



Support for Permanent Rulemaking

Overview, Needs, and Next Steps

Jodi Radke, Regional Director, Campaign for Tobacco Free Kids

Did you sign the petition?



Permanent Rulemaking

Quick Review!

Emergency Public Rulemaking -

Prohibition on the Sale of Flavored Nicotine Vaping Products

Issuance of the Emergency Public Health Rule and its (non) Effective Date

Re-issuance of the Emergency Public Health Rule its (non) Effective Date

Court Decisions

Conclusion



Permanent Rulemaking

Permanent Rulemaking

Current Draft Includes Prohibition of Flavored Nicotine Vaping Products, all Flavors

Mirrors the Emergency Public Health Rule (with some variation)

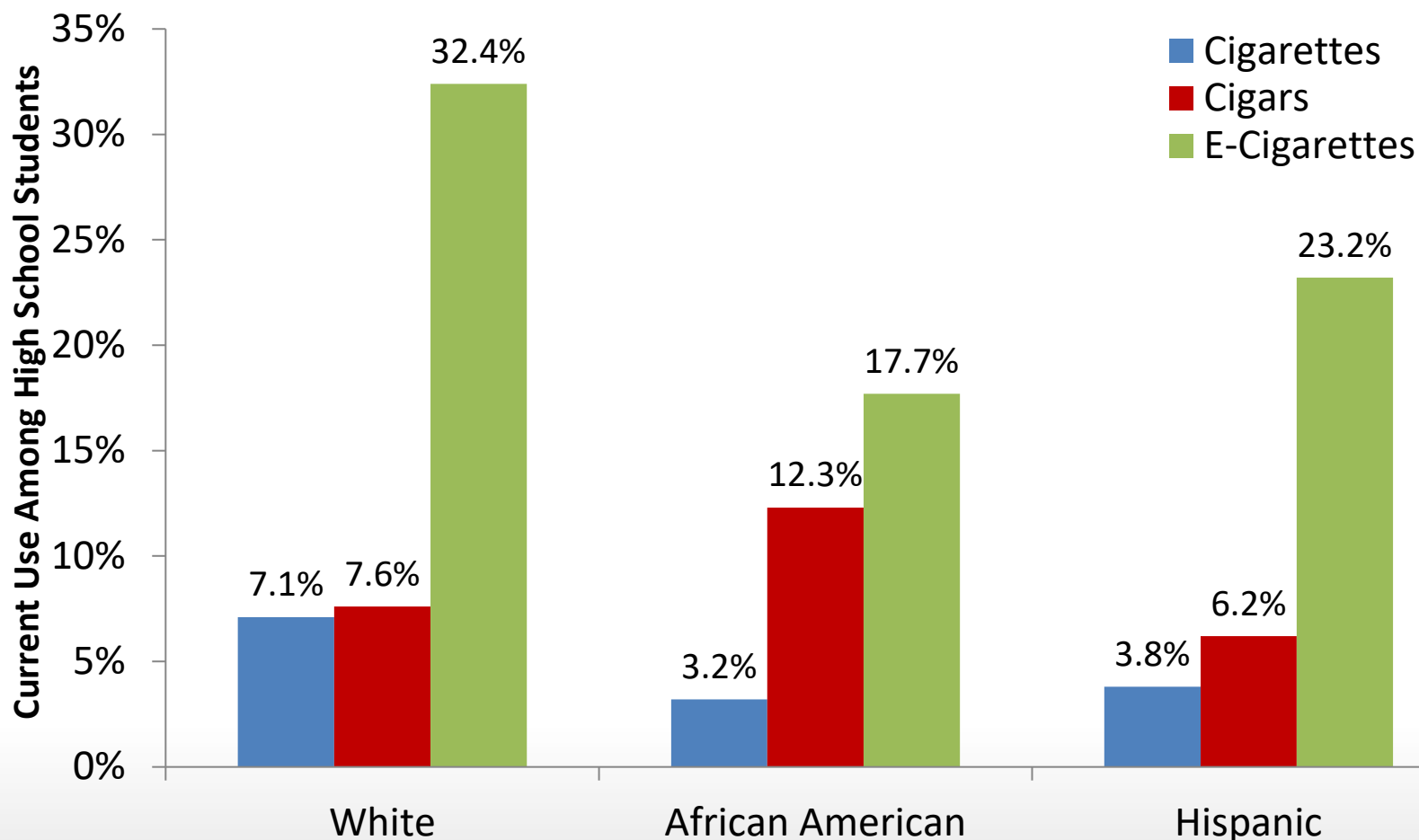
What is Possible? Does it Have to Mirror the Emergency Rule?

