



**New York State Senate Public Hearing on Vaping**  
**November 4th, 2019**

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Good afternoon and thank you to the New York State Joint Senate Standing Committees on Consumer Protection, Health and Education and Honorable Senators Thomas, Rivera, Mayer and colleagues. We are grateful to you for investigating the “safety and potential harm of e-cigarettes and vaping”.

My name is Dorian Fuhrman and I am one of the cofounders of Parents Against Vaping e-cigarettes, or PAVe, a national grassroots organization founded here in New York by three concerned moms in response to the youth vaping epidemic, the worst adolescent public health crises we have seen in decades.

We founded PAVe in 2018 and today we have 16 chapters in 12 states.

Our backstory:

In late 2017 we became aware of a new trend among our sons and their friends: “Juuling”. My son would return home after being out with friends and I would often find flash drives and colorful plastic caps in his pocket and notice a sweet scent clinging to him.. Upon further examination I discovered it was an electronic nicotine delivery system (ENDS) called Juul. My co-founder would hear the ping of the window alarm when her son had friends over and when she entered her son’s room, she could not smell any smoke or see any devices. My friends and I began to compare notes. While we did not understand exactly what this entailed, we began researching this new teen trend. The real catalyst however came in April 2018 when Juul sent a representative into our sons then ninth grade class here in New York for an addiction and mental health talk. (We testified about this in July in DC in the Congressional Oversight Subcommittee on Economic and Consumer Policy).

When the teachers and administrators left the room, this Juul representative proceeded to talk to the ninth grade class about Juul saying that, although it was perfectly safe, they did not want the kids as customers, thus sending a very mixed message. After the talk, our boys went over to speak with the presenter. When asked what to do if “a friend was addicted to nicotine”, the presenter pulled out his Juul, showed the boys how it worked, called it the iPhone of vapes and said they were about to get FDA approval. We all know this was not true. The boys came home that afternoon and shared what had happened.

We began researching this company, and looked for a group like Mothers Against Drunk Driving (MADD) to join. There was none. So we decided to form our own. We had modest goals at first: we reached out to doctors, psychiatrists and researchers and asked for research on vaping, nicotine and adolescence. We discovered that these predatory companies targeted our kids where they live: on social media with slick, trendy, ad and promotions to target our kids. Paid influencers began launching accounts and hashtags like “vape tricks” which has over 5 million posts. We were also contacted by parents who discovered these companies advertising on homework websites - yes, homework websites!

We began to speak with schools, and in schools, around New York (city and state) and around the country and researched the laws around vaping. We attended a local Tobacco 21 hearing in Westchester in 2018 and spoke in favor of raising the age of purchase of these products in order to keep them out of the hands of kids. The law passed.

We realized then that, although it was important to educate parents and educators about the dangers of vaping and these new products, many of whom did not even know about these devices, we could make an impact speaking out about the “new world” in which our kids were living every day. We launched our website that fall and immediately began to get emails from parents around the country who were struggling

with their kids' severe nicotine addiction. These kids are vaping in record numbers and the physical effects of their nicotine addiction are tearing families apart:

The extreme explosive anger, the inability to concentrate and focus in school. On our journey, we discovered that nicotine rewires the developing adolescent brain, not only priming it for further addiction, but affecting cognitive development, mood and impulse control. We also learned that kids lungs continue to develop until the age of 25, just like their brains. These damaging flavorings, which are not regulated, may be safe for consumption but are certainly not safe to be heated at high temperatures, combined with other chemicals and particles of metal, and inhaled deep into healthy, developing lungs. And extremely high levels of a new patented "nicotine salt", higher than any we have seen before, are absorbed so efficiently into a teen's blood and brain that the effects are immediate. Many report experiencing a head rush which they try to replicate, vaping 24/7 and increasing the nicotine doses in order to achieve this. The nicotine crash is immediate as well and the brain craves a hit a very short time thereafter. And it's easy. Juul and it's copycats, with the same, or more, nicotine than a pack of cigarettes, leave no smell and can create very little 'vapor'. We hear of kids who sleep with their Juul under their pillow or who tape them to the nightstand so they can vape in the middle of the night and first-thing when they wake up. They vape in school, on the bus, at home, at parties - everywhere.

