



**Contra Costa Health
Services**

**Public Health Division
Tobacco Prevention
Program**

**Behavioral Health Division
Alcohol and Other Drug
Services**

Environmental Health

**Hazardous Materials
Programs**

COMMERCIAL CANNABIS HEALTH PERMIT ORDINANCE

**A SPECIAL FOCUS ON REGULATIONS RELATED TO
VAPING AND ASSOCIATED PRODUCTS**

**BOARD OF SUPERVISORS PRESENTATION
JULY 27, 2021**

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ORDINANCE NO. 2019-34 SUMMARY

PROHIBITS SALE OF VAPING PRODUCTS

Amended Division 445 (Secondhand Smoke and Tobacco Product Control)

Prohibits the sale of any electronic smoking device or e-liquid that is required to obtain, but has not yet obtained a premarket review order from the U.S. Food and Drug Administration.

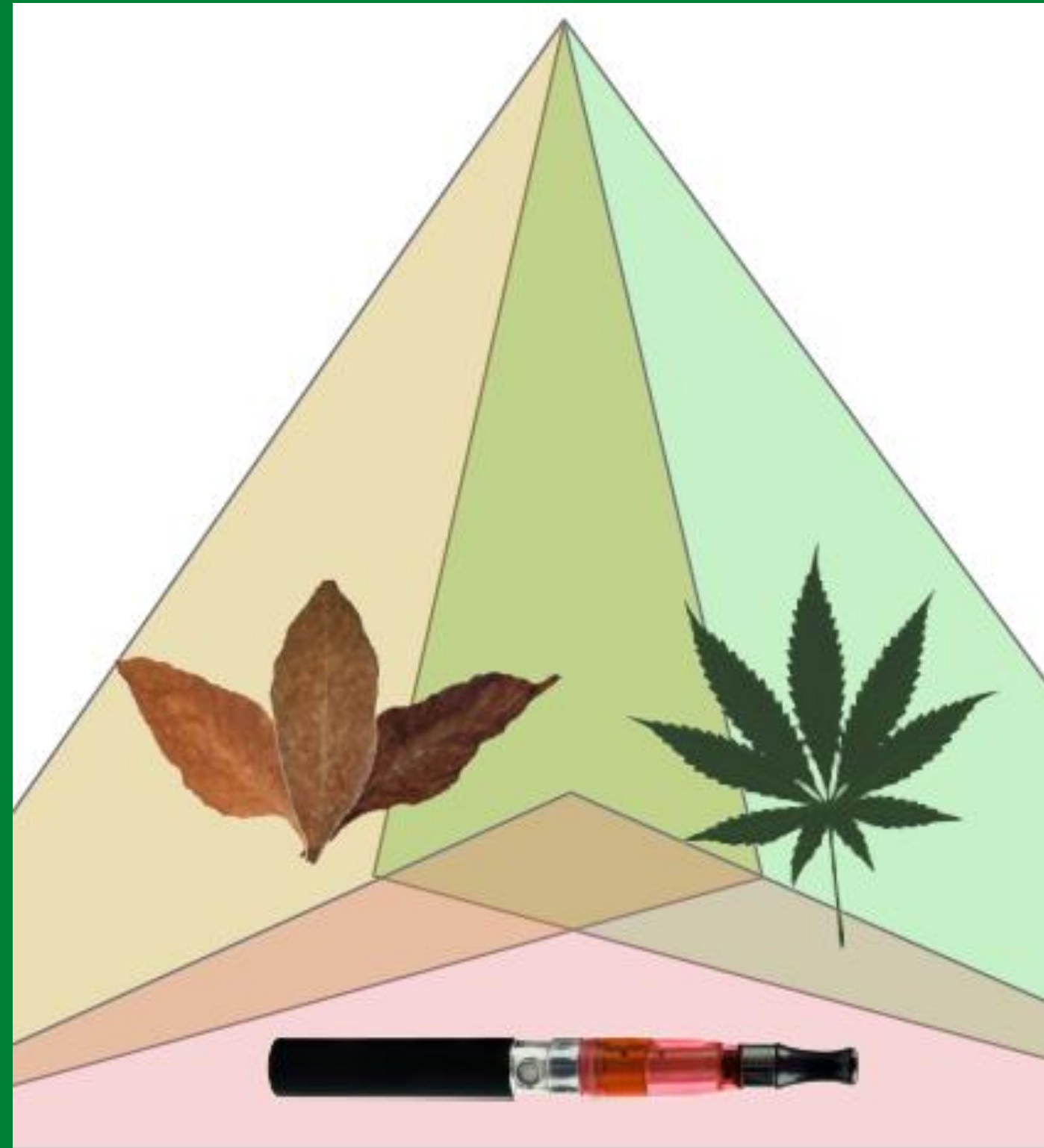
Amended Chapter 413-4 (Commercial Cannabis Health Permits)

