

New York City Comptroller
Scott M. Stringer



New York City Public Advocate
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**New York City Comptroller
Scott M. Stringer and New
York City Public Advocate
Letitia James Co-Host Rally
Calling on the Federal
Government to Investigate and
Regulate E-Cigarette
Companies that Advertise to
Kids**

*More than 70% of young
Americans have been exposed to*

*e-cigarette advertising
Skyrocketing e-cigarette use by
adolescents raises serious public
health concerns*

(New York, NY) – On Sunday, New York City Comptroller Scott M. Stringer and New York City Public Advocate Letitia James jointly hosted a rally with dozens of advocates, parents and youth to call on e-cigarette companies to stop marketing to children and teens, while at the same time urging federal entities to investigate and regulate the marketing and classification of e-cigarettes. “The health of New York City kids is not for sale,” New York City Comptroller Scott M. Stringer said. “You’d think that tobacco companies would have learned their lesson from \$250 billion dollars in fines – but they’re back at it again, using the same old marketing tricks to seduce our teens into getting hooked on e-cigarettes. These companies should voluntarily stop marketing nicotine to children and teens right now, but if they continue to refuse the federal government should – no, make that *must* – take serious action.”

"The safety of our children should always be our top priority," said Public Advocate Letitia James. "But e-cigarette companies are using deceptive marketing techniques to tell our kids that they are a healthy alternative to conventional cigarettes. No company that promotes a product that is dangerous to our health should be allowed to use seductive ads to attract our kids. We need regulations to

prevent e-cigarette companies for using these tactics to compromise the health of our children."

In 1998, major tobacco companies entered into a "Master Settlement Agreement" with forty six state attorneys general. This agreement banned tobacco companies from marketing to children and specifically prohibited them from creating cartoon advertisements, using celebrity endorsements, sponsoring events with significant young audiences, such as concerts and sports games, and marketing cigarettes with fruity flavors.

After the 1998 agreement, youth smoking rates dropped dramatically. Today, however, e-cigarette companies – many of which are owned by the nation's largest tobacco companies – are using the same playbook to sell their products to children.

These underhanded strategies appear to be working.

According to the Centers for Disease Control, more than 70 percent of young Americans have been exposed to e-cigarette advertisements – and between 2011 and 2014, the rate of e-cigarette use among adolescents skyrocketed by nearly 800 percent.

At the rally, Comptroller Stringer and Public Advocate James jointly called for:

- €€€€€€€ The Federal Trade Commission (FTC) to investigate e-cigarette marketing to children and determine whether these practices comply with "truth in advertising" laws.

- €€€€€€€ The Food and Drug Administration (FDA) to regulate e-cigarettes as tobacco products. Among other restrictions, this regulation would set a national age to purchase e-cigarettes, require warnings of the addictiveness

of nicotine, bar companies from distributing free samples, and impose certain marketing restrictions.

·€€€€€€ E-cigarette companies to voluntarily apply the 1998 Master Settlement Agreement restrictions to e-cigarette advertisements, and stop kid-focused marketing. Comptroller Stringer recently submitted [testimony](#) to the Federal Trade Commission, urging it to investigate marketing of e-cigarettes to youth in an effort to stem the rapid increase in the rate of e-cigarette use by middle and high school students.

“The time to act on this issue is now – no kid should be put at risk of nicotine addiction because government allowed e-cigarettes to be marketed to them,” **Comptroller Stringer** said. “This is simply a no-brainer, and I’d like to thank the Public Advocate and all of the allies, parents and kids who rallied with us today to help snuff out these ads.”

“E-Cigarette use unfortunately is soaring among US teenagers today,” said **Rep. Jerrold**

Nadler. “Unbelievably e-cigarettes is not regulated in the US today, and the tobacco industry is up to their old tricks of advertising directly aimed at teenagers to try to get a whole new generation hooked on tobacco. We must stop this dangerous advertising and the U.S. Food and Drug Administration must immediately issue regulations that restricts the marketing and sale of e-cigarettes to teenagers. Kids and e-cigarettes simply should not be mixing.”

“I am proud to stand with New York City Comptroller Scott M. Stringer and my colleagues in government as we work together to curb the ill effects of electronic cigarettes on our children’s well-being,” said **Assemblymember**

Linda B. Rosenthal (D/WF-Manhattan). "I have passed laws to ban the sale of electronic cigarettes and liquid nicotine to minors in New York State, in addition to a law requiring child-resistant packaging on liquid nicotine, but these efforts are for naught if we do not stand together to address the industry's exploitative and unrelenting targeting of children and young people in advertising. Each and every day, the children of New York State are exposed to ads promoting electronic cigarettes by an industry that exists outside the scope of almost all government regulation. Without swift action to roll back the accessibility and curtail tobacco company's access to young people's minds, we risk addicting a new generation of young people on a dangerous habit and undoing decades of work done by anti-smoking activists."

