

Policy Tip Sheet



POLICY ANALYSIS FROM
THE HEARTLAND INSTITUTE

Tobacco Harm Reduction 101: New York

Since their introduction to the U.S. market in 2007, e-cigarettes and vaping devices—tobacco harm reduction products that are 95 percent safer than combustible cigarettes—have helped more than three million American adults quit smoking.

1. Economic Impact

According to the Vapor Technology Association, in 2018, the industry created 4,416 direct vaping-related jobs, including manufacturing, retail, and wholesale jobs in New York, which generated \$237 million in wages alone.¹ Moreover, the industry has created hundreds of secondary jobs in the Empire State, bringing the total economic impact in 2018 to \$1,197,229,300. In the same year, New York received more than \$99 million in state taxes attributable to the vaping industry. These figures do not include sales in convenience stores, which sell vapor products including disposables and prefilled cartridges. In 2016, sales of these products in New York eclipsed \$54 million.²

2. State Health Department Data

As of January 7, 2020, the New York State Health Department (NYSHD) has reported 150 confirmed and probable cases of vaping-related lung illnesses,³ including two deaths.⁴ Patients range in age from 14 to 71 years old. Weekly updates do not provide breakdowns on substances vaped. In November 2019, NYSHD noted that 84 percent of patients reported vaping “cannabinoid-containing” products, including tetrahydrocannabinol (THC).⁵ NYSHD was one of the first health departments to examine the role of vitamin E acetate. *The Heartland Institute gives NYSHD a grade of B for information available on vaping-related lung illnesses.*

3. More Information Needed

The most recent report on youth e-cigarette use in New York is from the 2017 Youth Risk Behavior Survey, which found that 14.5 percent of New York high school students reported using a vapor product at least once, in the 30 days prior to the survey.⁶ Further, only 1.5 percent of New York high school students reported daily e-cigarette use. More data is needed to understand the effects of public health campaigns on youth e-cigarette use.

4. Youth Sales Miniscule

From January 1, 2018 to September 30, 2019, the U.S. Food and Drug Administration (FDA) administered 11,024 tobacco age compliance inspections in New York, in which the agency used a minor in an attempt to purchase tobacco products.⁷ Of those, 756, or 6 percent, resulted in a sale to a minor. Of the violations, 83 (10 percent of violations and less than 1 percent of all compliance checks) involved the sale of e-cigarettes or vaping devices. The number of violations involving sales of cigars and cigarettes were 371 and 287, respectively, during the same period.

5. Misspent Money

In 2019, New York received an estimated \$2.0371 billion in tobacco taxes and tobacco settlement payments. In the same year, the state spent only \$39.4 million, or 2 percent, on funding tobacco control programs, including education and prevention.⁸

Policy Solution

Electronic cigarettes and vaping devices have proven to be tremendous tobacco harm reduction tools, helping many smokers transition away from combustible cigarettes. Despite recent fearmongering, their use is significantly safer than traditional cigarettes, as noted by numerous public health groups including the Royal College of Physicians,⁹ Public Health England,¹⁰ and the American Cancer Society.¹¹ Rather than restricting their use, and undoubtedly reducing public health gains and millions of dollars in economic output, lawmakers should dedicate existing tobacco funds on programs that actually reduce youth use.

Key Points

- 1 New York’s vaping industry provided more than \$1.9 billion in economic activity in 2018 while generating 4,416 direct vaping-related jobs. Sales of disposables and prefilled cartridges in New York exceeded \$54 million in 2016.
- 2 As of January 7, 2020, NYSHD has reported 150 confirmed and probable cases of vaping-related lung illness, including two deaths. Earlier reports note a majority of patients report vaping THC. NYSHD earns a **B** for its reporting on vaping-related lung illnesses.
- 3 In 2017, only 1.5 percent of New York high school students reported daily e-cigarette use. More data is needed.
- 4 Only 1 percent of FDA retail compliance checks in New York resulted in sales of e-cigarettes to minors from January 1, 2018 to September 30, 2019.
- 5 New York spends very little on tobacco prevention. In 2019, New York dedicated only \$39.4 million on tobacco control, or 2 percent of what the state received in tobacco settlement payments and taxes.

