



OFFICE OF THE GOVERNOR

OCT 13 2019

To the Members of the California State Senate:

I am returning Senate Bill 538 without my signature.

This bill would require electronic cigarette (e-cigarette) manufacturers to submit a written physical description and photograph of each type of e-cigarette sold in California to the California Department of Public Health (CDPH) for posting on its website.

SB 538's goal of reducing e-cigarette use by California's youth is an important one. My administration is confronting the public health crisis from the increasing use and dangers associated with e-cigarettes, including how best to increase enforcement of e-cigarette requirements, and launching a digital and social media campaign aimed at educating youth, young adults, and parents about the health risks of vaping nicotine and cannabis products. I have also called on the Legislature to pass legislation banning flavored vaping products in the upcoming year.

SB 538 does not provide an enforcement mechanism to ensure compliance from manufacturers, many of which are located out-of-state or overseas. While the bill authorizes CDPH to collect a fee from manufacturers of e-cigarettes sold in the state to pay for the costs of implementing this legislation, the fees collected may not be sufficient to fund the program, creating General Fund cost pressures.

Sincerely,

Gavin Newsom