The emails from desperate families touched us the most. They are desperately seeking resources, information, and treatment for their e-cigarette dependent nicotine-addicted kids. The truth is that currently there is no FDA-approved treatment for this kind of teen nicotine addiction. We got an email from a mom whose son experienced seizures and had an addiction so severe he went to rehab for 39 days. There was the dad whose son is a D1 baseball player and began vaping because the entire team was vaping. Now his whole baseball team is so scared of the lung illnesses that in order to try to quit vaping, they have started to use flavored nicotine pouches. There was the mom from LI whose son developed heart issues and is now on steroids for his lungs as well. We hear of entire sports seasons cancelled because of vaping. Schools do not know what to do - many are purchasing bathroom vape detectors, or randomly nicotine testing their students or athletes. They reach out to us to ask us to talk to their parents or ask for resources.

Parents are posting about their kids illnesses on facebook and the posts are shared tens of thousands of times. They all reach out to us as we are a grassroots parents group, fighting together for our kids' safety. The list goes on... We get so many letters, it is hard to answer them all.

And that "friend who was addicted to nicotine"? That was my 14 year old son. What I did not know then but later found out is that my son had been handed a Mint Juul, a teen favorite, at the end of eighth grade by another eighth grader. He began to use it over the summer between eighth and ninth grade and when he returned home to start school in ninth grade he was surprised to see that all the kids he encountered were Juuling. It had become a verb, and the new social norm. Suddenly, when kids met someone new the first question was, "what's your flavor", not "What school do you go to" or "What's your favorite sport"

He began purchasing Juul online, on websites like eBay that had no age verification. Today, dozens of websites and brands have no age verification. When he became a little older, he was able to easily purchase e-cigarettes at the corner convenience store, newsstand or bodega in NYC, as thousands of NYC kids do each day.

Now kids have dozens of brands to choose from each with their own multitude of proprietary flavors. **66% of kids don't always know there is nicotine in their vapes and more than 8 or of 10 kids begin vaping with a flavored product.** In fact, the flavors prevent kids from perceiving harm in the product and initiate

them to try the product. (JAMA 10/18, Dr. Bonnie Halpern Felsher: Adolescents' and Young Adults' Use and Perceptions of Pod-Based Electronic Cigarettes). The high levels of nicotine hook them. There are thousands of flavors on the market today and make no mistake, even though Big Tobacco tries to suggest otherwise, Mint and Menthol are flavors. Almost 64% of kids today who vape use Mint & Menthol flavors (FDA - NYTS 2019) and Mint accounts for over 74% of Juul's sales (Nielsen 8/2019). **FLAVORS HOOK KIDS!** This has been proven time and time again - and yet there is **NO CONCLUSIVE PROOF** that adults **NEED** flavors to quit smoking. Studies show that, of UK adults who use e-cigarettes to quit smoking cigarettes, *with lower nicotine than Juul and the flavors are not quantified*, the 80% are still vaping 1 year later and therefore have not quit their nicotine addiction, merely shifted it (<https://www.nejm.org/doi/full/10.1056/NEJMoa1808779?query=TOC>). Many more become dual users.

Today, the devices have become even more stealth. Juul hides in plain sight on kids desks, looking like a flash drive that is charging in a computer. New brands like Stig are even smaller and can be hidden more easily in a child's hand, or Suorin which looks like a highlighter pen.

And they are **CHEAP!** Kids are price sensitive. When cigarette prices were raised, youth smoking declined dramatically (CDC Youth Risk Behavior Study 2017). Kids buy disposable vapes at the corner store for 3/\$10. Or a 4-pack of Juul compatible pods for \$7, less than \$2/pod (with more nicotine of a pack of cigarettes).

Along our journey, we've connected with other stakeholders in this fight. We have spoken at the FDA twice with our teenage sons and we have spoken with both local and national lawmakers. We spoke in Congress this summer, and again last month in two different Congressional hearings: Energy & Commerce and Appropriations. We have participated in inter-agency panel discussions and spoken at legislative hearings around the state of New York and around the country.

As we connected with these other stakeholders, on the ground in states where we are present and in Washington, we realized that our power was our voices - and our kids have realized this too. They no longer want to be taken advantage of by predatory companies looking to line their pockets. They see their friends, many of whom are addicted to nicotine, unable to stop. They want to protect younger kids, like their own younger siblings, from beginning to use these flavored e-cigarette products.

