



April 25, 2023

Testimony on Maine LD1174 — “An act to prohibit the sale of flavored tobacco products”

Dear Chairs and Members of the Health and Human Services Committee,

My name is Elizabeth Hicks and I am the US Affairs Analyst of the consumer advocacy group Consumer Choice Center.

Simply put, LD1174 will do more harm than good if passed. Enacting a flavor ban on vaping products will push adult consumers to switch back to smoking combustible tobacco. Sadly, 2,400 Mainers lose their lives to smoking-related illnesses every year. Considering that [studies have shown vaping to be 95% less harmful than smoking](#) and that adults who use flavored vaping products are [2.3 times more likely](#) to quit smoking cigarettes, ensuring that adult consumers have access to the vaping products they prefer will ultimately lead to fewer cigarette smoking-related deaths in Maine.

Smoking-related illnesses are very serious and can lead to cancer. On a personal note, after being around second-hand smoke most of my life, this past year I unfortunately received my own cancer diagnosis, undergoing 12 rounds of chemotherapy, 20 sessions of radiation, 9 cycles of immunotherapy and multiple surgeries - and I can assure you that I would not wish this on anyone. Considering this committee is focused on protecting health, embracing vaping as a harm reduction tool here in Maine will help ensure that your citizens are less likely to end up in a situation similar to mine.

More than 4% of Maine’s adult population uses vaping products, accounting for over 56,000 Mainers who have switched to a less risky alternative to combustible tobacco. Banning flavored vaping products will encourage these former smokers to switch back to smoking cigarettes, and will ultimately lead to increases in smoking-related healthcare costs, which are already costing Maine’s taxpayers \$281.2 million annually through medicaid expenses alone.

Furthermore, while this bill is intended to protect youth from tobacco use, [data from the Journal of the American Medicine Association](#) shows that when flavored vaping products are banned, combustible smoking rates **increase** for youth aged 18 and younger. This unintended consequence would only exacerbate the problem Maine is trying to fix, while simultaneously harming adult consumers, making this particular bill unviable in achieving its desired outcomes.

Additionally, if a flavor ban is enacted in Maine, then consumers will look towards the illicit market in order to get access to their preferred flavored vaping products. This presents serious concerns for public health in the state as vapers will be purchasing unregulated products that do not necessarily adhere to regulatory standards. Additionally, the illicit market does not abide by age restrictions therefore making it much easier for youth to acquire these products illegally.



Our goal should be to expand adult's choices to quit combustible tobacco, not to limit them severely.

The fear of our organization if this bill is adopted, is that the state will move quickly to deprive adult consumers of these less risky options, unaware of the severe repercussions and harm that would happen.

Our policies must be fair, just, and based on scientific evidence. I believe this body, composed of diverse legislators from the entire state, can help make that determination for the residents who depend on you to protect their consumer choice. **We would urge you to vote against LD1174.**

Thank you for your consideration & I'm happy to answer any questions you may have.

Elizabeth Hicks
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LD 1174

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