Prohibits the sale or delivery of any e-liquid that contains tetrahydrocannabinol or any other cannabinoid, and to prohibit the sale or delivery of any electronic smoking device that can be used to deliver tetrahydrocannabinol or any other cannabinoid in aerosolized or vaporized form.

Amended Section 445-6 (Secondhand Smoke and Tobacco Product Control)

Prohibits the sale of flavored tobacco products and menthol cigarettes. The prohibition is effective in all areas of the unincorporated County.

TOBACCO, CANNABIS, AND VAPING TRIANGULUM



E-CIGARETTES AND OTHER VAPING DEVICES HAVE CREATED A LARGE AREA OF OVERLAP BETWEEN TOBACCO AND CANNABIS.

VOLKOW N. MONITORING THE FUTURE SURVEY RAISES WORRIES ABOUT TEEN MARIJUANA VAPING. DECEMBER 18, 2019.

AS E-CIGARETTE USE HAS GROWN IN POPULARITY, SO HAS CANNABIS USE, INCLUDING CANNABIS VAPING.

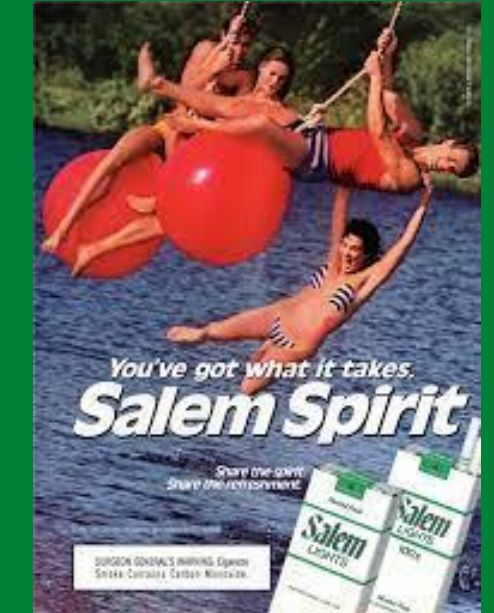
MENG Y, PONCE NA. THE CHANGING LANDSCAPE: TOBACCO AND MARIJUANA USE AMONG YOUNG ADULTS IN CALIFORNIA. UCLA CENTER FOR HEALTH POLICY RESEARCH; JUNE 2020.

CALIFORNIA YOUTH NOW USE E-CIGARETTES MORE THAN CIGARETTES (10.9% VS. 2.0 % IN 2017-18), WITH CANNABIS USE HIGHER THAN OVERALL TOBACCO USE (14.7 % VS. 12.7%).

