

Jacob Clifton – Health & Safety concerns in response to potential flavor ban

There are two fundamental reasons why a flavor ban would be enacted. The first are the health reasons related to flavor extracts, the second is that it will likely prevent people from using electronic cigarettes, and may also prevent children from doing so.

At no point when I still smoked did I enjoy the flavor. I was not exempt to thinking “Man, I really wish this tasted better.” - But the truth is, I was going to smoke *regardless* of the flavor. Many people, as well as kids who unfortunately have access to it, still smoke, no matter how 'appealing' a flavored nicotine inhalation system may seem.

The reason why is because it is *not* appealing, by any metric, to a smoker. This is because a smoker and a vaper do not have as much in common as people think. A smoker begins their habit one of two ways, either through secondhand smoking, or through excessive stress and ease of access to cigarettes. A smoker begins their habit without flavorings, and a vaper begins their habit with flavorings. This means a vaper is more likely to pursue flavor, *regardless* of any existing bans, and DIY e-liquid is not banable for reasons I will cover later in this testimony.

Ever since the wholesale tax and the Pact Act, vaping has become progressively more difficult to get into, which is why an overwhelming majority of people have not switched over. This is made very apparent by the number of active smokers only going up (according to the CDC) since vaping was popularized in the early 2010s.¹ In 2018, the number averaged nationally around 9 in 100 adults. In 2019, it increased to 15 in 100 adults.

As a very objective thinker, it is easy for me to say that there is not enough data on vaping, but also to say that there *is* enough data on smoking that even though cigarettes have a foul, burnt taste, it is not at all a deterrent for those who will become introduced to it. This, along with the fact that it is *impossible* to prevent a person from buying food-grade flavoring online and using it in their own e-liquid eliminates the concept of a flavor ban deterring new vapers.

If anything, it would cause a lot of safety issues since e-liquid manufacturers with FDA approved products would be unable to sell their products in this state, which will cause more people to try using anything they can to add flavor to their e-liquid. This is incredibly unsafe, and is the sole reason why over 20 kids died in 2018 due to there being a presence of Vitamin-E Acetate in a cartomizer (a type of electronic cigarette) because it was an unregulated product that was being sold on Instagram.

By banning flavors, you are banning the regulations that our federal government has put into place for our protection. If you think it won't lead to this health and safety issue, when I first started vaping, it was 100% DIY. There are so many vapers within our communities that are familiar with DIY², it would be very unreasonable to simply ignore them. Many of them will go back to DIY, even I will go back to DIY.

Even if by chance DIY was also banable (which it is not unless you were to ban food-grade flavorings), I would continue vaping, because no matter how flavorless it tastes, it still beats a burnt, ashy taste and the stigma that comes along with smoking.

1 https://www.cdc.gov/tobacco/data_statistics/fact_sheets/adult_data/cig_smoking/index.htm#nation

2 <https://e-liquid-recipes.com/>

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Thank you for your careful consideration.