No. The Permanent Rule can evolve, based on feedback received during the Rulemaking process and public hearings. This is **IMPORTANT** because it means it can expand the scope of covered products to include: all other tobacco products (cigarettes, pipes, little cigars...). It can also expand to include online sales.

In addition to youth, this addition ensures that ALL of Michigan's kids are protected, and doesn't leave kids from any demographic behind.



African American Youth Have Highest Rates of Cigar Use (and Menthol Cigarettes)



Source: 2019 National Youth Tobacco Survey; African American cigarette prevalence from 2018 NYTS

Flavored Tobacco Products Are Putting a New Generation of Kids at Risk



Menthol Cigarettes

Menthol hooks kids. Over half of youth smokers use menthol cigarettes.



Cigars

1.4 million youth use cigars

Nearly 3 in 4 current youth cigar smokers said they smoked cigars "because they come in flavors I like."

Why Should Michigan Act?

The Administration's plan announced in January leaves thousands of kid-friendly e-cigarette flavors and products on the market.



Disposable e-cigarettes



**Menthol-flavored
cartridge-based products**



Smok



Suorin

Refillable devices



E-liquids



Disposable e-cigarettes are a growing threat to our kids

- Among high school e-cigarette users, use of disposable e-cigarettes **increased by 1,000%** from 2019 to 2020 (from 2.4% to 26.5%).
- The market share of disposable devices nearly doubled between August 2019 and May 2020, from 10.3% to 19.8% of e-cigarette sales.
- Disposable e-cigarettes are cheap, sold in lots of flavors and can deliver huge amounts of nicotine



Source: National Youth Tobacco Survey and Information Resources, Inc.



Why Should We Care?

The Detroit News

Lungs of teen who had transplant like 'nothing that I have ever seen,' doctor says

Neal Rubin The Detroit News

Published 9:19 a.m. ET Nov. 12, 2019 | Updated 12:19 p.m. ET Nov. 13, 2019

[View Comments](#)



The surgeon who transplanted two lungs into a teenage boy who was going to die from vaping used the word "evil."

Another doctor at Henry Ford Hospital in Detroit on Tuesday afternoon openly begged anyone who vapes to stop.

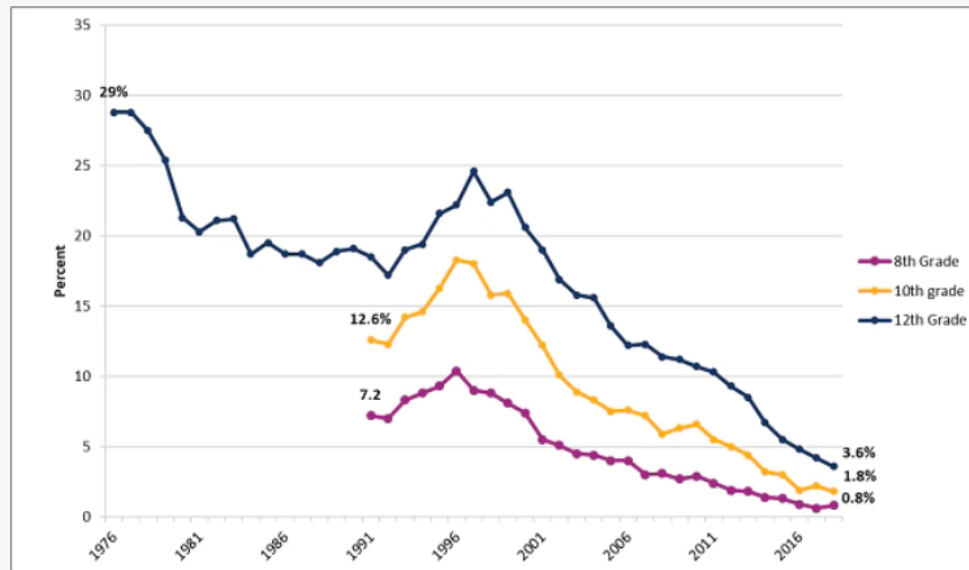
Dr. Hassan Nemeh, the surgical director of Thoracic Organ Transplant, said the inflammation and scarring in the 17-year-old's lungs were "nothing that I have ever seen" across 20 years of similar surgeries.