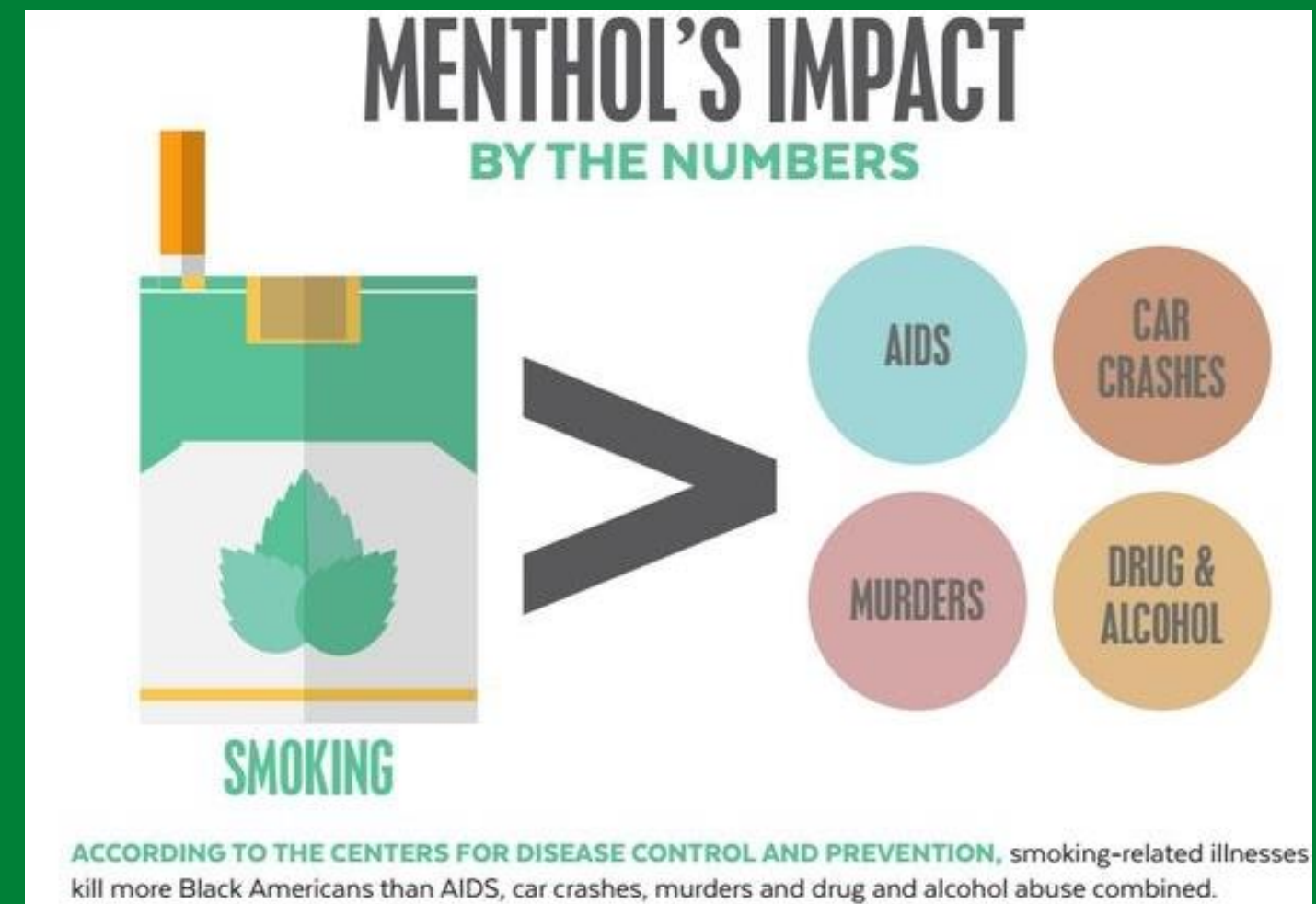
ZHU S, ZHUANG YL, BRADEN K, ET AL. RESULTS OF THE STATEWIDE 2017-18 CALIFORNIA STUDENT TOBACCO SURVEY. SAN DIEGO, CA: CENTER FOR RESEARCH AND INTERVENTION IN TOBACCO CONTROL (CRITC), UNIVERSITY OF CALIFORNIA, SAN DIEGO; 2019.

AN ISSUE OF HEALTH INEQUITY

- MARGINALIZED COMMUNITIES (I.E. WOMEN, LGBTQ+, YOUTH/YOUNG ADULTS, ETC.) HAVE HISTORICALLY BEEN TARGETED BY THE TOBACCO INDUSTRY FOR MARKETING AND ADVERTISEMENT OF THEIR PRODUCTS.



