



**Maine Medical
Association**



Testimony of the Maine Chapter, American Academy of Pediatrics, Maine Medical Association, and Maine Osteopathic Association

in OPPOSITION to

LD 2134, An Act to Create an Exception to the Prohibition of Tobacco Sales in Retail Establishments Containing Pharmacies for Certain Small Grocery Stores

January 28, 2026

Senator Ingwersen, Representative Meyer, and esteemed members of the Committee on Health and Human Services,

My name is Madeleine DesFosses, and I am submitting this testimony in opposition to LD 2134 on behalf of the Maine Chapter of the American Academy of Pediatrics, the Maine Medical Association, and the Maine Osteopathic Association. We are in strong opposition to LD 2134, which would carve out an exemption for certain retailers containing pharmacies to sell tobacco products.

The Maine AAP is a professional organization of 300 pediatricians and pediatric subspecialists dedicated to protecting the health of Maine children and adolescents. The Maine Medical Association (MMA) is a professional organization representing more than 4,300 allopathic and osteopathic physicians, residents, and medical students in Maine. MMA's mission is to support Maine physicians, advance the quality of medicine in Maine, and promote the health of all Maine people. The Maine Osteopathic Association (MOA) is a professional organization representing more than 1,200 osteopathic physicians, residents, and medical students in Maine whose mission is to serve the Osteopathic profession of the State of Maine through a coordinated effort of professional education, advocacy, and member services in order to ensure the availability of quality osteopathic health care to the people of this State.

In 2025, we testified in support of LD 166, An Act to Prohibit the Sale of Tobacco Products in Pharmacies and Retail Establishments Containing Pharmacies. We supported this legislation because although the dangers of nicotine addiction and tobacco use have been well established for decades, tobacco products remain widely available in places intended to provide healthcare and promote health-related products. The passage of LD 166 was a huge win for tobacco prevention efforts, but LD 2134 seeks to undermine those efforts, prioritizing tobacco sales over the health of patients in Maine.

When tobacco products are sold alongside items meant to support health and wellness, it sends a misleading message to community members, especially youth, that tobacco use is not harmful. This normalization can make purchasing tobacco seem as routine and benign as buying toilet paper or aspirin.

The display and sale of tobacco products in pharmacy spaces can lead to increased youth initiation. In fact, exposure to “tobacco-saturated retail spaces” is associated with higher rates of youth tobacco initiation (1). The more frequently youth are exposed to tobacco products, the more likely they are to initiate use of tobacco products themselves.

Beyond its impact on youth, this bill may also disproportionately affect certain communities, including rural areas. Rural communities are more likely to rely on smaller grocery stores, which would be exempt under the proposed legislation. This exemption could exacerbate existing health inequities, as rural areas already experience higher rates of tobacco use and tobacco-related preventable illnesses, such as lower respiratory disease, compared to urban communities (2).

No matter where they live, patients deserve access to pharmacy spaces free from products that threaten their health and wellbeing. LD 166 made sense when the Legislature passed it less than a year ago, and it continues to make sense today.

The Maine AAP, MMA, and MOA urge you to vote ‘Ought NOT to Pass’ on LD 2134, and help ensure that all retail spaces containing pharmacies remain places where the health of patients and communities are promoted and prioritized over the sale of harmful tobacco products.

Madeleine DesFosses
Advocacy & Public Health Manager
Maine AAP

References:

1. Lindsay Robertson, Rob McGee, Louise Marsh, Janet Hoek, A Systematic Review on the Impact of Point-of-Sale Tobacco Promotion on Smoking, Nicotine & Tobacco Research, Volume 17, Issue 1, January 2015, Pages 2–17, <https://doi.org/10.1093/ntr/ntu168>
2. Centers for Disease Control and Prevention. Leading Causes of Death in Rural America. Updated August 27, 2024. Accessed January 27, 2026. <https://www.cdc.gov/rural-health/php/about/leading-causes-of-death.html>