ELECTRONIC SMOKING DEVICES
Fact Sheet

Frequently Asked Questions (FAQs)

What are Electronic Smoking Devices (ESDs)?

- Battery-operated device containing a liquid nicotine solution that is vaporized and inhaled by the user.
- Often resemble cigarettes, cigars or pipes and come in a variety of flavors, including: cherry, chocolate, coffee, grape, menthol, mint, peach, piña colada, tobacco and vanilla.
- Sold online and at brick and mortar retail locations throughout Maryland.
- Prices range from a few dollars for disposable devices to several hundred dollars for starter kits containing: a reusable device, a charger and replacement cartridges.
- Disposable ESDs contain up to “400 puffs” of vapor (equivalent to a pack and a half of traditional cigarettes)

What health risks are associated with these products?

- The absence of federal or state regulation of ESDs makes the toxicity of these products difficult to quantify. Cartridge ingredients and toxicant levels may vary greatly across brands.
- The U.S. Food and Drug Administration (FDA) analyzed several ESD brands and found they contain carcinogens such as nitrosamines and “toxic chemicals such as diethylene glycol, an ingredient used in anti-freeze.”
- The World Health Organization determined that the value of ESDs as therapeutic aids for smoking cessation or safety as cigarette replacements could not be established, due to the lack of chemical studies and clinical trials.
- Clinical studies indicate ESDs contain several toxic and carcinogenic compounds (although in far lower levels than traditional cigarettes) and may damage lungs. Moreover, nicotine (the key ingredient in ESDs) is highly addictive, has immediate bio-chemical effects on the brain and body and is toxic in high doses.

Are electronic smoking devices popular with youth?

- The FDA is concerned that ESDs can increase nicotine addiction among young people and may leads kids to try other tobacco products
• The Centers for Disease Control and Prevention (CDC) reported that ESD use among all students in grades 6-12 more than doubled between 2011 and 2012 (1.8 million reported ever using ESDs). Moreover, the percentage of high school students that reported using ESDs increased from 4.7 to 10 percent.\(^5\)
• ESD sales have doubled every year since 2008. Sales in 2013 are accelerating even faster and are projected to reach $1.7 billion.\(^6\)

What existing laws and regulations govern electronic smoking devices?

• Maryland law prohibits the sale of “an electronic device that can be used to deliver nicotine” to a minor\(^7\); however, the sale of individual ESD components to a minor, including liquid nicotine cartridges, is not prohibited under the existing statute.
• ESDs are unregulated at the federal level, meaning the products are not subject to:
  - Federal age restrictions
  - Health warnings
  - Advertising or marketing restrictions
  - Excise taxes
  - Federal or state sales reporting requirements
  - Flavor or ingredient restrictions

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\(^3\) Maciej Lulasz Goniewicz et al., Levels of Selected Carcinogens and Toxicants in Vapour from Electronic Cigarettes, BMJ (March 6, 2013).
\(^5\) Catherine Corey, Notes from the Field: Electronic Cigarette Use Among Middle and High School Students – United States, 2011-2012, Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, September 6, 2013, available at [http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6235a6.htm?s_cid=mm6235a6_w](http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6235a6.htm?s_cid=mm6235a6_w).
\(^7\) Md. Code Ann., Health-Gen. § 24-305 (West 2013).

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