- THE AFRICAN AMERICAN COMMUNITY HOWEVER, HAS BEEN AGGRESSIVELY TARGETED FOR THE MORE ADDICTIVE AND HARMFUL MENTHOL FLAVORED TOBACCO PRODUCTS RESULTING IN A VARIETY OF NEGATIVE HEALTH IMPACTS....



TOBACCO AND CANNABIS VAPE PRODUCTS ARE OFTEN APPEALING TO YOUTH

Both Vape Devices Offer Sleek, Discreet Designs That Youth Find Very Attractive



HEALTH IMPACTS OF VAPING CANNABIS AND TOBACCO

- Health impacts of smoking tobacco are well established and parallel emerging research on smoking cannabis.

(BryanMiller et al., 2020)

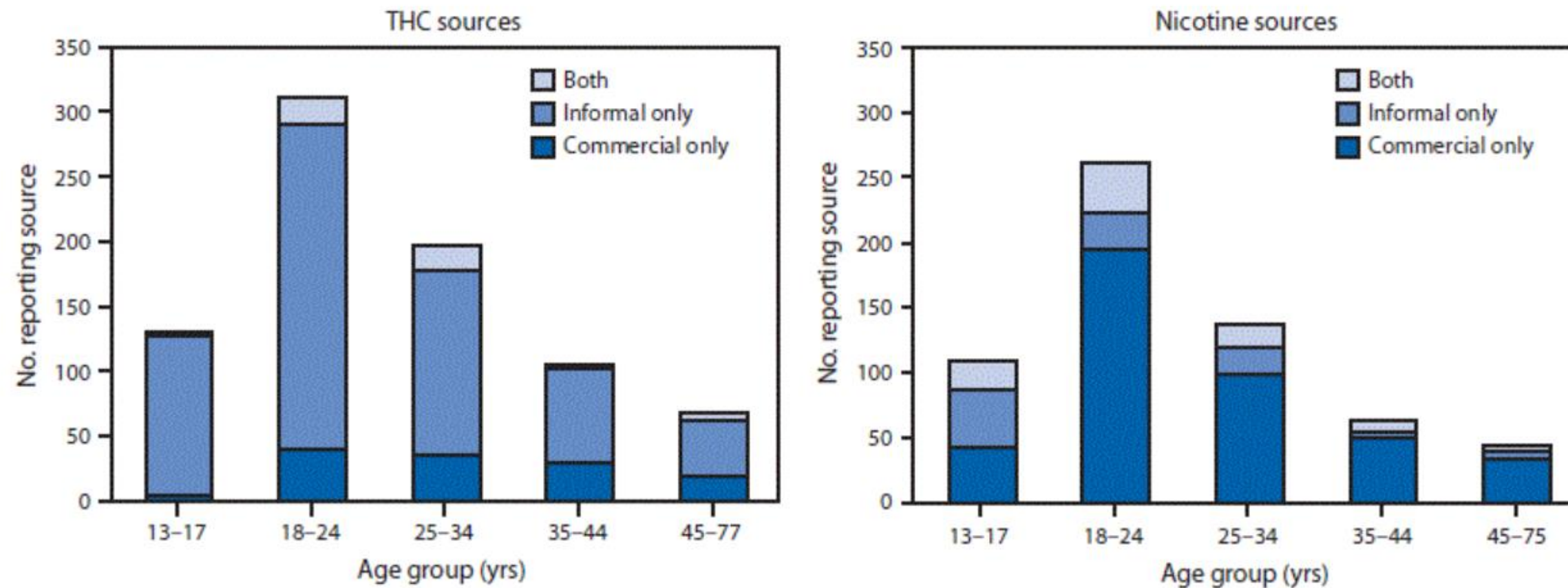
- Contrary to public opinion, vaping cannabis is not a "safer", less harmful alternative than vaping nicotine or smoking combustible tobacco products.
- There are strong correlations between the use of cannabis and cardiovascular and psycho-social health impacts.



