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Health and Human Services Committee
100 State House Station,
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RE: LD 1215 An Act to End the Sale of Flavored Tobacco Products

Members of the Health and Human Services Committee, I am submitting my testimony against LD 1215 An Act to End the Sale of Flavored Tobacco Products.

C. N. Brown Company is a third generation, family owned company that owns and operates 63 Big Apple convenience stores that employs over 800 people in Maine.

C. N. Brown Company understands that tobacco is an unhealthy product. We have absolutely no interest in selling tobacco to the youth in our state. We have training, policies and procedures in place to ensure, to the best of our ability, that tobacco products do not get into the hands of our kids. In fact, we take this so seriously that in the rare instance an employee is found in violation of the law regarding underage tobacco sales they are immediately terminated. Retailers like us are on the front-line protecting young people in the State of Maine and we take that responsibility very seriously.

In every flavor ban hearing that I have attended, whether it be for a state ban or a local ban, the vast majority of the testimony is in regards to flavored vape products and the youth epidemic. If our end goal is to keep flavored vape out of the hands of young people, why is the state looking to ban wintergreen smokeless tobacco, grape cigars, and menthol cigarettes? Why are there no consequences for underage people possessing these products or for the adults that are purchasing these products for them? Youth are NOT buying these products at convenience stores, adult tobacco consumers are buying the products for them. Why are retailers continuously scapegoated as the reason for youth using these products?

The other element that is continually brought up in testimony on flavored vape is the marketing to youth. I can tell you that there is not one piece of marketing in any of our locations that is going to make a vape product enticing to youth. I don't know what marketing these speakers are referring to.

I am not going to take the time to get into what the monetary cost to C. N. Brown Company will be if these bans take effect, we all know how detrimental to our business this will be, but let's instead talk about what this is going to cost the state:

The state of Massachusetts banned flavored tobacco in November of 2019. This prohibition has led to an explosion in illicit markets, meaning lost tax revenue for the state, problems for the state's law enforcement and tying up courts with the prosecution of sellers. All of this while allowing the legalization of marijuana. This is exactly what the state of Maine is going to do if this bill passes. The bordering states to Massachusetts, especially New Hampshire, saw large increases in their tax revenue after the ban. I am sure that New Hampshire is hoping that the state of Maine will pass these same flavor bans so they can watch their coffers fill with tobacco tax revenue from our own citizens because this is not going to stop them from purchasing the products they want.

You can review much of the information on the impact of the flavor ban in Massachusetts and what the state of Maine will be facing if this bill passes by clicking on the link below. I urge you to review this information before you vote on this bill.

<https://reason.com/2023/03/09/massachusetts-tobacco-ban-went-as-badly-as-you-d-expect/>

We currently own and operate two locations in Bridgton not far from Conway, NH, two locations in Bethel not far from Gorham, NH, locations in Saco, Sanford, Arundel, and Kennebunk that are not far from Seabrook, NH. This is nine locations that will be competing directly with New Hampshire for consumers' tobacco purchases. If this bill passes there will be a high possibility of closing these locations due to the loss of revenue. This will mean a loss of jobs as well as tax revenue for the State of Maine.

For the sake of our 800 employees throughout the state of Maine we oppose LD1215 and we ask that you oppose it as well.

Thank you very much for taking the time to read my testimony and I hope you take our concerns into consideration when voting on this bill.