

Committee on Health and Human Services
100 State House Station
Augusta, ME 04333

RE: LD 1215 An Act to End the Sale of Flavored Tobacco Products, AND
LD 1174 An Act to Prohibit the Sale of Flavored Tobacco Products

My name is Antonio Giarratano and I am a proud citizen of both Maine and these United States of America. I live in Biddeford with my husband, and we are both smokers, specifically of Menthol cigarettes.

I'll be the first to admit, yes, smoking isn't the healthiest thing to do. We are on the slow path of quitting but will do so ON OUR OWN TERMS! This overreach is just the latest item on the long line of feel-good ideas that will hinder a large percentage of the population from doing something that may enjoy because some feel that it "MAY" help curb a new fad taboo, or just don't like the act in general.

Why is it that when people don't like something, instead of trying to push for better enforcement, they automatically jump to banning it? Instead of banning something that legal-age adults are entitled to purchase under the current law, try asking one question: "How are these children getting these products?" There is currently a slew of laws on the books that ban tobacco sales to minors, just as there are laws that ban children under 16 from driving a motor vehicle... or from buying alcohol... Why are we not banning driving... or alcohol (which kills hundred of times more people each year)?

Why are we not tightening existing laws to punish abusers of these laws? Why are we not updating the language in these laws to expand enforcement of under-age sales? Why are we not punishing people more strictly for breaking these laws?

Let's look at a page from the history books... Prohibition. How did that work? Prohibition was a feel-good idea that sprang from religious and personal beliefs that alcohol was immoral and "idleness, disorder, pauperism and crime existing in the country, are, in some degree...traceable to this evil", as Justice Harlan put it while ruling in *Mugler v Kansas* in 1887. It lasted for 13 years and did little to curb the production and consumption of alcohol. If anything, it increased crime and bad behavior by forcing everyday people to act outside of the law to continue to enjoy something that a majority of the country still supported and enjoyed themselves.

In closing, this will NOT stop minors from starting to smoke or vape. Kids just don't wake up and say to themselves, "I want to try that new bubble-gum flavored vape pen!". There are many factors that cause this and banning just flavored products will NOT make this go away any time soon! Thinking otherwise is delusional at best. ENFORCEMENT OF EXISTING LAWS IS KEY!!!

Thank you for allowing me to voice my concerns.