

LD 1174, LD 1215 Prohibit and End Sale of Flavored Tobacco Products

My name is Brett Scott, and I am here on behalf of Smokers Haven who employs 125 people and The Maine Vapers Association, which consists of locally owned and operated small businesses here in Maine. We oppose this legislation.

I have been in this business for 13 years; over that time, we have helped thousands of people quit smoking by using flavored e-cigarettes to provide nicotine without the 7,000 chemicals inhaled from the burning of cigarettes. For reference, e-liquid traditionally contains four ingredients found in everyday items, which includes food grade vegetable glycerin, propylene glycol, natural flavorings, and nicotine.

When significant changes are implemented, it takes time to see the impact of those changes, some not until several years later. Since the tobacco age increased from 18 years old to 21 years old, youth tobacco usage has continued to decline in Maine.

According to the most recent Maine Integrated Youth Health Survey, the use of tobacco products has declined each year since 2019 in all tobacco categories. Citing their data, which polls high school student usage over the last 30 days, there was a 39.4% decrease in electronic vapor product usage and 22.5% decrease in traditional cigarette usage from 2019 to 2021. Overall, the 2021 rates are "statistically better" (meaning lower) than the 2019 rates in every tobacco product category.^{1 2} This shows significant progress in reducing underage tobacco usage. Additional measures enacted include Maine's ban of online sales as well as all major parcel carriers banning e-cigarette deliveries. The youth usage continues to significantly decline.

Keep in mind that many adult smokers use flavored nicotine products to quit smoking combustible cigarettes. Banning flavored vapes entirely would leave adults without flavors, without product options, and lead them back to traditional tobacco. There is a balance between curbing youth access and options for adult smokers to quit smoking. Flavored tobacco products do help people quit smoking combustible cigarettes and help people live healthier lives by not inhaling thousands of chemicals and carcinogens. We should not eliminate flavored vape products as there is a benefit in these products for adult smokers.

The decisions you are making today will impact countless consumers as well as family businesses like my own. A flavor ban will leave many people here today out of a job and out of business. I am speaking here today hoping that with such a large decision that you would be open to giving myself and others an opportunity to meet with you to

¹ https://www.maine.gov/miyhs/sites/default/files/2021_Reports/Core_Reports/HS/MIYHS2021_Core_Reports_HS_State/Maine_2021_MIYHS_High_School_Report.pdf

² https://www.maine.gov/dhhs/mecdc/population-health/hmp/ptm/documents/Tobacco_Advisory_Report_2022.pdf

answer any questions, discuss the impacts, alternatives, and work together to come up with a plan that brings government and industry together towards practical solutions.

Several changes have already been made to curb youth access. These steps are working while keeping these products available for adults 21 years and older. The year over year data shows a continuing decline in underage usage. A complete ban will drive people back to traditional tobacco products and impact many small business and Maine citizens. Please oppose this bill and allow for time to demonstrate the positive impact of changes already enacted.

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