

Public health advocates outraged by Trump's limited vaping ban

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Public health groups are outraged by President Trump's limited vaping ban, arguing the new policy is short-sighted and will not stop a surge in youth vaping.

Health advocates are also accusing the president of bowing to political interests in an election year.

The administration's decision, announced Thursday, is a major reversal from its promise in September to completely ban the sale of most e-cigarette flavors. The move also came after an intense pressure campaign by the vaping industry.

The administration now says it will strip the market of popular fruit and mint pod-based flavors found in closed pod cartridges that are popular with young people. Tobacco and menthol flavors will be exempt.

Open tank systems, which are commonly found in vaping shops and not as popular with young people, will also be exempt from the policy, even though they use flavored “e-liquids.”

The policy was intended to be a compromise between warring factions in the White House, but public health groups and anti-tobacco advocates greeted the announcement with anger and dismay.

“The guidance could have been a meaningful victory for children's health and instead is a major missed opportunity that will still leave young people at risk for addiction,” American Academy of Pediatrics President Sally Goza said in a statement.

“The bottom line is that children are at nearly the same level of risk now as they were before this guidance came out, and that is a shame,” she added.

Goza, along with representatives of other groups like the American Lung Association, the American Cancer Society and the Campaign for Tobacco-Free Kids, all noted that teens who vape mint or fruit flavors will soon shift to menthol pods if they are available.

“Menthol is a derivative of mint, and there is little difference between these flavors,” Gary Reedy, CEO of the American Cancer Society, said in a statement.

“With mint and menthol already being some of the most popular flavor choices among youth users, there’s reason to believe the popularity of menthol will only continue to rise,” Reedy said.

“Kids using mint before will use menthol tomorrow,” said Matthew Myers, president of the Campaign for Tobacco-Free Kids. “Decades of experience with menthol cigarettes demonstrate that menthol appeals to kids ... there is no public health justification for allowing continued sales of menthol e-cigarettes.”

The administration’s updated policy comes after White House officials tried to find a balance between advisers pushing for a comprehensive ban and campaign officials warning that any type of ban would have negative political consequences.

In September, Trump was joined by first lady Melania Trump and top health officials in announcing their intent to rid the market of every flavor of e-cigarettes except for tobacco.

But a short while later, the vaping industry aligned with free market conservative groups like Americans for Tax Reform (ATR) to launch a lobbying barrage against the ban, called “We Vape, We Vote.”

ATR circulated a poll, commissioned by a vaping industry group and conducted by Trump pollster John McLaughlin, that showed voters in battleground states would oppose Trump’s reelection if he went forward with the ban.

The groups ran television ads on Fox stations and in the Palm Beach Post during Trump’s recent stay at Mar-a-Lago, urging the president not to follow through with a flavor ban.

Trump wavered for months but ultimately decided on the partial ban.

In trying to please both camps, experts said Trump has at best kept the status quo. At worst, they said, he has given tobacco companies a green light to target kids.

Scott Gottlieb, Trump’s former head of the Food and Drug Administration, tweeted that the new policy will have only a “negligible” effect, and will give an advantage to market leading manufacturer Juul, which has already pulled most of its flavored pods from the market.

Juul now sells only tobacco and menthol flavors in the U.S.

According to Gottlieb, companies like NJOY and Vuse will be forced to play catchup. When their products are removed from the market, those manufacturers will likely lose customers to Juul, which has higher nicotine content and a sleeker device that’s more popular with younger consumers.

Gottlieb said the measure in the year-end spending bill to ban sales of any tobacco products to anyone under the age of 21 is now the best way to curb youth vaping.

Scott Schlesinger, a Florida attorney who has sued Juul for targeting young people, said because Juul is now run by executives from tobacco giant Altria, it will still easily be able to target teens.

Two years ago, Altria invested nearly \$13 billion in Juul for a 35 percent stake in the company. In October, Juul appointed a longtime Altria executive as its CEO in a bid to rebuild its image. The company has also suspended U.S. advertising.

“This is one of the most powerful companies in the country. Their executives were put in at Juul, and they are doing all they can to come out on top,” Schlesinger said. “They didn’t spend \$12 billion that they are walking away from... As long as they have menthol, they’ll be able to catch kids.”