National Alliance for Hispanic Health
1501 Sixteenth Street, N.W. • Washington, D.C. 20036-1401 • (202) 387-5000 • www.healthyamericas.org

PRESS RELEASE
For Immediate Release
April 30, 2019

Contact: Adolph P. Falcón
(202) 797-4341
media@healthyamericas.org

Statement of the National Alliance for Hispanic Health on Introduction of the Preventing Online Sales of E-Cigarettes to Children Act

April 30, 2019. Washington, DC — "E-cigarettes are addicting a new generation of smokers and online retail sales are a driving force. We applaud the bipartisan introduction today of the Preventing Online Sales of E-Cigarettes to Children Act to close the online door to underage sales and protect the health of our children," said Jane L. Delgado, PhD, MS, President and CEO of the National Alliance for Hispanic Health, the nation's leading Hispanic health advocacy group. According to the Centers for Disease Control and Prevention, during 2017-2018 e-cigarette use increased 77.8% among high school and 48.5% among middle school students. Furthermore, while Hispanic adults are the group least likely to smoke, among middle school students Hispanics are the group most likely to use e-cigarettes, representing a new tobacco tipping point. Online sales are a critical component of access to e-cigarettes. Analysis of Nielson data estimates that 25% of the projected $2 billion of e-cigarette sales in 2018 will be through online channels. Online sales are attractive to youth, as online and mobile advertising platforms are popular places for e-cigarette advertising, including ads for flavored products appealing to youth.

Age restrictions on purchase are also easy to avoid online. A 2014 study of internet tobacco vendors selling e-cigarettes found a majority (63.2%) used age-verification methods that could not effectively verify the age of a consumer or made no attempts to verify age at all. The Preventing Online Sales of E-Cigarettes to Children Act addresses this issue by applying safeguards to e-cigarette online purchases identical to those already in place to prevent underage online purchases of regular cigarette and smokeless tobacco.

Online sellers would be required to: • verify the purchaser's age-related information before shipment; • use shipping method that requires the receiving party to show proof of age and sign for receipt of the package; • label packages that contain e-cigarette products; and, • comply with State and local tobacco tax requirements. Online sellers of e-cigarettes would also be required to register with the U.S. Attorney General. Furthermore, package delivery services would be banned from completing shipments for any seller appearing on the U.S. Attorney General's noncompliant sellers listing. "E-cigarette sales are driving a youth tobacco tipping point. It is time for us to protect youth and give parents the tools they need to ensure their children cannot easily evade age restrictions on purchase of e-cigarettes.

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We applaud Senators Feinstein (D-CA), Cornyn (R-TX), and Van Hollen (D-MD) on their introduction today of this common-sense bipartisan legislation to protect children and families," concluded Dr. Delgado.