"E-Cigarette companies are trying to resurrect the 'Joe Camel' style ads of old that target kids and have been outlawed in America. Today, we band together to send a loud and clear message to E-Cigarette companies that we will not go back to the days where the use of cartoon characters was an acceptable marketing tool for a dangerous product. I am proud to stand with Public Advocate Letitia James and NYC Comptroller Scott Stringer who have shown tremendous leadership on this important issue," **said State Senator Adriano Espaillat.**

"It is unacceptable for E-Cigarette companies to try and circumvent long-established laws meant to protect impressionable children and teens by preventing cigarette companies from marketing to them," **said State Senator Brad Hoylman,** "Placing the letter 'E' in front of cigarette does not suddenly change the fact that these products are

highly addictive and harmful to the health of smokers and those around them. I want to thank Comptroller Stringer and Public Advocate Letitia James for sounding the siren on this issue and stand with them in calling for an end to E-Cig ads that prey upon our kids.”

"Nothing is more important than the health and development of the young people in our community. Over the years, we've made enormous progress in decreasing tobacco use among minors, but now we're facing a similar threat with the rise of electronic cigarettes. To help protect the health and well-being of our children, I join my colleagues in demanding that e-cigarette companies begin to act ethically in regard to advertising and urge the FTC and FDA to study and regulate e-cigarettes," said **Senator Jose M. Serrano**. "Many thanks to New York City Comptroller Scott M. Stringer and Public Advocate Letitia James for bringing this important issue to the forefront."

"Last April, the Centers for Disease Control announced that e-cigarette use among teens doubled in just one year, while e-cigarette use among middle school students tripled," said **Manhattan Borough President Gale A. Brewer**. "We know the effects of nicotine on children and teens. We must do everything we can to reverse these alarming trends and stop these products from being marketed to our kids."

“It shouldn’t be a surprise that youth use of e-cigarettes has skyrocketed when kids are being inundated with marketing for these products,” said **Matthew L. Myers, President of the Campaign for Tobacco-Free Kids**. “We join Comptroller Stringer in calling on the FTC to investigate the e-cigarette industry’s marketing practices and on the FDA to take strong action to stop e-cigarette companies

from using marketing, sweet flavors and other practices that entice our kids.”

“ACS CAN applauds Comptroller Stringer for calling attention to this crucial public health issue, said **Michael Davoli, Director, New York Metro Government Relations, American Cancer Society Cancer Action Network**. “A survey released by the CDC earlier this month found an overwhelming number of middle and high school students being reached by the barrage of e-cigarette marketing. It is also disturbing that the use of unregulated tobacco products, including e-cigarettes is growing at an dramatic rate with the health consequences still uncertain. We, like Comptroller Stringer are calling for the regulation of e-cigarettes and the regulation of the marketing of e-cigarettes to teens.”

“Keeping our kids safe from the perils of nicotine addiction is a top priority for the American Heart Association,” stated **Yuki Courtland, Chair of the AHA’s Advocacy Committee in New York City**. “Electronic cigarettes are the latest mechanism that the tobacco industry is using to hook the next generation. The marketing of electronic cigarettes must play by the same rules as the tobacco industry. The American Heart Association applauds Comptroller Stringer's support and we look forward to all efforts to protect our kids from addiction.”

“The Lung Association is extremely concerned about the use of electronic cigarettes being targeted to youth,” said **Jeff Seyler, President & CEO of the American Lung Association of the Northeast**. “By using advertising which appeals to youth and promoting flavors like cotton candy and bubble gum, these companies are glamorizing the use

of e- cigarettes. We applaud Comptroller Stringer for raising his voice on this issue and we join him in calling on the FDA to regulate e-cigarettes and for the FTC to regulate the advertising of these products.”

“The AMA has been a longtime supporter of anti-tobacco efforts aimed at keeping tobacco products, including electronic cigarettes, out of the hands of young people,” said **AMA President Steven J. Stack, M.D.** “With the growing use of electronic cigarettes among the nation’s youth, we must continue to advocate for public policies to protect our country’s youth from the dangers of tobacco use and improve public health.”

“Self-regulation of e-cigarette marketing and advertising clearly doesn’t work. The classic tobacco industry playbook, that was banned for cigarettes, reinvents itself as the bible on how to market e-cigarettes to our most vulnerable population - youth and young adults. Foxes don’t watch the hen house for good reason, which is why this literally exploding e-cigarette market needs swift and comprehensive regulation,” states **Karen Blumenfeld, Esq., Executive Director of Global Advisors on Smokefree Policy.**

"It's déjà vu all over again. The electronic cigarette industry seems to be dusting off Big Tobacco's marketing playbook. We applaud Comptroller Stringer's leadership in advocating for common sense policies to safeguard our children from targeted tobacco marketing," said **Megan Ahearn, New York Public Interest Research Group’s Organizing Director.**

“As pediatricians, we have been in the fight against smoking for decades. And we were beginning to win. But

now, with the ever increasing popularity of e-cigarettes, we are very concerned that e-cigarette marketing to children is once again normalizing smoking,” said **Warren Seigel, MD, FAAP, Chair, NYS American Academy of Pediatrics**. “We support any and all efforts to reduce children’s exposure to marketing of e-cigarettes and their access to e-cigarettes, including through federal regulation and industry action.”

“Nicotine is dangerous for kids at any age, whether they are coming from e-cigarettes, cigars, or cigarettes. The more youth are exposed to tobacco marketing, the more likely they are to smoke and use them. The latest CDC National Youth Tobacco Survey found a dramatic increase of hookah and e-cigarette use by teenagers. It’s not only a cause for concern, but a call for action to further limit youth exposure and access to marketing and sales of tobacco products,” said **Patrick Kwan, Director of NYC Smoke-Free at Public Health Solutions**.

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