

**Remarks By
Amanda Wheeler
President, American Vapor Manufacturers Association
Maine Legislature: Health & Human Services Joint Committee
Co-Chairs Senator Ned Claxton and Representative Michelle Meyer
February 9, 2022**

Thank you Co-Chairs Claxton and Meyer, thank you for the opportunity to speak today about provisions included H.P. 1258.

My name is Amanda Wheeler and I am the president of the American Vapor Manufacturers Association. I am speaking today on behalf of our member businesses in Maine, their employees, and their customers' right to switch to vaping products, which as I will explain, is vastly safer than smoking a cigarette.

We oppose provisions included in H.P. 1258 which would prohibit the sale of flavored nicotine products to adults who want to purchase a vape product as part of an effort to quit smoking.

There is one important point I hope to convince this panel: implementing a flavor ban will fall short of the legislature's stated goal of reducing youth tobacco use and it will drive many adults back to smoking cigarettes.

To find the best solution, I urge you to analyze recent research and understand the outcomes of similar laws in other states.

What we will find is flavor bans do not improve public health, flavor bans do not curb youth tobacco use.

Let's review the facts:

- According to the CDC youth vaping in the United States has decreased by nearly 60 percent from 2019 to 2021.
- Nearly 15 million American adults use vaping products in an effort to quit smoking combustible tobacco – these are the same tobacco products that lead to disease and death in nearly half of all cigarette smokers.
- In fact, over 480,000 Americans die each year from cigarette smoking. For context, this is about 100,000 more deaths per year than the number of deaths attributed to COVID-19 in 2020 or 2021.

If vaping is an option for adults who smoke then it will save lives. If flavored vaping products are available it will save even more lives.

While the top methods recommended by organizations like the FDA or the American Lung Association to quit smoking continue to fail - Vaping has proven to be the most effective tool to date to address the smoking epidemic in our country.

Let's look at the facts.

- According to a recent [Cochrane Library](#) review, 9-14 percent of people who use vaping products are successfully quitting smoking, compared to only 6 percent with traditional nicotine replacement therapy, and 4 percent who are attempting to quit cold turkey.
- Flavors are essential to adults who want to quit smoking. A 2020 study published by [Oxford University Press](#) found that 63 percent of adults use vaping flavors other than tobacco.
- Moreover, a June 2020 study published in the [Journal of American Medical Association Network](#) found that adults who began vaping non tobacco-flavored e-cigarettes were more likely to quit smoking than those who vaped tobacco flavors.

Banning flavors has serious unintended consequences, and the research continues to show us why:

- An Oxford University Press study of young adults ages 18 to 34 found that [1 in 3 would switch back to cigarettes](#) if flavors were banned.
- A study published in the journal Addictive Behaviors found that, [if flavors were banned](#), 28 percent of adult vapers would find a way to obtain banned flavors, driving them to illicit markets.
- And probably the most important study from [Yale University](#) found that a flavor ban imposed by the City of San Francisco doubled the rate of cigarette smoking among high school-aged students.

Let me repeat that, after the ban was imposed the rate of high school students who switched back to smoking doubled.

If flavor bans are not working in other states then why would it work in Maine?

The research and real world examples are clear: implementing a flavor ban will deprive adult smokers of the best smoking cessation tool available while also nearly ensuring an increase in youth cigarette smoking rates.

That is the human impact, now let's look at the economic impact.

A flavor ban would also shutter countless Maine small businesses. Flavored products generally comprise more than 90 percent of vaping liquid sales in locally owned vape shops. These businesses rigorously check ID's and ensure that products are only sold to adults. This is further real world evidence that adults prefer flavors.

Here is a final thought:

A flavor ban is bad for Maine, for its small business owners, and for adults making a valiant effort to quit smoking using products proven to be radically safer than smoking cigarettes.

For all these reasons, I urge you to remove the flavor ban from the proposed legislation.

Thank you.