



HOUSTON HEALTH DEPARTMENT

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Article IX.- Smoking Ordinance Revision

PRESENTED TO Quality of Life Council Committee

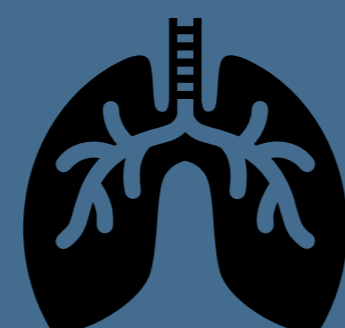
Presented by Nguyen Ly
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Bureau of Pollution Control & Prevention
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Vaping and E-Cigarettes

Why is the amendment needed



According to the U.S. Centers for Disease Control (CDC), most e-cigarettes contain nicotine, a known neurotoxin considered one of the most highly addictive substances available for public consumption, which can harm the developing adolescent brain (which keeps developing until about the age of 25), including long-lasting changes in brain regions involved in addiction, attention, learning, and memory



While users inhale e-cigarette aerosol into their lungs, bystanders can also breathe in this aerosol when the user exhales it into the air



As of February 18, 2020, a total of 2,807 hospitalized e-cigarette, or vaping, product use-associated lung injury (EVALI) cases or deaths have been reported to the Centers for Disease Control and Prevention (CDC)



The FDA has also raised concerns about the epidemic levels of youth use of e-cigarettes, which may lead to the use of conventional tobacco products like combustible cigarettes, and has issued a policy prioritizing enforcement against certain unauthorized flavored e-cigarette products that appeal to kids

- ❖ Texas Legislature currently prohibits the possession, purchase, consumption or receipt of e-cigarettes or tobacco products by anyone under 21 years of age. The Texas Legislature also currently regulates vendor assisted sales and vending machines that contain e-cigarettes or tobacco products, including, but not limited to, prohibiting the use of these products by anyone under 21 years of age.
- ❖ Laboratory studies reviewed by the U.S. Food and Drug Administration (FDA) have shown that acetaldehyde, acrolein, and formaldehyde, the principal toxic aldehydes present in cigarette smoke that contribute to the risk of cardiovascular disease and noncancerous pulmonary disease, have been found in e-cigarette aerosols

Proposed Amendments

What needs to change.



Definition of Electronic Smoking Device


Electronic smoking device means any device with a heating element, battery, or electronic circuit that delivers nicotine or any other substance intended for human consumption by inhalation. The term includes every variation and type of such device whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, vaping device, or any other product name or descriptor, and any aerosol, liquid, or vapor used in such a device. The term does not include any product approved and/or certified by the United States Food and Drug Administration as a tobacco cessation product or a prescription medical device unrelated to the cessation of smoking.

Definition of Retail Tobacco Store

Retail tobacco store means any retail establishment utilized primarily for the sale of tobacco products, electronic smoking devices, and related accessories in which the sale of other products, including food and beverages, does not exceed 40 percent of gross revenues.

Definition of Smoking

Smoking means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, hookah, electronic smoking device, or any other lighted tobacco product, plant, material, or other combustible substance.

 No Additional Changes

What remains in place

Current Smoking Ordinance Highlights



Enforcement

Houston Health Department's Environmental Health Division currently handles enforcement of the Smoking Ordinance. Environmental Investigators and Sanitarians respond to violation complaints. HFD's Fire Marshalls Office provides additional support.



Complaint Reports

Complaints are reported to our 3-1-1 Service Request line and not the 9-1-1 Emergency number. HHD receives on average 4 Smoking related complaints a month. We receive about as many calls for information on the Ordinance.



Locations Where Smoking is Prohibited

The locations where smoking is prohibited remain the same. No new locations have been added and none will be removed.

Amendment Supported By:

But not limited to.



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