

Hello,

And thanks for taking my testimony. I am just a normal citizen of Maine. I did my time in the military and am now a permanent resident. I am also a consumer of vape products, to which this hearing is about restricting. I was able to quit smoking completely 7+ years ago thanks to flavored vapor products. The flavor IS the product and is the reason so many smokers can switch to a much safer alternative and STAY QUIT. Flavored vapor products, in particular my favorite, Mint Chocolate Chip Ice cream, has been my lifeline out of a horrible addiction to smoking cigarettes that was sure to kill me. We can debate all day whether you believe vaping is safer than smoking, but in the UK (where tobacco smoking is going the way of the dodo), vaping flavored nicotine e-liquid is embraced as a harm reduction tool. Public Health England has found, after extensive review, that e-cigarettes are around 95% less harmful than smoked tobacco.<sup>1</sup>

Is teen vaping an epidemic? US high school vaping dropped 29% in 2019, according to the CDC's National Youth Tobacco Survey. A study just published in the Journal of the American Medical Association shows that teen vaping dropped ANOTHER 32% by November 2020. That's a 52% drop in just two years. There is, in fact, an epidemic of NOT VAPING. This was a fad, folks. Not a crisis. Not a risky behavior that should warrant another 1930s-style Reefer Madness moral panic.

According to the CDC and the FDA, by March of 2020, only 4% of US high school kids vaped daily. Consider that in the context of other stuff-kids-do. They are 4 times more likely to binge drink. According to the CDC, teen binge drinking causes 3,500 deaths and 119,000 emergency room visits EVERY YEAR. Should we ban flavored alcohol instead? To the best of my knowledge, no one has ever died from NICOTINE vaping - in 15+ years of use, by over 11 million US adults, and 68 million people worldwide. Don't even mention EVALI, as that was found by the CDC to have been caused by black market THC cartridges, NOT nicotine vaping.

What about adults? Well, 4.3 MILLION American adults have quit smoking with e-cigarettes, according to the CDC's National Health Interview Survey. LET THAT SINK IN: 4.3 million ex-smokers. But this is just the number who are still vaping. About 26% of smokers who quit with e-cigarettes later quit vaping too. So e-cigarettes may have helped a total of 5.4 million Americans quit, and flavors are a huge part of that. Just 34 million smokers to go...

More than 35 respected scientific and public health organizations (with no tobacco industry ties) agree that e-cigarettes (nicotine vapes) are safer than smoking. A recent evidence review by Cochrane, the global gold standard for such reviews, found "moderate certainty that e-cigarettes are effective in helping adult smokers quit."<sup>2</sup>

By my calculation, more than 9 out of 10 Americans who OWN an e-cigarette are ADULTS. Numerous surveys show that most adult vapers prefer 'flavors' that don't remind them of smoking. 'Flavors' were not created as a plot to lure teens. The market for nicotine vape products is the 34 million adults who still smoke and the 11.6 million

adults who now vape. Their purchasing power is more than 200 times greater than that of US teens on allowances. Forcing adult vapers back to TOBACCO flavor is like forcing recovering alcoholics to drink rum-flavored sodas.

A recent Yale study found that 'flavors' are 2.3 times more effective for smoking cessation than tobacco flavor. Several surveys show that at least 10% of adult vapers may relapse to smoking if 'flavors' are banned. Nationwide, a 'flavor' ban would create 500,000 more smokers overnight. Possibly the deadliest policy ever proposed.

But most adult vapers won't relapse. They'll turn to a new black market with weaker safety standards and - very important - no age checks. Bootleg THC vapes (not nicotine vapes) caused the outbreak of lung injuries in 2019. Prohibition does not make things go away. It makes them less safe.

But what about flavor bans in other locations?

Cigarette sales have increased wherever 'flavor' bans have been passed, including San Francisco, Massachusetts, Washington, Rhode Island, New York, and Nova Scotia.

What did we learn after the flavor ban in San Francisco?

San Francisco banned 'flavors' in April 2019.

RESULT: Young adult use of "flavored tobacco products" did not drop "sharply." E-cigarette and cigar use dropped a bit. And cigarette smoking increased. <sup>3</sup> This is not good as smoking cigarettes is magnitudes more harmful than vaping e-cigarettes.

San Francisco: 30% increase in young adult smoking<sup>3</sup>

Rhode Island: 5% increase in cigarette sales

Washington: 5% increase in cigarette sales

Nova Scotia: 23% increase in cigarette sales

"Massachusetts has lost millions in tax revenue to neighboring states, as consumers have taken their business to stores in New Hampshire and Rhode Island, where the flavored tobacco products demanded by many law-abiding adults are still available for sale." From June 2020 to November 2020, Massachusetts cigarette excise tax stamp sales fell 24 percent, with \$62 million in revenue lost. When including lost sales taxes, that figure rises to \$73 million. <sup>4</sup>

Total US cigarette sales strengthened last year as "some e-cigarette users turned back to combustible cigarettes because of increased e-cigarette taxes, bans on flavored vaping products, and confusion about the health effects of vaping." <sup>5</sup>

I hope that you will be able to see from my point of view as a simple resident of Maine who was able to quit smoking, and stay quit, with flavored vapor products. Please think of people like me when considering restrictions.

Thank You,

Thomas Short  
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## References

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