UPDATE: PRODUCT, SUBSTANCE-USE, AND DEMOGRAPHIC CHARACTERISTICS OF HOSPITALIZED PATIENTS IN A NATIONWIDE OUTBREAK OF E-CIGARETTE, OR VAPING, PRODUCT USE-ASSOCIATED LUNG INJURY – UNITED STATES, AUGUST 2019-JANUARY 2020

MORBIDITY AND MORTALITY WEEKLY REPORT (MMWR)
WEEKLY / JANUARY 17, 2020

FIGURE 1. Reported product sources,^{*,†,§} by age group,^{¶,**} among hospitalized e-cigarette, or vaping, product use–associated lung injury (EVALI) patients — United States, August 2019–January 2020



ELLINGTON S, SALVATORE PP, KO J, ET AL. UPDATE: PRODUCT, SUBSTANCE-USE, AND DEMOGRAPHIC CHARACTERISTICS OF HOSPITALIZED PATIENTS IN A NATIONWIDE OUTBREAK OF E-CIGARETTE, OR VAPING, PRODUCT USE-ASSOCIATED LUNG INJURY – UNITED STATES, AUGUST 2019-JANUARY 2020. MMWR MORB MORTAL WKLY REP 2020;69:44-49. DOI: [HTTP://DX.DOI.ORG/10.15585/MMWR.MM6902E2](http://dx.doi.org/10.15585/mmwr.mm6902e2)

Abbreviation: THC = tetrahydrocannabinol.

* Among 809 EVALI patients reporting use of THC-containing products and for whom data on product source (commercial or informal) were available.

† Among 613 EVALI patients reporting use of nicotine-containing products and for whom data on product source (commercial or informal) and age were available.

§ Informal sources are defined as friends, family, in-person or online dealers, or other sources.

¶ P<0.001 for comparison of proportions reporting THC source by age.

