CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

GOVERNOR'S DECLARATION OF EMERGENCY

WHEREAS, the federal Centers for Disease Control and Prevention (CDC), the federal Food and Drug Administration (FDA), and state and local health departments nationally are investigating a multistate outbreak of severe lung disease associated with the use of vaping products including but not limited to e-cigarettes;

WHEREAS, as of September 19, 2019, the CDC had confirmed 530 cases across 38 states and U.S. territories, including seven fatalities in six different states;

WHEREAS, all reported cases have a history of vaping and have indicated a history of using vaping products containing tetrahydrocannabinol (THC), nicotine, or a combination of THC and nicotine;

WHEREAS, vaping products use an e-liquid that may contain nicotine, THC and/or cannabinoid oils, in addition to a combination of flavoring, propylene glycol, vegetable glycerin, and other ingredients and may also contain toxic chemicals such as formaldehyde, acrolein, acrylonitrile, propylene oxide, crotonaldehyde and acetaldehyde, as well as metal particles such as nickel, lead, and chromium, which can be inhaled into the lungs;

WHEREAS, although the recent outbreak is associated with vaping products, the specific cause of this disease is unknown;

WHEREAS, cases of vaping-associated pulmonary disease show diverse symptoms and signs of lung injury, including cough, chest pain, shortness of breath, low levels of blood oxygen, abnormal chest X-rays or CT scans, and pathologic evidence of damage to lung tissue that can be severe;

WHEREAS, nationally from 2017 to 2018 vaping use among youth has increased 78% among high school students and 48% among middle school students and the total number of children who are currently vaping rose to 3.6 million in 2018;

WHEREAS, in December 2018, the United States Surgeon General Jerome Adams officially declared vaping among youth in the United States an epidemic;

WHEREAS, Massachusetts youth usage mirrors national trends with 41% of all youth in 2017 reporting trying e-cigarettes and one in five reporting that they use e-cigarettes regularly;

WHEREAS, vaping products are marketed and sold in a wide variety of flavors that make them easier to use and more appealing to youth;

WHEREAS, nationally cases of vaping-associated pulmonary injury have occurred in all age groups, with 83% of cases occurring in those younger than 35 years of age;

WHEREAS, on September 11, 2019, the Commissioner of Public Health declared cases of unexplained vaping-associated pulmonary disease to be immediately reportable to the Massachusetts Department of Public Health (DPH) and further authorized the DPH to conduct surveillance activities necessary for the investigation, monitoring, control and prevention of this disease;

WHEREAS, to date more than 60 Massachusetts residents have already been reported with lung injury potentially related to vaping to DPH;

WHEREAS, as of September 24, 2019, five of these reports of lung injury meet the CDC case definition of confirmed or probable cases, and Massachusetts joins 38 other U.S. states in reporting cases to the CDC;
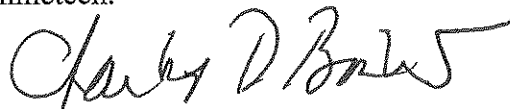
WHEREAS, these confirmed and probable cases in Massachusetts are among both teenagers and older adults and are linked to a range of vaped products; and

WHEREAS, it is necessary for the DPH to take action immediately to address this public health emergency;

NOW, THEREFORE, I, Charles D. Baker, the Governor of the Commonwealth of Massachusetts, pursuant to M.G.L. chapter 17, section 2A, declare that an emergency exists which is detrimental to the public health in the Commonwealth.

This declaration of a public health emergency is effective immediately and shall remain in effect until notice is given, pursuant to my judgment, that the public health emergency has terminated.

Given this 24th day of September two thousand and nineteen.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts