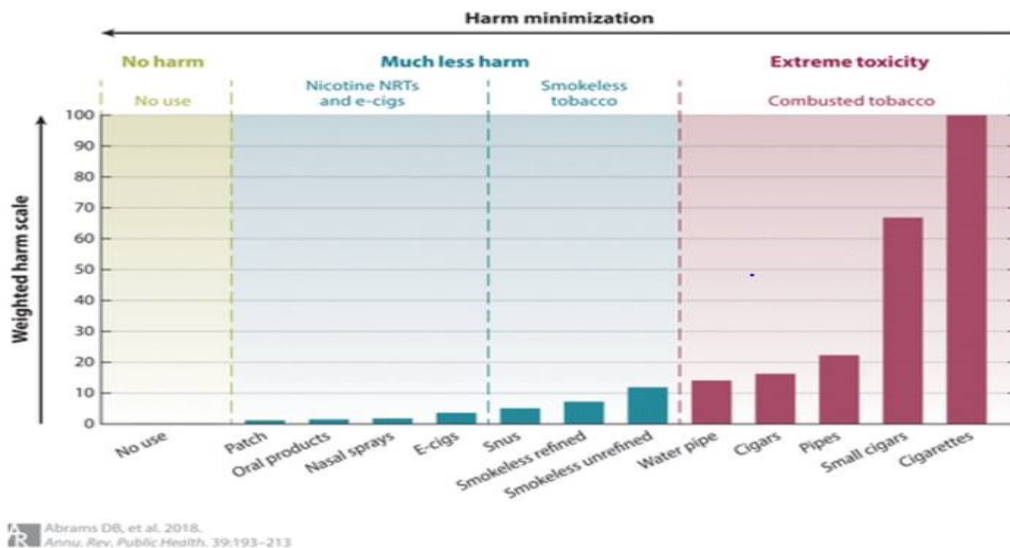


Members of the HHS committee:

As an operator of 13 convenience stores in Maine I write to oppose LD 1215 in its entirety for the following reasons:

- Prohibition does not work. Retailers are serious about providing only age-verified consumers from accessing tobacco products that flow through a taxed and regulated system of distribution. This ban would provide opportunity for criminal networks to supply diverted products to consumers willing to purchase them – regardless of age or proper tax application.
- The FDA’s MRTP and PMTA processes developed under Scott Gottlieb and Mitch Zeller reflect the FDA’s recognition that true, effective tobacco harm reduction requires making available tobacco products that are less risky to current tobacco users than traditional combustible cigarettes¹. This proposed action would restrict access for Maine residents to innovative products that offer less harm and can help move consumers down the continuum of risk. For example, menthol cigarettes account for only 13% of our sales, but for non-combustible products are:
 - 95% of MST sales
 - 99% of Nicotine Pouch sales
 - 94% of Snus sales

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- The proposed ban would severely harm our business – costing millions in sales annually and reducing customer trips by over 2000 customers per week – and they buy other products when shopping. The loss of these sales would result in a significant reduction in jobs from our operation.

¹<https://www.fda.gov/tobacco-products/about-center-tobacco-products-ctp/mitch-zeller>

²<https://www.thecontinuumofrisk.com%2F2018%2F07%2Ffda-commissioner-dr-scott-gottliebs-recent-remarks-vapor-products-continuum-risk-update-deeming-rule>