Tobacco Use & Kids – THE EPIDEMIC

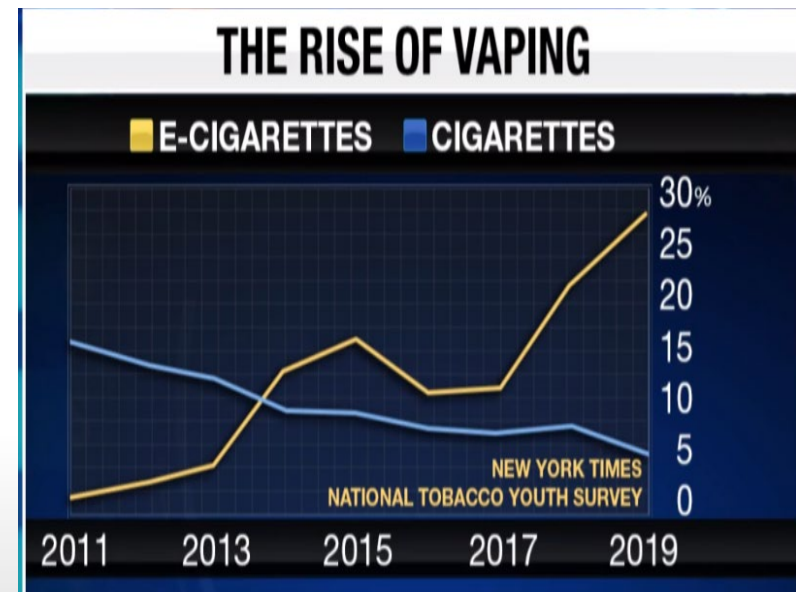
History of Cigarette Use and Current Use of E-Cigarette Use

