

Protecting NC youth from vaping and  
nicotine addiction  
Justus-Warren Legislative Task Force  
December 5, 2024



**NORTH CAROLINA  
ALLIANCE FOR HEALTH**

Youth  
Vaping  
According  
to the 2023  
NC Youth  
Risk  
Behavior  
Survey

**37% of NC high school kids have tried a VAPE product**

among 12<sup>th</sup> graders, it is 50%

More than **one in five** NC high school kids report **current** use of VAPE products; for 12<sup>th</sup> graders it's one in three

One in ten NC **middle schoolers** reports current use of VAPE products

## *Why worry about nicotine & vaping?*

- **Nicotine is highly addictive** and **vape products can contain high doses of nicotine** in flavors attractive to youth.
- Nicotine use while the adolescent brain is developing **can disrupt brain circuit formation.**
- **Poisonings** occur from nicotine liquid, absorbed through skin, and inhalation
- Nicotine is **toxic to developing fetuses**, impairs brain & lung development
- **Other harmful substances:** Besides nicotine, the aerosol (not a vapor) may contain: volatile organic compounds, ultrafine particles, heavy metals, cancer-causing chemicals linked to lung disease (popcorn lung)
- Most **school staff** identify e-cigarette use among students as problematic

# *Very easy* to start, *very hard* to stop

Fun flavors

Hard to get through school day without vaping

Harshness removed

- 25% High School
- 33% Middle School

One vape comes with video game

Want to quit, tried to quit

- 64% High School
- 68% Middle School

# Unregulated “wild wild west”

- **Vaping is everywhere in schools**; even at the elementary level
- **Most kids and parents DO NOT know about high levels of nicotine, how hard it is to stop vaping**, that aerosol contains harmful substances, or that vaping can lead to death
- Many vape products have **flavors** attractive to kids; some vape products are made to **look like toys** that are attractive to kids
- It is very easy for kids to get vapes from retail locations (e.g., gas station, grocery) & vape shops; youth are regularly not carded
- **Need a level playing field for retailers**, not reward those who sell to underage kids.

# Policy Context

- **In 2019, Congress increased federal minimum legal sales age** of all tobacco products, including e-cigarettes, from 18 to 21. The majority of states (now 43) have increased their minimum age to 21 to match federal law, **but not NC**.
- In NC, **ALE is the agency responsible for enforcing laws about sales to minors, but they can only enforce the state law which is 18**. The FDA is responsible for enforcing federal law.
- Enforcement of age requirements is more challenging because **NC does not license and regulate tobacco retailers** (NC does not even know who all these retailers are). North Carolina is one of only 9 states in the country that do not require tobacco retailers to obtain a license or permit.
- The U.S. Surgeon General, the National Academy of Medicine, and the CDC have identified the **licensing of tobacco retailers** as an evidence-based measure to reduce tobacco sales to youth.

# Impact of Tobacco 21 and permitting

- Reduce addiction, poisonings and death
- Allow the state to know where tobacco products are being sold
- Improve merchant education efforts
- Allow the state to inspect for responsible retail practices
- Protect law-abiding retailers by holding non-compliant retailers accountable
- Prevent and reduce youth use of highly addictive nicotine products
- Help eliminate the use of e-cigarette and emerging nicotine products in schools
- Reduce confusion by having one legal sales age for state and federal law

# Funding Impact

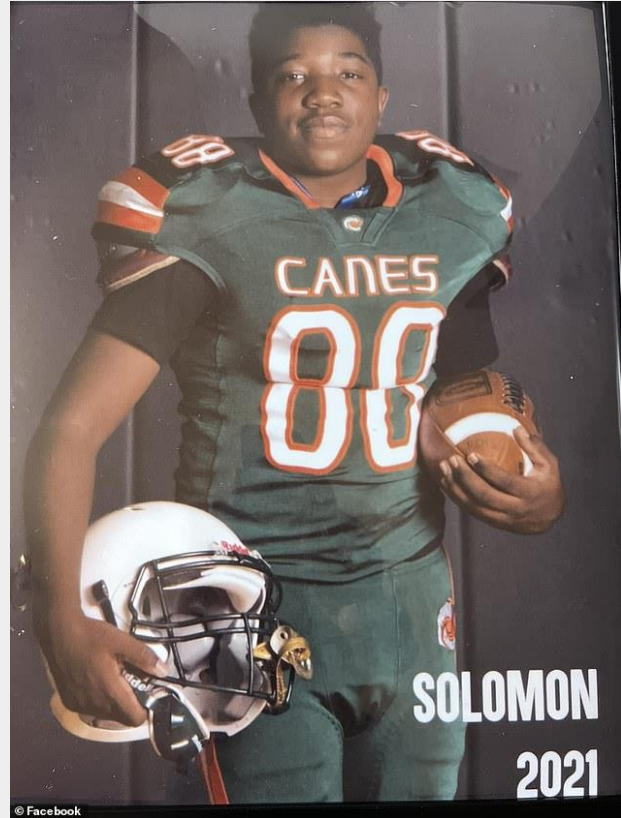
Under the Federal Synar law, states are required to reduce the illegal sale of tobacco products to individuals under the age of 21, or lose funds. NC could lose over **\$5.2 million** in annual funding from the Substance Abuse Prevention and Treatment Block Grant money (money NC uses to pay for drug treatment) through penalties under the federal Synar amendment if sales to underage youth are too high in required annual inspections.



# Kids are dying from vapes

Tragic death just months after a  
vape-induced cough

X-ray showed vaping lung damage



15-year-old “Solly”  
Solomon Wynn from Wilmington

# *Thank you* for supporting Tobacco 21 Legislation

- Raise the legal age for sale of tobacco products in NC from 18 to 21 to align with federal law
- Level the playing field by licensing tobacco product retailers



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