



Testimony of Lance Boucher American Lung 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”

Good afternoon Chairs Ingwersen and Meyer and distinguished members of the Joint Standing Committee on Health and Human Services. My name is Lance Boucher of Manchester and I am the Assistant Vice President, State Public Policy for the American Lung Association. The Lung Association is the nation’s oldest voluntary public health organization with a mission to save lives by improving lung health and preventing lung disease. We do this through education, advocacy, and research.

The American Lung Association appreciates the opportunity to offer comments to you today in opposition to LD 2134. We urge you to vote Ought Not to Pass on this legislation.

The Lung Association appreciated the efforts of Representative Moonen in enacting LD 166 last year with this committee’s support. Our reason for opposition to the measure before you is to prevent exemptions from undermining that law.

As this committee knows from past sessions - exemptions in tobacco and health policy are a slippery slope creating an unlevel playing field, sending mixed messages about the policy importance, and undermining enforcement. During a previous effort on exceptions to our smokefree laws a member of this committee summarized it best by comparing an exemption rollback to the popular children’s book “If you Give a Mouse A Cookie.” One small request now opens the door, resulting in more and more demands beyond the original action.

The policy ending the sale of tobacco products in pharmacies was sound public health policy last year, and the reasoning for it still holds true today. Across the nation, hundreds of thousands of smokers last purchased their cigarettes from a pharmacy. As trusted healthcare facilities, pharmacies are a place for customers to purchase products and medications to get well. Given the critical healthcare role pharmacies play in communities, they should not be selling a deadly product that kills up to one half of its users.

Selling tobacco in pharmacies sends a mixed message to consumers about the dangers of tobacco products. According to a study in the Journal of the American Medical Association, when filling prescriptions for chronic illnesses worsened by smoking, 1 in 20

customers also purchased cigarettes¹.

Pharmacies should be part of the network of support that individuals can rely on to help end their addiction to nicotine, not fuel it. Recent work of the Maine Legislature has helped to increase the role of the pharmacist in tobacco treatment and cessation and now ending the sale of products at these locations will help further that goal. Keeping tobacco products out of pharmacies is a critical step to reduce youth access and help smokers quit. According to a study in the Journal of Preventive Medicine, tobacco products in pharmacies make quit attempts for current smokers less successful². The Lung Association urges you to vote “Ought Not to Pass” on LD 2134 and keep Maine’s pharmacies tobacco-free without exceptions.

¹ <https://www.ncbi.nih.gov/pubmed/25329817>

² <https://doi.org/10.1016/j.ypmed.2017.05.005>