** P<0.001 for comparison of proportions reporting nicotine source by age.

POTENTIAL IMPLICATIONS OF TOBACCO CONTROL AND CANNABIS POLICIES

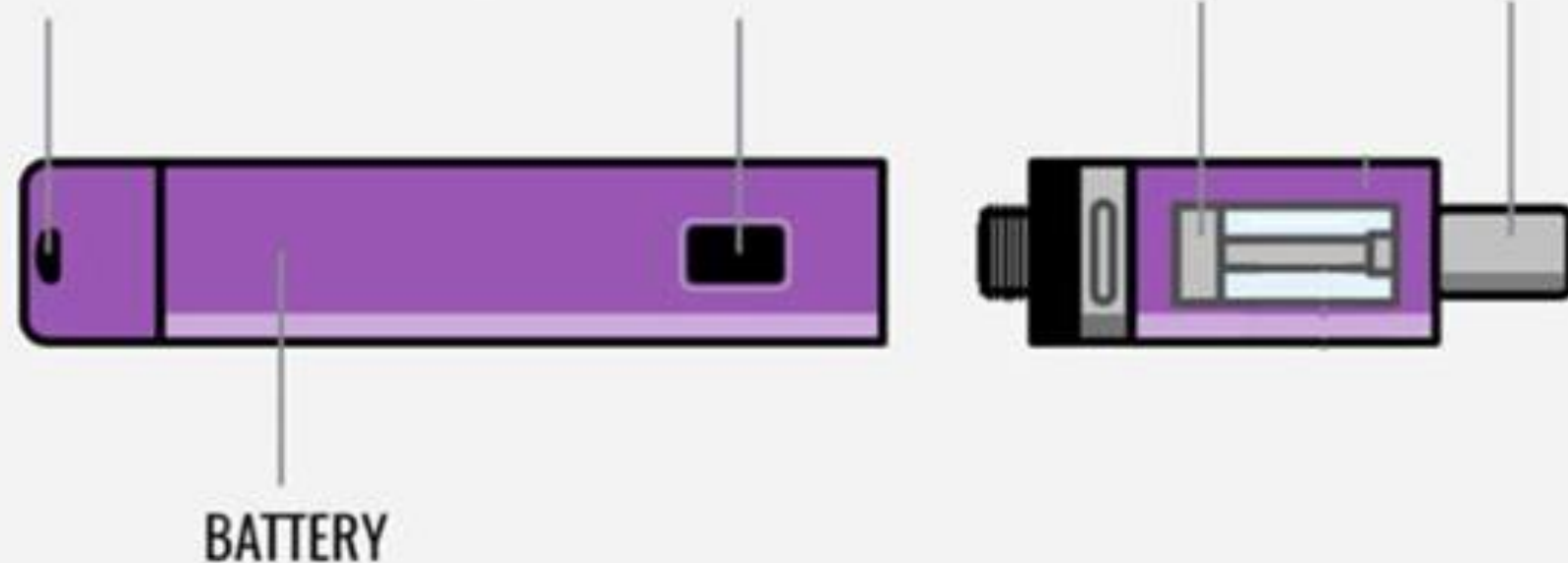
THE ANATOMY OF A VAPE PEN

CHARGING PORT

POWER BUTTON

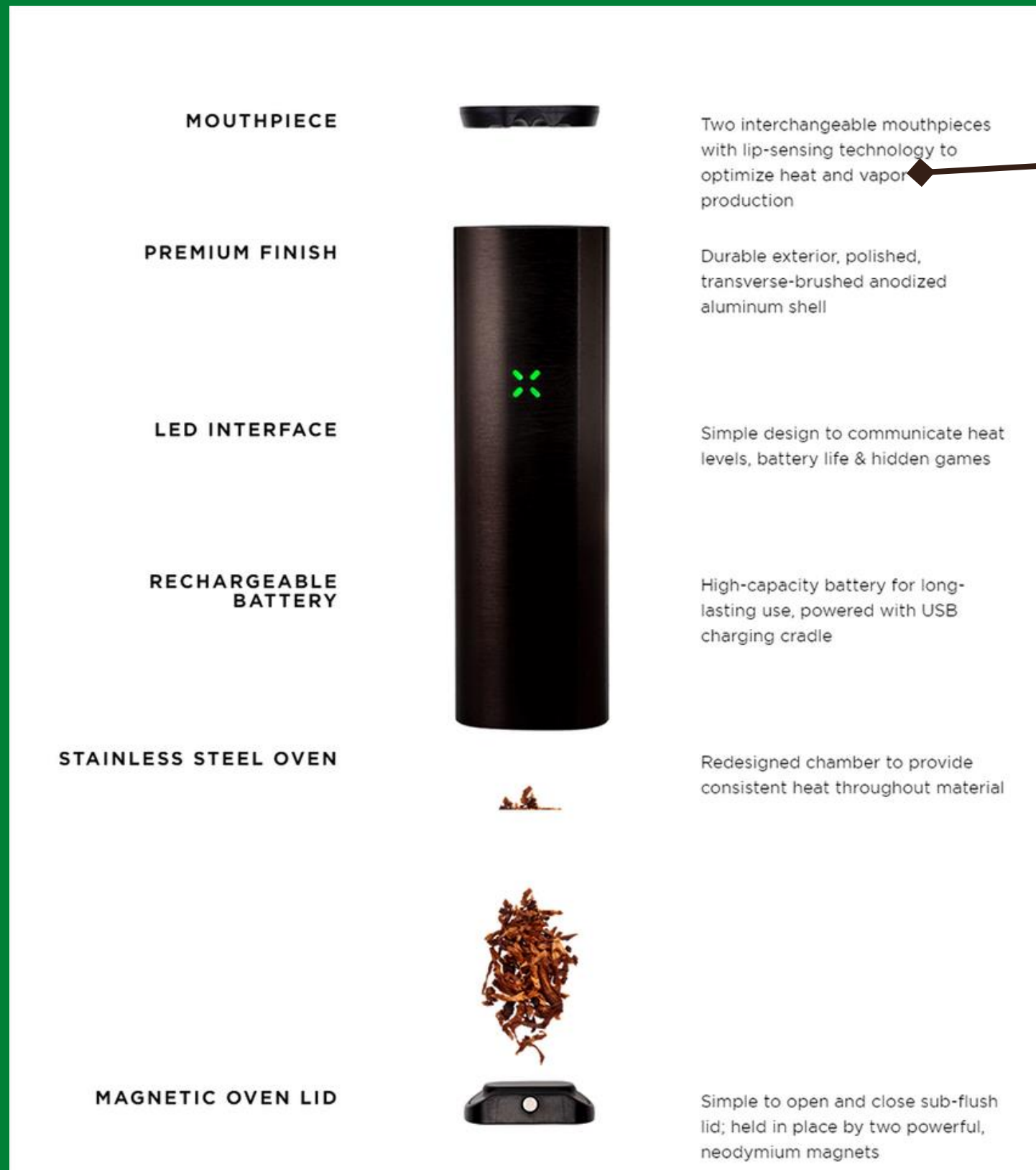
COIL HEAD

DRIP TIP



- FDA Pre-Market Product Safety Review
- The Appeal And Dangers of Flavors
- Product Testing
- Dangers of Overheating

Medical Inhalers vs. Medical Marijuana



- The use of medical inhalers, (regulated by the Federal Food and Drug Administration) which offer metered dosing, should not be construed in such a manner as to apply to the use of electronic smoking devices or vaporizers in the consumer cannabis market.
- The later is not regulated by the FDA, or to staff's knowledge, any state agency for metered dosing.

Statewide Cannabis Policies

Cannabis Policy	Counties/Cities	Additional jurisdictions with similar policies
Prohibited on site consumption	Weed	+119 other jurisdictions
Increased the number of sites with a required buffer from retailers	Stanislaus County	+100 other jurisdictions
Restricted the number of licensed retailers , 1 for every ~32,000	Salinas	+93 other jurisdictions
Increased buffer between retailers and schools to 1,000 ft	Del Norte County	+36 other jurisdictions
Mandates all dispensaries to inform customers of cannabis related health risks- signage and handouts	Santa Ana	+23 other jurisdictions (including San Francisco, Richmond, San Jose, and Culver City)
Prohibits promotions, discounts, and coupon redemption	Pasadena	+4 other jurisdictions
No health or therapeutic claims on cannabis products or marketing	Mono County	
No health or therapeutic claims on cannabis products or marketing	Palm Springs	
Prohibits advertising, packaging and products attractive to youth	Mammoth Lakes	

Trajectory Of Flavored Tobacco Policies Locally & Nationally

Contra Costa County Leads The Way !



Contra Costa County Board of Supervisors adopts tobacco product flavors restrictions, CCC is among the first jurisdictions to do so.

30 more flavors policies are adopted throughout the State.

