

LD 1215: An Act To End the Sale of Flavored Tobacco Products
Testimony of Maria Donahue, resident of Southwest Harbor, Maine
April 23, 2023

Senator Baldacci, Representative Meyer, and honorable members of the Joint Standing Committee on Health and Human Services:

My name is Maria Donahue. I live in Southwest Harbor, and I have been in the public health field for over 20 years. I have spent the past 16 of those years back in Downeast Maine, where I grew up, working with partners to create healthier schools and communities, including tobacco free environments. I am writing today in support of LD1215, an Act to End the Sale of Flavored Tobacco Products.

Over twenty years ago, Maine was heralded as a leader in the nation's tobacco control efforts. We were one of the few states to put our Tobacco Settlement dollars toward public health programs, with an emphasis on tobacco prevention, instead of unrelated infrastructure projects. The number of high school students who smoked cigarettes dropped from 39% in 1997¹ to 9% in 2019.² In 1999, Maine was one of the first states to pass legislation making restaurants smoke-free, and in 2003, Maine became the 5th state to adopt a comprehensive smoke-free workplace law, which extended the smoke-free law to bars. I was not living here at the time, but I was so proud of my home state.

Unfortunately, many of the gains we made in tobacco prevention and control have been undermined by the introduction of vaping devices as alternatives to combustible tobacco products. As cigarette smoking became increasingly banned - legally and socially - the tobacco industry developed new products to get around indoor smoke-free laws. Cigarette smoking has declined, but as of 2021, 1 in 3 Maine high school students have used e-cigarettes, and 1 in 5 are currently using a tobacco product – rates well above the national average.² We continue to hear from students and adults alike that the actual number, as high as it is, seems much higher. “Everyone is vaping”, they say. “Cigarettes are gross, but vaping is cool.” With over 15,000 fruit, candy, and dessert flavors of tobacco products, many young people still don't understand that e-cigarette aerosol isn't just water vapor. We even hear of parents buying vapes for their children because they think they are a harmless, candy-flavored novelty. In fact, 99.6 % of vaping products contain nicotine.

¹ Centers for Disease Control and Prevention, Youth Risk Behavior Surveillance System, 1993.

² Maine Department of Health & Human Services & Maine Department of Education, “Maine Integrated Youth Health Survey”, 2021. <https://www.maine.gov/miyhs/2021-results>.

One of my colleagues offers vaping workshops to youth ranging from 7 to 18 years of age in rural Washington County. Students have shared that they watch TikTok and see colorful ads with fun flavors like Unicorn Milk and Bubble Gum that grab their attention. Their parents and teachers are afraid for their futures. Kids compete to see *how fast* they can consume the juice in one pod, the equivalent of one pack of cigarettes. They can consume one pack *in seconds*. With regular cigarettes that is not humanly possible. Over 80% of students in every class raise their hands to say that they smoke, they've tried it, their older siblings vape, and/or that their parents are smoking MORE now than before they switched to vaping. Four out of five kids who have used tobacco started with a flavored product.³

Flavors aren't harmless. Flavors hook kids. The tobacco industry is trying to hook another generation of users. Nicotine changes adolescent brain cell activity in parts of the brain responsible for attention, learning, and memory. Youth and young adults are much more susceptible to nicotine addiction, which can also increase risk for addiction to other substances. People who don't start using tobacco by the age of 26 are very unlikely to ever do so; in fact, 95% of adult smokers started by age 21.⁴ That's why the tobacco industry continually adapts their products and specifically targets kids to attract more customers.

Let's put Maine back on the map as a leader in tobacco prevention and control efforts. The state should join towns across Maine that have already taken a stand on a full flavored tobacco ban - Bangor, Portland, South Portland, Brunswick, and Bar Harbor. Let's give our young people their best chance to lead healthy, productive lives free from tobacco addiction. I ask this not only as a public health professional, working to keep ALL Maine kids healthy, but also as the mom of two teenage boys that I hope never get started or hooked on flavored tobacco. Please vote to end the sale of flavored tobacco products, including mint and menthol, in Maine by voting 'yes' on LD 1215. Thank you.

³ Ambrose BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014," Journal of the American Medical Association, published online October 26, 2015.

⁴ Campaign for Tobacco Free Kids, "Raising the Tobacco Age to 21", January 9, 2020.
<https://www.tobaccofreekids.org/what-we-do/us/sale-age-21>