon Liquor Control Commission will discuss the new flavored vaping sales ban rules **today** (Oct. 11) during a media availability at 12:30 p.m. at OLCC Headquarters, 9079 SE McLoughlin Blvd., Portland. Conference line: 1 (646) 749-3122, access code 450-658-589; when prompted, use the hashtag symbol (#).

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OHA, OLCC file rules banning flavored vaping sales, including online
Rules put into effect Governor's executive order aimed at reducing youth use

PORTLAND, Ore.—The Oregon Health Authority and the Oregon Liquor Control Commission today filed temporary rules that put into effect Gov. Kate Brown's Oct. 4 executive order banning all flavored vaping product sales in the state.

The temporary rules, which will remain in effect for six months starting Oct. 15, prohibit the sale of all flavored vaping products—including online sales—to consumers in Oregon. The ban covers all tobacco and cannabis (marijuana and hemp) vaping products that contain natural or artificial flavors including, but not limited to, chocolate, coffee, cocoa, menthol, mint, wintergreen, vanilla, honey, coconut, licorice, nuts, fruit, any candy, dessert, alcoholic or non-alcoholic beverage, herb or spice.

Tobacco-flavored tobacco or nicotine products, as well as marijuana-flavored marijuana or THC products that use only marijuana-derived flavorings, including terpenes, are not included in the ban.

Retailers found violating the temporary rules will receive a warning letter and recommendations on coming into compliance. Continued violations could result in civil penalties of up to \$500 per day, per violation. In addition, cannabis retailers or processors could face violations up to and including cancellation of their license.

Additional components of vaping products could be banned in the future. The Governor's executive order directs OHA and OLCC to "take immediate action and adopt additional emergency rules" to prohibit any chemical or contaminant found to have caused or contributed to vaping-associated lung injuries being investigated in Oregon and 48 other states, the District of Columbia and the U.S. Virgin Islands. There are nine cases of this illness in Oregon, including two deaths.

OHA and OLCC officials say the temporary rules filed today are significant steps toward stemming the well-documented tide of e-cigarette use and vaping by youth, as well as keeping products that may expose people to unsafe chemicals and other contaminants off store shelves.

Among Oregon high school students who use e-cigarettes exclusively, nearly 90% use flavored e-cigarette products, OHA found. And there is strong evidence that e-cigarettes increase youth nicotine addiction and increase the risk that youth will start using combustible tobacco such as cigarettes.

"We have been warning Oregonians about the health effects of these products before this current outbreak of serious lung injury added more evidence of the dangers of vaping," said Dean Sidelinger, M.D., M.S.Ed., health officer and state epidemiologist. "These rules stop the sale of a potentially dangerous product, and they're part of a comprehensive approach to curbing youth vaping and additional cases of vaping-associated lung injuries."

He points to additional directives in the Governor's executive order that call on OHA and OLCC to develop consumer warnings for THC and non-THC products; expand easy access to FDA-approved cessation resources; implement a statewide prevention and education campaign; and submit legislative proposals with long-term solutions to reduce public health harms from vaping.

The temporary rules affect not only OLCC recreational marijuana licensed retailers and processors, but also alcohol licensees that sell nicotine vaping products,

including retailers that sell beer and wine, bars and taverns, and liquor store agents.

The OLCC said the flavor ban is just the latest step in its evolution from focusing on public safety to an agency with an equivalent focus on consumer protection. Through increased review of products sold in the OLCC-licensed retail market and the development of testing capacity, the OLCC will continue to work to refine consumer product disclosure.

“This Commission is working very hard to ensure the cannabis industry can grow, thrive and compete in the Oregon marketplace,” said Paul Rosenbaum, chair of the OLCC. “We are doing so with a clear focus on the integrity of the marketplace for businesses, consumers and public safety. However, it is our overwhelming responsibility to protect public health and our consumers from undue risk. This agency’s rapid and nimble action to implement the Governor’s executive order is exactly why regulated cannabis will always be a superior consumer choice over illegal markets.”

Additional rules were filed earlier this week. On Wednesday, OHA filed temporary rules that require health care providers to report hospitalizations and deaths due to “vaping-associated lung injury.” Physicians have long had to report “uncommon illness of potential public health significance,” but the new rules are intended to reduce confusion by specifically naming this new lung illness as reportable by Oregon law to public health agencies.

Due to the ongoing investigation of vaping-associated lung injuries, OHA health officials continue to recommend people stop vaping immediately. Those experiencing symptoms of the illnesses, such as shortness of breath, cough or chest pain should immediately seek medical attention.

Those needing help quitting vaping cannabis and nicotine can take advantage of a variety of cessation services, including the Oregon Quit Line, Truth Initiative, Oregon’s Alcohol and Drug Helpline, and SAMHSA’s National Helpline. Information is available at healthoregon.org/vaping.

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