Notes

Tobacco Harm Reduction 101: New York

References

- ¹ Vapor Technology Association, “The Economic Impact of the Vapor Industry NEW YORK,” 2019, <https://vta.guerrillaeconomics.net/reports/a47fa077-8ecd-49ec-aa95-3ad281a71ab7?>
- ² Teresa W. Wang et al., “National and State-Specific Unit Sales and Prices for Electronic Cigarettes, United States, 2012-2016,” *Preventing Chronic Disease*, Centers for Disease Control and Prevention, August 2, 2018, https://www.cdc.gov/pcd/issues/2018/17_0555.htm.
- ³ New York State Department of Health, “New York State Vaping-Related Illness Investigation,” January 7, 2020, https://www.health.ny.gov/prevention/tobacco_control/docs/vapireport.pdf. Accessed January 12, 2020.
- ⁴ Governor’s Press Office, “Statement from Governor Andrew M. Cuomo on Second New York State Death from Vaping-Associated Illness,” November 20, 2019, <https://www.governor.ny.gov/news/statement-governor-andrew-m-cuomo-second-new-york-state-death-vaping-associated-illness>.
- ⁵ New York State Department of Health, “New York State Department of Health Issues Update on Outbreak of Vaping-Associated Pulmonary Illnesses,” November 8, 2019, https://www.health.ny.gov/press/releases/2019/2019-11-08_vaping.htm.
- ⁶ Centers for Disease Control and Prevention, “High School YRBS New York 2017 Results,” 2017, <https://nccd.cdc.gov/youthonline/App/Results.aspx?LID=NY>.
- ⁷ U.S. Food and Drug Administration, “Compliance Check Inspections of Tobacco Product Retailers,” September 30, 2019, https://www.accessdata.fda.gov/scripts/oc/inspections/oc_insp_searching.cfm.
- ⁸ Truth Initiative, “Tobacco use in New York,” June 28, 2019, <https://truthinitiative.org/research-resources/smoking-region/tobacco-use-new-york-2019>.
- ⁹ Royal College of Physicians, *Nicotine without Smoke: Tobacco Harm Reduction*, April 2016, <https://www.rcplondon.ac.uk/projects/outputs/nicotinewithout-smoke-tobacco-harm-reduction-0>.
- ¹⁰ A. McNeill et al., “Evidence review of e-cigarettes and heated tobacco products 2018,” Public Health England, February 2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/684963/Evidence_review_of_e-cigarettes_and_heated_tobacco_products_2018.pdf.
- ¹¹ The American Cancer Society, “What Do We Know About E-Cigarettes?” June 19, 2019, <https://web.archive.org/web/20190806152535/https://www.cancer.org/cancer/cancer-causes/tobacco-and-cancer/e-cigarettes.html>.

For More Information, please refer to:

Tobacco Harm Reduction 101: A Guidebook for Policymakers

<https://www.heartland.org/publications-resources/publications/latest-heartland-policy-booklet-addresses-vaping-myths>

This booklet from The Heartland Institute aims to inform key stakeholders on the much-needed information on the benefits of electronic cigarettes and vaping devices. *Tobacco Harm Reduction 101* details the history of e-cigarettes, including regulatory actions on these products. The booklet also explains the role of nicotine, addresses tax policy and debunks many of the myths associated with e-cigarettes, including assertions about “popcorn lung,” formaldehyde, and the so-called youth vaping epidemic.

Nothing in this *Policy Tip Sheet* is intended to influence the passage of legislation, and it does not necessarily represent the views of The Heartland Institute. For further information on this and other topics, visit the [Budget & Tax News](#) website, [The Heartland Institute’s website](#), and [PolicyBot](#), Heartland’s free online research database.

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