Contra Costa Board of Supervisors amend and expand flavors sales restriction County-wide, among the first to adopt PKMTA authorization requirement for e-cigs.

California signs bill to ban the sale of flavored tobacco products, including menthol cigarettes.

The FDA restricts the sale of flavored cigars and menthol cigarettes.

Policy Options

Option #1

Sustain the current prohibition on the sale and delivery of electronic smoking devices and related e-juices.

Option #2

Direct Staff to prepare an ordinance that allows the sale and delivery of electronic smoking devices and cannabis e-liquids except flavored cannabis vaping products (Hence, maintains the prohibition on the sale and delivery of flavored vaping products.)

Option #3

Direct staff to prepare an ordinance that allows the sale and delivery of all cannabis smoking devices and cannabis e-liquids, including flavored cannabis vaping products.

Policy Options

Option #4

Direct staff to prepare an ordinance that allows the sale and delivery of electronic smoking devices and cannabis e-liquids by those retailers licensed as medical dispensaries but prohibits the sale and delivery of adult use (recreational) cannabis vaping products.

Option #4...cont.

This amended ordinance would need to distinguish between medicinal and adult-use recreational cannabis products, which the current ordinance does not.

Additional Considerations

Consideration #1	Option #2	Option #3
<p>If desired, direct staff to further investigate and report back on state and national regulation and product manufacturing standards specific to electronic smoking devices and e-liquid cartridges.</p>	<p>Direct Health Services to seek resources that would allow for quarterly inspections of cannabis retailers and provides adequate staff to track and advise on health policy and programmatic activity related to the cannabis and to work with local City jurisdictions on alignment of local policy.</p>	<p>If desired, seek to request that the California Department of Cannabis Control develop a more comprehensive premarket review process for manufactured cannabis products.</p>

THANK YOU