Figure 1: 30 Day Prevalence of Daily Use of Cigarettes, by Grade, 1976-2018



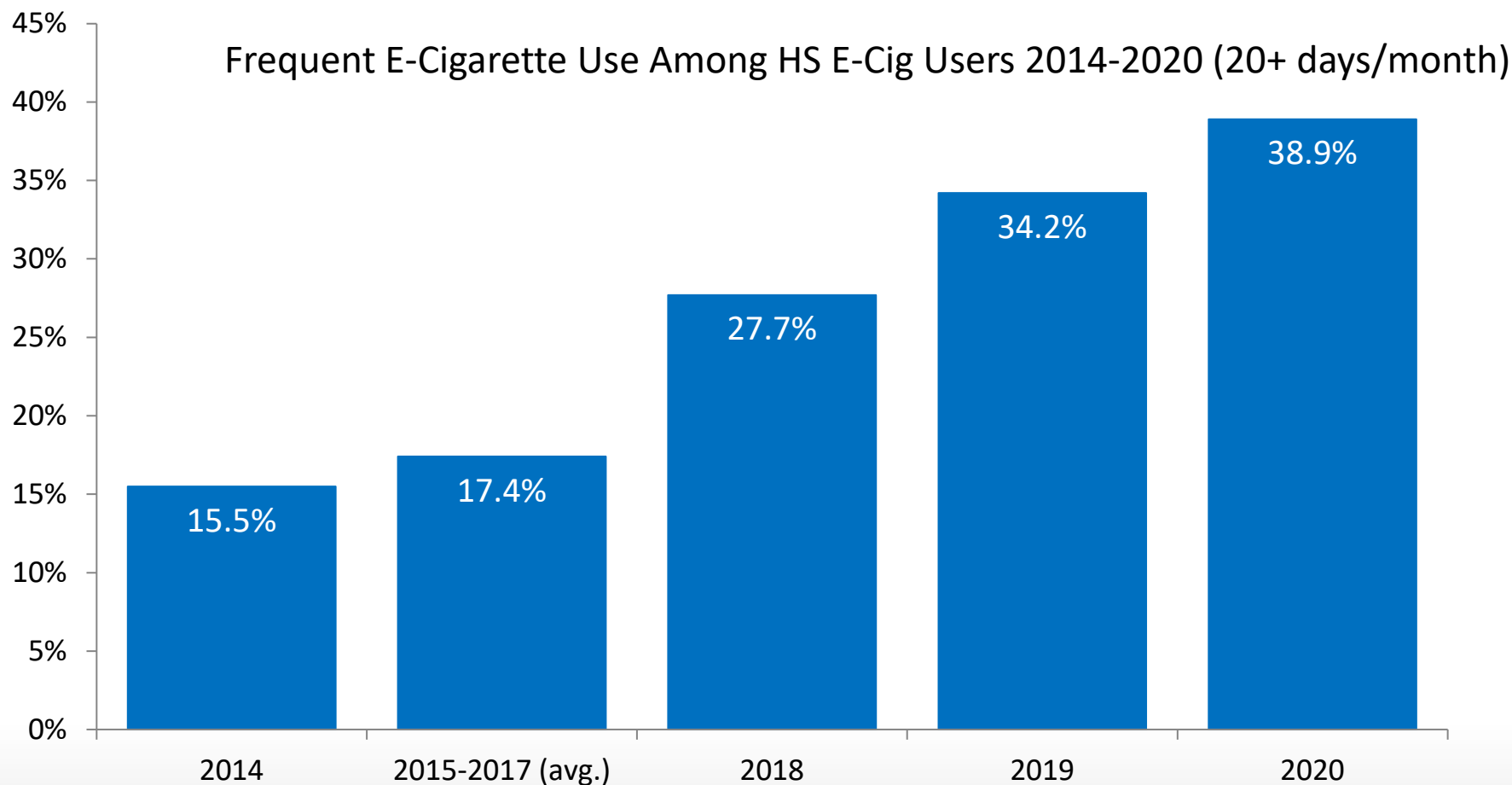
Source: Johnston, L. D., Miech, R. A., O'Malley, P. M., Bachman, J. G., Schulenberg, J. E., & Patrick, M. E. (2019). *Monitoring the Future national survey results on drug use 1975-2018: Overview, key findings on adolescent drug use*. Ann Arbor: Institute for Social Research, University of Michigan. Retrieved from <http://www.monitoringthefuture.org/pubs/monographs/mtf-overview2018.pdf> - PDF

THEN, and NOW...





