Whereas, The 2019 outbreak of “E-cigarette and Vapor Associated Pulmonary Illness” (EVAPI) has so far been almost entirely associated with the use of illicit, illegal, and/or user-modified “electronic cigarette” products, especially those containing THC; and

Whereas, Nicotine is highly addictive; and

Whereas, It is important to decrease the rates of nicotine use and dependence in all age groups, especially youth; and

Whereas, It is important to decrease the morbidity and mortality from nicotine products by all appropriate means; and

Whereas, It is unclear whether prohibition of legal e-cigarette and “vaping” products would increase or decrease the use of illicit, illegal, and/or user-modified products; and

Whereas, The net effect of e-cigarette flavoring bans on adult smokers is unclear; and

Whereas, There is an urgent need to decrease the addictiveness of electronic nicotine delivery systems (ENDS); therefore be it
RESOLVED, That our American Medical Association support strict marketing standards to prevent all nicotine-related products from being marketed to, or attractive to, children, adolescents, and young adults, including but not limited to the following measures:

- Banning print advertising except in adult-only publications or media (adults are >85% of audience).
- Banning advertising and/or sponsorship at stadiums, concerts, sporting or other public events that are not primarily targeted to adults.
- Banning offers of any school or college scholarships by any company selling tobacco products.
- Banning television advertising of any tobacco products, including any vapor products.
- Banning advertising, marketing and sale of tobacco products that:
  - Uses the terms "candy" or "candies" or variants in spelling, such as "kandy" or "kandeez," "bubble gum," "cotton candy," and "gummi bear," and "milkshake."
  - Uses the terms "cake" or "cakes" or variants such as "cupcake."
  - Uses packaging, trade dress or trademarks that imitate those of food or other products primarily targeted to minors such as candy, cookies, juice boxes or soft drinks.
  - Uses packaging that contains images of food products primarily targeted to minors such as juice boxes, soft drinks, soda pop, cereal, candy, or desserts.
  - Imitates a consumer product designed or intended primarily for minors
  - Uses cartoons or cartoon characters.
  - Uses images or references to superheroes.
  - Uses any likeness to images, characters, or phrases that are known to appeal primarily to minors, such as "unicorn".
  - Uses a video game, movie, video, or animated television show known to appeal primarily to minors.
- Banning advertising and marketing of tobacco products, including vapor products, that:
  - Does not accurately represent the ingredients contained in the products.
  - Uses contracted spokespeople or individuals that do not appear to be at least 25 years of age.
- Banning advertising on outdoor billboards near schools and playgrounds.
- Requiring labels to include warnings protecting youth such as "Sales to Minors Prohibited" or "Underage Sales Prohibited" and/or "Keep Out of Reach of Children".
- Requiring all advertising to be accurate and not misleading (New HOD Policy); and be it further

RESOLVED, That our AMA support the use of the most up-to-date and effective technology for verifying the age of would-be purchasers of tobacco products and vaping-related products, both online and in bricks-and-mortar retail outlets (New HOD Policy); and be it further

RESOLVED, That our AMA oppose sales of tobacco products or vaping-related products on any third-party marketplace such as Alibaba, Amazon, eBay, et al, where the third-party marketplace does not take full responsibility for verifying age; blocking unregulated cannabis and THC products; identifying and prohibiting all counterfeit products; and forbidding packaging and other materials that allow illicit sales of any tobacco product (New HOD Policy); and be it further

RESOLVED, That our AMA support licensing and frequent inspections of all retail outlets selling any tobacco products or vaping-related products, with loss of license for repeated violations (e.g., three violations in a three year period) (New HOD Policy); and be it further
RESOLVED, That our AMA support limitations on the concentration, chemical form, and vehicle
chemistry of all nicotine-related products, with special attention to the European product
standards which seem to lead to much lower addictiveness than many of the ENDS products
sold in the USA (New HOD Policy); and be it further

RESOLVED, That our AMA support a ban on all self-service displays of tobacco products,
which would require all tobacco products and vaping-related products to be behind a counter or
in a locked display and accessible only to a store employee (New HOD Policy); and be it further

RESOLVED, That our AMA support a ban on sales of all tobacco products and vaping-related
products except in stores that display signage indicating that (a) "Unaccompanied Minors Are
Not Allowed on Premises" or (b) "Products are Not for Sale to Minors" or (c) "Underage Sale
Prohibited", and that enforce these rules consistently (New HOD Policy); and be it further

RESOLVED, That our AMA support a ban on “straw man” sellers, which would make it illegal for
any person who is not a licensed tobacco product dealer or vaping-related product dealer to
sell, barter for, or exchange any tobacco product or vaping-related products (New HOD Policy); and be it further

RESOLVED, That our AMA support legislation that would discourage “straw man” distribution by
prohibiting the retail sale of quantities likely intended for more than one consumer, such as the
retail sale to one customer of (a) more than two electronic-cigarette or vape devices; (b) more
than five standard packages of e-liquids, (c) more than 20 packs of cigarettes; or (d) similarly
determined quantities of other tobacco products and/or vaping-related products. (New HOD
Policy)

Fiscal Note: Not yet determined

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