I. Call To Order

II. Roll Call

III. Approval Of Meeting Agenda

IV. Approval Of Meeting Minutes
   A. September 9, 2019 Draft Meeting Minutes

V. Community Comment
   During “Community Comment,” the Board/Commission will invite residents to share relevant issues or concerns. Individuals must limit their comments to three minutes. The Chair may limit the number of speakers on the same issue in the interest of time and topic. Generally speaking, items that are elsewhere on tonight’s agenda may not be addressed during Community Comment. Individuals should not expect the Chair or Board/Commission Members to respond to their comments tonight. Instead, the Board/Commission might refer the matter to staff for consideration at a future meeting.

VI. Reports/Recommendations
   A. Draft Advisory Communication - Flavoring
   B. Update from Council Work Session

VII. Chair And Member Comments

VIII. Staff Comments

IX. Adjournment

The City of Edina wants all residents to be comfortable being part of the public process. If you need assistance in the way of hearing amplification, an interpreter, large-print documents or something else, please call 952-927-8861 72 hours in advance of the meeting.
I. Call To Order

II. Roll Call

Present: Julia Selleys, Amanda Herr, Andrew Johnson-Cowley, Rob Loesch, Christy Zilka, Greg Wright, Britta Orr, Alison Pence, Madeline Olson, Amy Wang.

Absent: Dena Soukup

III. Approval Of Meeting Agenda

Motion by Greg Wright to approve meeting agenda with addition of vaping to item 6A. Seconded by Andrew Johnson-Cowley. Motion Carried.

IV. Approval Of Meeting Minutes

Motion by Andrew Johnson-Cowley to approve August 5, 2019 meeting minutes. Seconded by Greg Wright. Motion Carried.

A. Minutes: Community Health Commission - August 5, 2019

V. Community Comment

VI. Reports/Recommendations

A. Discussion - Tobacco work plan items/Bloomington Public Health Presentation

Discussion around options for additional regulation of tobacco/vaping products in the City in an effort to reduce exposure to young people. Member Wright will draft initial advisory communication for review by members.

B. AARP Work Plan Item Discussion

Discussion around current AARP work plan item. Cross-commission committee has discovered that this initiative may be more resource intensive than initially thought, this item may need to be revised or limited in scope in future work plans.

C. 2020 Community Health Commission Work Plan

Discussion of items to be included in draft 2020 work plan to be submitted to Council. Staff and chairs will format discussion into items for submission.
VII. Chair And Member Comments

VIII. Staff Comments

IX. Adjournment
Date: October 14, 2019

To: Community Health Commission

From: Greg Wright

Subject: Draft Advisory Communication - Flavoring

ACTION REQUESTED:

INTRODUCTION:
Draft advisory communication around flavored tobacco and vaping products for discussion.

ATTACHMENTS:

Draft Advisory Communication - Flavoring
Subject: Community Health Commission recommendations regarding the City of Edina e-cigarette regulations

Action requested:

The Edina Community Health Commission recommends that the City Council consider revising City Code Chapter 12, Article VI, to reduce vaping by youth in the city by banning the sale of flavored vaping products (unless such a policy is adopted by the state or federal government prior to January 1, 2020).

Situation:

Youth use of electronic vaping devices has increased dramatically since 2015. Nationally, roughly one quarter of high school students report vaping within the previous month. Data from Edina are unavailable, but a student survey conducted by the Bloomington Department of Health in 2019 found that [22%] of high school seniors in Bloomington/Richfield School systems used vaping devices. Some fifth grade students indicated they had experimented with vaping. Nationally, [97%] of teens surveyed indicate they use flavored vaping liquids. Of those young people, [62%] indicate they use only nicotine-free flavored liquids while [14%] reported the use of nicotine-containing products. Typically, labels on fluid containers fail to list ingredients, including nicotine, leading investigators to speculate that a much higher proportion of students are, indeed, using products containing nicotine, albeit unwittingly. Young people who vape may therefore find themselves addicted to nicotine, a known toxin. They are also at greater risk to progress to the use of tobacco products.