More Kids Who Use E-Cigarettes Are Becoming Addicted



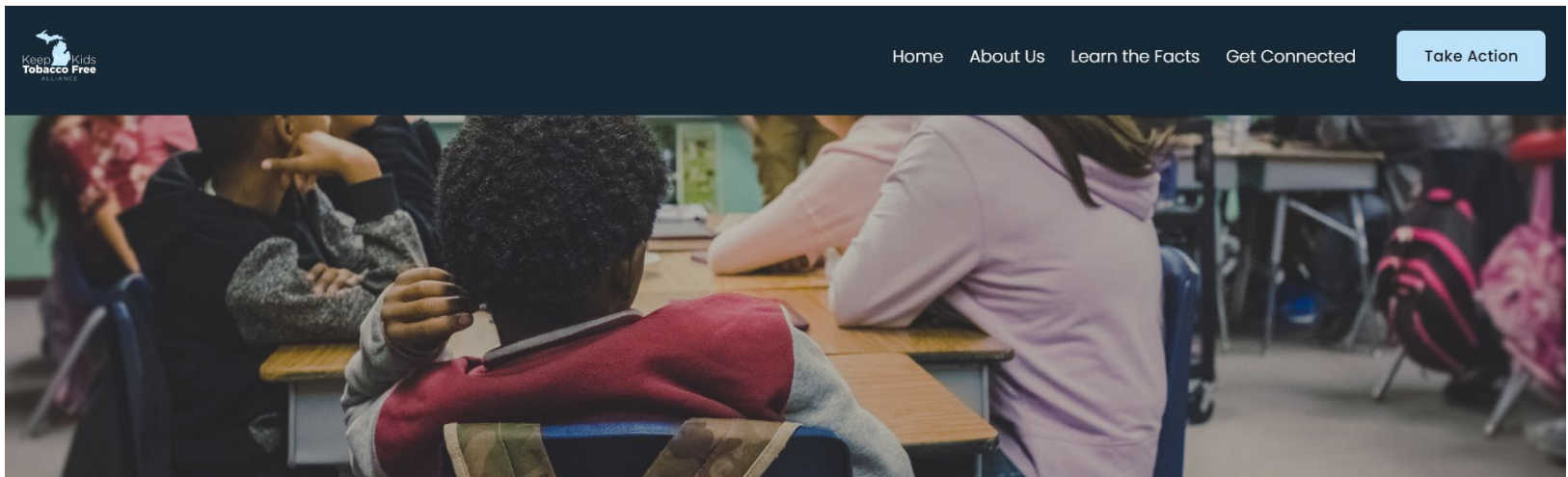
Source: CDC, National Youth Tobacco Survey (NYTS)



How Can You Help? Three Steps!

Sign the Petition!

<https://www.keepmikidstobaccofree.com/sign-the-petition>



Sign the petition to tell Michigan health officials that you support protecting kids by removing flavored e-cigarettes from the market!

Youth vaping continues to be a dangerous public health crisis in Michigan, with flavored e-cigarettes targeting our young people. To protect our kids,



Written Commentary!

Can be submitted *through* October 23rd

Comments should be sent to:

Department of Health and Human Services
Bureau of Health and Wellness, Public Health Administration
Protection of Youth from Nicotine Product Addiction

Attention: Regulatory Affairs Officer
333 S. Grand Avenue, 5th Floor
Lansing, MI 48909
MDHHS-AdminRules@michigan.gov



Verbal Testimony

Public Hearing!

Verbal Testimony October 20th, 9 am EST

The MDHHS will hold a public hearing for the proposed flavor ban rule on:

Tuesday, October 20 at 9:00 AM

Via Microsoft Teams – Link: <https://tinyurl.com/y4av6m25>

Phone: 1-248-509-0316 (toll)

Conference ID: 427 286 50#



Update on Opposition

CASAA Call to Action:

MI – STOP THE MDHHS'S FLAVOR BAN – HEARING OCT. 20!

🕒 2 weeks ago



After multiple attempts to enact a flavor ban without adequate stakeholder input, Michigan's Governor, Gretchen Whitmer, is turning to the state's Department of Health and Human Services (MDHHS) again to enact a dangerous ban on flavored vapor products.

If adopted, the MDHHS rule would ban the sale of flavored vapor products regardless of market authorization from the FDA.

MRTP + PMTA Process

We Need YOU!!!

Thank You Ad – Governor Whitmer

This is our window of opportunity to work in partnership to protect ALL of Michigan's kids!