These predatory e-cigarette companies that we had called "Big Tobacco 2.0" are really Big Tobacco, hiding in plain sight. Altria, the parent company of Marlboro cigarettes, owns 35% of Juul and has just installed 2 long time Altria executives at the helm in both the CEO and Chief Regulatory Officer roles. EonSmoke is being investigated by the Attorney General of Massachusetts and has just been warned by the FDA to remove 100 illegal products from the shelves of stores around the country! Countless other states, Governors and Mayors, including our own, are investigating these companies and sending cease and desist letters to these manufacturers. Many brands are on the market illegally.

Thankfully, my son was able to stop Juuling with a lot of support. However, this is not the case for many kids. As we know, there is no FDA approved cessation protocol for kids. Many are afraid to talk to their parents, and others who quit will fall right back into it since most of their peers are vaping. You have all heard the numbers from the experts, 5 million kids are vaping today in America, up from 3.6 million last year and increasing 135% in 2 years - to almost 28% of high school kids.

**Here in NYC, 29,000 middle schoolers have tried e-cigarettes and 13,000 middle schoolers use e-cigarettes regularly!! More than 27% of NYS high school students use e-cigarettes, up 160%**

**(2016-2018 NYSYTS), and almost 38% of high school seniors in New York State use e-cigarettes. It's a public health crisis.**

Every day more scientific evidence emerges that vaping causes harm to the heart and lungs, the cardiovascular system, and now cancer (PNAS - Dr. Moon, NYU study October 2019). And that means we're in a race against time to protect our kids from becoming not only an entire generation of nicotine addicts but human guinea pigs for the vaping experiment overall.

I am here today representing PAVe and families around New York State because we are so grateful to the New York State Joint Senate Committee for examining the "Safety and potential harm of e-cigarettes and vaping, especially among school aged youth". We are also grateful to Senator Hoylman who has proposed legislation to ban these flavored tobacco products which have been addicting our kids. The FDA banned flavored cigarettes in 2009 under the Family Smoking Prevention and Tobacco Act, except for menthol, and now we must ban all flavored tobacco products, including e-cigarettes and menthol cigarettes, to protect an entire generation of young Americans. The FDA themselves called this a 'youth vaping epidemic' last year. The numbers are even higher today. Let's stop these numbers from rising together.

Thank you.

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HEALTH & WELLNESS

## Getting Through to Your Teen About the Dangers of Vaping

As vaping-related illnesses and deaths mount, it's even more important for parents to talk with their kids. Here's how to have an effective conversation.

By Andrea Petersen

How can parents convince their children not to vape?

The question has taken on new urgency. Health officials are investigating 530 confirmed and probable cases of lung illnesses in the U.S. related to e-cigarettes. Eight people have died. Many teenagers use e-cigarettes: 27.5% of high school students used them in the last 30 days, according to preliminary data from the 2019 National Youth Tobacco Survey released earlier this month. That is up from 20.8% in 2018.

Vaping's new dangers and ubiquity at high schools—and even middle schools—is causing understandable parental concern. But parents need to be strategic when talking to their children about e-cigarettes, psychologists and pediatricians say. Here are some tips:

### Don't Be Direct

A parent's first instinct may be to blurt out: "Are you vaping?" or "You'd better not be vaping." Starting the conversation that way, however, is not likely to be successful or yield the information you're after.

"There's a good chance that they are going to deny it" if they are using e-cigarettes, says Bonnie Halpern-Felsher, a professor of pediatrics at Stanford University and founder and executive director of its Tobacco Prevention Toolkit. "Young people don't want to disappoint their parents and they are afraid of getting into trouble."

Instead, Dr. Halpern-Felsher suggests that parents begin with what's in the news and use it to launch a back and forth with their child. "Now is a really good time for parents to say, 'I've been hearing about all the deaths and illnesses related to e-cigarettes. I'm really concerned. Have you heard about this? What do you know?'" she says. And make sure you're not doing all the talking.

Teens may be more likely to open up if parents ask what's going on in school and among their friends. "They are more likely to talk about them versus themselves," says Sarper Taskiran, a child and adolescent psychi-



Meredith Berkman, Dorian Fuhman and Dina Alessi founded the group Parents Against Vaping E-cigarettes because they were concerned about the marketing of flavored e-cigarettes to children, including their own teenage sons. PHOTO: SASHA MASLOV FOR THE WALL STREET JOURNAL

atrist at the Child Mind Institute in New York. When parents take a more curious, nonjudgmental stance, kids will be more willing to talk—and even reveal if they have tried e-cigarettes, he says.