Prohibiting the sale of flavored vaping liquids in Edina creates an appropriate message to the youth of Edina, that vaping places them at risk for short- and long-term health risks. Furthermore, prohibiting those sales reduces availability of vaping products to those youth who are tempted, or determined, to start or persist in the use of vaping devices. While those more determined youth may obtain vaping products in other municipalities or from older siblings, friends, or adults, the decreased local availability may discourage at least some. By enacting a blanket prohibition of sales of flavored products in Edina, regardless of the ages of users, availability of those products to youth will become increasingly difficult. Reducing the known and unknown risks of vaping will aid in the protection of citizens of all ages, not just the young. Furthermore, other governmental units may reasonably be expected to adopt a similar prohibition, as Hennepin County has already done, thereby limiting geographic availability of flavored liquids in a fashion similar to the spread to surrounding municipalities of Edina’s pioneering prohibition of tobacco sales to those under 21.
Faced with the evidence of widespread vaping by youth, the Community Health Commission began to consider policies to minimize youth vaping during its August 2019 meeting, unaware that within weeks early reports of severe, sometimes fatal, pulmonary disease related to vaping would begin to emerge. Within 6 weeks of the initial reports, over 1000 cases of severe pulmonary disease, with over 20 fatalities, were reported. The etiology is under investigation, but initial data suggest these cases are related to the use of non-commercial products containing tetrahydrocannabinol (THC), although vitamin E and other lipids are also suspect. Given that only those who vape are at risk for this devastating illness, it is imperative that measures be taken to strongly discourage everyone, not just youth, from vaping. The FDA has formally recommended against vaping by anyone, regardless of age. President Trump has advocated a national ban on the sale of flavored products, particularly to decrease the attractiveness of vaping to youth who may have no prior history of tobacco use. Thus far, the FDA, which has heretofore not regulated vaping products to any significant degree, has indicated that it is obtaining data from manufacturers of vaping devices to analyze manufacturing processes and marketing strategies. Nevertheless, the manufacture and sales of flavored vaping products has not been prohibited. Currently, manufacturers are not marketing flavored liquids, most likely in an attempt to “fly under the radar” at a time of national concern over vaping-related lung disease. Juul, the largest manufacturer, now sells flavored products only on line, not in stores, but flavored liquids remain available at retail outlets. The FDA will soon begin to conduct a review of the [manufacturers practices] with the implied threat that the industry will become significantly regulated, but those developments will probably require years of evaluation, development of regulations, and subsequent litigation before any effective laws or policies are fully in force. The Community Health Commission suggests that in the meanwhile Edina join multiple other municipalities in prohibiting sale of flavored vaping products which serve as an entrée to nicotine addiction, tobacco use, and serious, even fatal, lung disease.

Background:

The deleterious effects of tobacco use and nicotine addiction were summarized well in the request from the Community Health Commission (March 7, 2017) to the City Council requesting that the minimum age for legal purchase of tobacco be raised to 21 (see Attachment X).

Electronic delivery devices for vaping ("e-cigarettes") first appeared on the market in 2007. The devices were marketed as a safer means to deliver nicotine without the many other products of combustion of tobacco. The medical community began to suggest that smokers substitute e-cigarettes to transition to smoking cessation, or at least to minimize exposure to manifold toxins. Nevertheless, a variety of solvents used in vaping liquids, such as glycerol, may have unknown long-term effects which have not
yet become apparent. Since the time of their introduction, e-cigarettes have not undergone evaluation or significant regulation by the FDA or any other federal agency. Only in 2019 does the FDA plan to conduct a rigorous review of all aspects of the electronic delivery device industry.

Manufacturers of electronic delivery devices and producers of vaping liquids initially developed tobacco-flavored products but soon began to offer flavored products in parallel to the offerings of menthol and other flavors by cigarette manufacturers. The manufacturers, particularly Juul, realized the potential to develop a youth market by offering flavored products, including ostensibly nicotine-free products packaged in attractive, easily concealed devices. Marketing efforts even included presentations at high school assemblies in which, according to student reports, the products were promoted as "completely safe". As commercial manufacturers marketed their product, illicit drug marketers developed in parallel products containing CBD, THC, and other, often poorly defined, products. The explosive growth of vaping amongst youth, powered by flavored products and social desirability to be "cool", has led to widespread exposure to nicotine, other chemical vapors, and illicit toxins. As a consequence, most of those afflicted with vaping-related lung disease have been young people.

Although the primary concern of the Community Health Commission is with the explosive growth of vaping by young people, the deleterious effects of vaping, including fatal lung disease, are matters of concern for all citizens regardless of age.

Manufacturers and others have claimed that elimination of flavored products from the market would reduce the number of tobacco smokers who choose to cease smoking by transitioning to (allegedly) less harmful e-cigarettes. Given that smokers are accustomed to the taste of tobacco, and would still have the option to use tobacco-derived vaping products, this argument does not seem strong enough to justify the ongoing availability of flavored products that are primarily directed toward youth.

**Recommendation:**

The Edina Community health Commission recommends a revision to the Edina City Code Chapter 12, Article VI, to prohibit the sale of all flavored vaping liquids within city limits. Local and national momentum is accelerating for this measure. If the Minnesota state or federal government enacts such a provision within the first quarter, 2020, no revision of Chapter 12, Article VI would be necessary. In the meantime, the Commission recommends a review of the ordinance and public hearings in anticipation of a local need to revise the ordinance in question in the event of a failure of action by state or federal governments.
ACTION REQUESTED:

INTRODUCTION: