



# State of New York

## Executive Chamber

No. 196

### EXECUTIVE ORDER

#### **INCLUDING E-CIGARETTE PREVENTION WITHIN ALL TOBACCO PREVENTION AND CESSATION PROGRAMMING AND MATERIALS AND DEPLOYING COMPREHENSIVE EDUCATIONAL PROGRAMMING FOR SCHOOL CHILDREN**

**WHEREAS**, the detrimental effects of smoking tobacco have been well-known for decades;

**WHEREAS**, smoking kills more people every year than alcohol use, illegal drug use, motor vehicle crashes, firearm-related incidents and human immunodeficiency virus combined;

**WHEREAS**, through the efforts of State government entities and others, New York has made great strides in generating awareness and resources to help New Yorkers quit nicotine addiction by smoking tobacco, but it is time to acknowledge that there are significant risks associated with vaping and that it is increasing in popularity with young people;

**WHEREAS**, while New York's high school student smoking rate dropped from 27.1% in 2000 to a record low of 4.3% in 2016, aggressive marketing promoting flavored e-cigarettes stands to turn that trend;

**WHEREAS**, there is evidence that, in addition to nicotine, most e-cigarette products contain and emit numerous potentially toxic substances and long-term studies have not been completed;

**WHEREAS**, the New York State Department of Health has received numerous reports from New York State physicians of severe pulmonary (lung-related) illness among patients ranging from 15 to 46 years of age, totaling 54 cases;

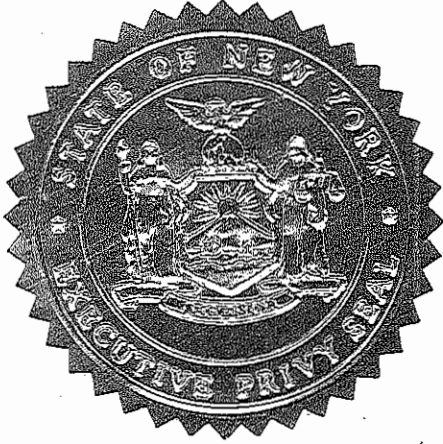
**WHEREAS**, nearly 40% of 12th grade students and 27% of high school students in New York State are now using e-cigarettes and high school use in 2018 (27.4%) is 160% higher than it was in 2014 (10.5%); and

**WHEREAS**, it is the policy of the State of New York to encourage the health, safety, and well-being of all New York residents.

**NOW, THEREFORE, I, ANDREW M. CUOMO**, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, and more specifically, Article IV, Section 1 of the New York State Constitution do hereby order and direct as follows:

1. As used herein, "Affected State Entities" means (i) all agencies and departments over which the Governor has executive authority, and (ii) all public benefit corporations, public authorities, boards, and commissions for which the Governor appoints the Chair, the Chief Executive, or the majority of the Board Members, except for the Port Authority of New York and New Jersey.
2. All Affected State Entities shall incorporate vaping and e-cigarette prevention and cessation materials into all tobacco, anti-smoking, or smoking cessation materials, programs or advocacy either produced by such Affected State Entities, or obtained from third parties and offered to employees, or the general public.

3. The Department of Health shall work with the State Education Department to immediately develop and deploy materials, including an age-appropriate curriculum for use by school districts to increase awareness of the need to prevent e-cigarette, liquid nicotine and vape pen use. Such efforts shall include posting conspicuous signage warning against the dangers of illegal e-cigarette and e-liquid products as set out in the emergency regulations approved by the Public Health and Health Planning Council on September 12, 2019.
4. All other government entities within New York State are encouraged to undertake similar consideration in their respective educational materials.



G I V E N under my hand and the Privy Seal of the  
State in the City of Albany this  
twelfth day of September in the year  
two thousand nineteen.

BY THE GOVERNOR

*Mr. C*  
Secretary to the Governor

A handwritten signature in black ink, appearing to read "Add...".