### Avoid Scare Tactics

Once you've got teens talking about vaping, one of the biggest mistakes parents make is exaggerating the very real dangers. "If you lead with, 'You're going to die,' they tend to not believe you," says Jonathan Avery, director of addiction psychiatry at Weill Cornell Medical College in New York, who leads monthly parent information sessions on e-cigarettes in Weill

Cornell's pediatrics department.

It is important for parents to educate themselves about the actual risks of e-cigarettes for teens—like nicotine's harmful effects on brain development and how it can increase the risk for other addictive behavior—and learn some of the terminology. The Centers for Disease Control and Prevention is a good resource. That way they can calmly give children accurate information—and clear up any misinformation teens have picked up.

One message that particularly resonates with kids is how they are being targeted by e-cigarette companies, with candy-like flavors and promotion by cool-looking influencers,

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says Dr. Taskiran from the Child Mind Institute. "Teens are at an age that they want control and they want to be autonomous. Pointing out that [those who vape] are being controlled by a multibillion-dollar company is something that is very upsetting to them," he says.

### Be Persistent

This isn't a one-time conversation. Keep the lines of communication open, says Dr. Halpern-Felsher. She also recommends that parents encourage children to talk to another adult—a favorite aunt, a teacher, an older sibling—if they feel like they can't share concerns with parents. "You are giving them permission to reach out," she says. And with more middle schoolers trying e-cigarettes, Dr. Avery says to start the conversation with your kids early, by age 9.

It isn't just the risk-takers who are using e-cigarettes. "There's no parent in America who can say with certainty that their kid is not using these devices," says Meredith Berkman, a founder of the advocacy and education group Parents Against Vaping E-cigarettes.

### Stay Calm

What do you do if you find out your child is vaping? If this is a first offense, stay calm and resist the urge to punish, says Mary Alvord, a psychologist in Rockville, Md., and the author of "Conquer Negative Thinking for Teens."

"Say, 'I'm so glad that you trust me enough to tell me this' instead of being judgmental and critical. Because we know if that's how

you respond, are they going to come back to you and share anything? Not likely," she says. Punishment pushes kids to "get sneakier."

Then ask questions to try to find out why teens might be vaping. Is it because their friends are doing it and they want to fit in? Are they anxious or depressed and using e-cigarettes to ease those feelings? Knowing their motivation can help parents and teens think of other, healthier ways to address those needs, Dr. Alvord says.

It is best for parents and teens to work together to come up with an appropriate consequence—losing car privileges, for example—if the teen vapes again, says Karen Wilson, division chief of pediatrics at the Icahn School of Medicine at Mount Sinai in New York and chair of the American Academy of Pediatrics' Tobacco Consortium. "Make them help decide," the consequences for using. "They will have some more self-efficacy."

### Know When to Get Help

If your child can't stop using e-cigarettes or if there might be underlying anxiety or depression, talk to your pediatrician. Teens may be addicted to nicotine. While the FDA has not approved nicotine patches or gums for children under age 18, some doctors are using them with kids who have developed a physical dependence.

Talk therapy, like motivational interviewing or cognitive behavioral therapy, can address addiction, anxiety and depression.

Dr. Avery at Weill Cornell says more clini-

cians and families are using regular urine screens (which you do at a lab or buy over the counter) to test for nicotine. He says that parents can sell the idea as a replacement for more intrusive monitoring, like searching a teen's room.

"It takes the conflict out of the home," he says. "You don't have to go through their backpack, you have the data." The testing also gives kids an easy out when their friends are vaping. "When parents are on your case, everyone understands that," he says.

### Talking to Your Kids

**Don't be confrontational.** Asking your kid directly whether they are vaping can trigger denial and make them clam up.

**Ask about their friends.** Teens may be more willing to talk about friends' habits, which might open the door to talk about their own.

**Don't exaggerate.** The dangers are real, but exaggerating them can make kids tune out.

**Keep talking.** Be persistent—this isn't a one-time conversation.

**Stay calm.** If it's a first-time offense, resist the urge to punish. Build trust instead.

**Start early.** With more middle schoolers trying e-cigarettes, experts recommend broaching the subject by age 9.