

May 31, 2021

ATTORNEY GENERAL RAOUL APPLAUDS PASSAGE OF MEASURE TO STRENGTHEN REGULATIONS OF ELECTRONIC CIGARETTE MARKETING

Raoul's Legislation Prohibits Companies from Marketing E-Cigarettes to Minors and Misleading Advertising, Sales of Adulterated E-Cigarettes

Chicago — Attorney General Kwame Raoul applauded the Illinois General Assembly's bipartisan passage of his legislation to strengthen state regulations of electronic cigarette marketing in order to protect Illinois children from the harms of e-cigarettes.

Senate Bill 512 was initiated by Raoul and sponsored by Sen. Julie Morrison and Rep. Bob Morgan as part of the Attorney General's comprehensive approach to preventing youth vaping. The legislation prohibits companies from marketing e-cigarettes to minors, prohibits misleading e-cigarette advertising, and would give the Attorney General's office and law enforcement agencies both criminal and civil authority to hold violators accountable. The measure was passed by the Legislature with nearly unanimous bipartisan support and will be sent to the governor for final approval.

"While we have been successful at decreasing combustible cigarette usage among youth, e-cigarette usage among youth is an epidemic in Illinois and around the nation. In fact, youth who have never picked up a combustible cigarette are using e-cigarettes under the mistaken belief they are somehow safer," Raoul said. "This legislation is part of a comprehensive approach to protect youth from e-cigarettes, which can serve as a gateway to other tobacco products. I appreciate the input from advocates, the leadership of sponsors, and I urge the governor to sign this urgent measure into law."

"Vaping- and e-cigarette-related deaths and illnesses have become a nationwide outbreak that no user is immune to – no matter how young they are. It should be common sense that if it's illegal to sell these products to children, it should be illegal to market them," Morrison said. "I thank my colleagues in the House and Senate, and Attorney General Kwame Raoul for working to change the culture of smoking and keeping these harmful products out of the hands of children."

"Especially in the wake of the COVID-19 pandemic, I believe we must do everything we can to protect the lung health of our young people," Morgan said. "The Prevent Youth Vaping Act is a critical first step in helping the next generation live smoke and vape free."

"With nearly 1 in 5 high schoolers in Illinois using electronic cigarettes, our youth are exposing themselves to harmful chemicals and the potential to be addicted for a lifetime," Kristina Hamilton, Advocacy Director, American Lung Association in Illinois, said. "The American Lung Association applauds the passage of SB512 and urges Governor Pritzker to quickly sign it to further protect Illinois children from harmful tobacco products."

"Vaping poses a clear and present danger to the lungs of our children," Joel Africk, President and CEO, Respiratory Health Association, said. "We applaud the efforts of Attorney General Raoul and the General Assembly to protect children from the hazards of vaping."

"Lurie Children's commends Attorney General Raoul, Senator Julie Morrison and Rep. Bob Morgan for leading the fight to protect our youth from these harmful tobacco products. Our vulnerable youth should no longer be lured into accessing electronic cigarettes," Dr. Maria Rahmandar, Medical Director of the Substance Use & Prevention Program, said.

Senate Bill 512 aims to address the epidemic levels of youth e-cigarette usage by prohibiting companies from marketing products to minors. Under the legislation, companies are prohibited from directing advertisements and marketing materials at people younger than 21 by including cartoons; images from video games, movies and videos; and other media that appeals to youth. Senate Bill 512 would also prohibit other misleading advertising that promotes using e-cigarettes as smoking cessation products or a low-risk alternative to tobacco without the required FDA approval for those uses.

Online tobacco sales continue to grow, and SB 512 seeks to prevent minors from purchase e-cigarettes by requiring online retailers to take certain steps to ensure that purchasers are at least 21 years old. For example, the legislation requires that online orders be paid via check or a credit card including the customer's name, and orders must be shipped to the same name and address associated with the payment method. Additionally, sellers will be required to take steps so that "Tobacco Product" appears on the purchaser's credit card statement. Packages must also clearly be marked as containing e-cigarettes.

During 2019, hundreds of people in several states, including Illinois, became seriously ill or were hospitalized after using e-cigarettes, Raoul's legislation would prohibit sales of adulterated e-cigarettes that contain specific harmful chemicals or additives. Such additives are frequently used to dilute other components, giving products a milder flavor, but cause health risks when they become a vapor.

Attorney General Raoul's legislation is the latest action the Attorney General's office has taken to hold e-cigarette manufacturers accountable for epidemic usage levels among youth and teens. Last year, Attorney General Raoul filed a lawsuit against Juice Man LLC over allegations the company allegedly developed and marketed its products to attract minors. In 2019, Raoul's office filed a lawsuit against the nation's largest e-cigarette manufacturer, Juul Labs Inc., and the litigation is ongoing. The Attorney General's office is continuing to evaluate other e-cigarette manufacturers as part of an ongoing investigation into the e-cigarette industry. Additionally, Raoul has urged the FDA to ban flavored tobacco products and to strengthen e-cigarette guidance by prioritizing enforcement actions against flavored e-cigarettes.

For more information and free resources to help quit tobacco, please visit the [Illinois Tobacco Quitline website](#) or call 1-866-QUIT-YES.