

To: The Honorable Ryan Yamane, Health Chair

The Honorable Dee Morikawa, Health Vice Chair

Fr: Deborah Zysman, MPH; Executive Director

Hrg: January 27, 2012 Re: Support for HB1960

Thank you for the opportunity to offer testimony in strong support of HB 1960 prohibiting self-service displays of tobacco products.

Research has shown that preventing the display of tobacco products leads to a decrease in the number of adolescents experimenting with and becoming addicted to those tobacco products. This bill will reduce youth access to tobacco, as well as the theft of tobacco products. The World Health Organization has endorsed a ban on retail tobacco product displays as an effective method of reducing tobacco use.²

Prohibiting self-service tobacco displays is a promising practice that many states are considering or have enacted. Minnesota law prohibits self-service displays of cigarettes and smokeless tobacco, except in age-restricted retail tobacco stores that derive at least 90 percent of their revenue from the sale of tobacco and tobacco-related products.³ Similarly, New York State prohibits self-service tobacco displays in retail stores that are open to minors.⁴

Tobacco products are still the leading cause of preventable disease and death. We can reduce this by making sure youth never start and tobacco users have every opportunity to quit. This measure will continue to place Hawaii at the forefront of tobacco prevention and control.

Thank you for the opportunity to provide testimony in support of this measure.

Deborah Zysman, MPH

Executive Director

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The Coalition for a Tobacco Free Hawaii (Coalition) is the only independent organization in Hawaii whose sole mission is to reduce tobacco use through education, policy and advocacy.

¹ Markus P. Bidell, Case Study of Attempts to Enact Self Service Tobacco Display Ordinances: A Tale of Three Communities, Tobacco Control, 71-77 (2000)

² World Health Organization Framework Convention on Tobacco Control, *Guidelines for Implementation of Article* 13, adopted Nov. 2008;

³ Minn. Stat. § 461.18, subd. 1.

N.Y. Pub. Health Law § 1399-cc(7).



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January 26, 2012

House Committee on Health Representative Ryan Yamane, Chair Representative Dee Morikawa, Vice Chair

Hearing:

State Capitol Room 329 January 27, 2012, 9:00 a.m.

HB 1960 - Relating to Tobacco Products

Thank you for the opportunity to testify in strong support of HB 1960, which prohibits the use of self-service displays for tobacco products.

The American Cancer Society is the nationwide, community-based, voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives, and diminishing suffering from cancer, through research, education, advocacy, and service.

The American Cancer Society is concerned over the continued use of tobacco by youth. We believe that continued marketing of tobacco products to children is a part of the problem. This measure proposes a solution, keeping tobacco products away and out of sight. We believe this measure will have a positive impact on youth smoking rates.

Smoking remains the leading cause of cancer and health problems. We urge this committee to move this measure forward. Thank you for allowing us the opportunity to provide this testimony on this measure.

Sincerely,

Cory Chun

Government Relations Director

American Cancer Society Hawai'i Pacific, Inc., 2370 Nu'uanu Avenue, Honolulu, Hawaii 96817-1714

•Phone: (808) 595-7500 •Fax: (808) 595-7502 •24-Hour Cancer Info: (800) 227-2345 •http://www.cancer.org

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

Dear Legislators:

My name is Alexander Halley. I am a Baldwin High School graduate on Maui, and I am writing to strongly support HB 1960.

Through my work with REAL: Hawaii's youth-led movement against the tobacco industry, I have seen our state advance in healthy policies for the residents of Hawaii. We have successfully passed smoke-free restaurants, beaches, workplaces, and have substantially raised taxes on tobacco products. Passing this bill would be another victory for Hawaii in our fight against the tobacco industry.

Tobacco is a deadly product and big tobacco companies are targeting youth to become their next customers. By allowing tobacco products to be placed within reach of kids and displayed at eye level of children and near youth friendly items, youth are becoming victims and vulnerable to tobacco influence. This type of advertising works and it works even more successfully on youth. Please don't let our youth become victims of the tobacco industry's manipulations.

Please support HB 1960 and lessen big tobacco's influence on our islands.

Mahalo for your support for HB 1960.

Alexander Halley Wailuku, Hawaii REAL ahalley14@gmail.com

To: Senator Josh Green, M.D., Chair, Committee on Health

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

Dear Legislators:

My name is Kristyn Vasconcelles. I reside in Lawai on the island of Kaua'i. I am the REAL and I greatly give my highest consent and support for HB 1960.

The youth of Hawaii serve as targets for tobacco companies, who are attracting a new generation of tobacco users in order for its industry to survive. As a result, tobacco companies are using carefully calculated marketing strategies to reach underage populations and to ensure they become long-term consumers.

By reducing the visibility and accessibility of tobacco products in stores at the point-ofpurchase, near youth attractions (candy, chips, ice cream, or toys) and eye-level of youth will greatly decrease the chances of youth becoming consumers of these destructive products.

Tobacco industry influence is strong in our local communities and it needs to be regulated, before it's too late. The youth are the future and it's our duty to ensure that their health and safety is accounted for. By passing HB 1960 you as elected officials will be helping to save many youth of this generation from experimenting with these deadly products and be one step closer to ending this brutal industry.

Mahalo for your support for HB 1960.

Kristyn Vasconcelles Lawai, Kauai REAL

Strong Support for HB 1960, Relating to Tobacco Products Re:

Committee on Health Hearing;

January 27th, 2012 at 9:00am; Room 329

My name is Jennifer Ray. I am a resident of Kaua'i and a registered voter in Hawaii. I am writing to express my support for HB1960, which concerns tobacco products and product placement in our stores.

Through my involvement with REAL: Hawai'i Youth-Led Movement Against the Tobacco Industry, first as a youth leader and then as the Island Coordinator for Kaua'i, I learned that the tobacco companies spend around \$34.5 million dollars annually on the advertisement of tobacco products. This money funds tobacco promotion in our communities' stores which recruits new, young "replacement" smokers from among Hawai'i's youth.

In 2009 REAL did the Tobacco and Alcohol Advertising Survey (TAAS). For the survey, REAL's youth members collected information about the placement of tobacco ads and products in stores throughout the state of Hawai'i. A significant amount of stores also had tobacco products and ads near the products that youth shop for in our local stores like chips, ice cream, candy, and toys. Ubiquitous advertising in our communities impacts our perceptions of tobacco use, making it seem normal and more prevalent than it actually is. HB1960 would be a step toward addressing this issue -- a step that is long overdue.

We know that the tobacco industry targets youth through aggressive advertising and we know that smart advertising can be extremely effective. The members of REAL work every day to counteract aggressive marketing by educating their peers about the tobacco industry's devious tactics and by performing surveys like TAAS. REAL and many other community organizations have worked tirelessly in all aspects of tobacco prevention and their efforts need to be backed by fact-based, proactive legislation such as HB1960.

Please support HB1960 so that we can get all tobacco products out of the reach of our keiki. Our communities will be healthier in the long run.

Mahalo,

Jennifer Ray Kapahi, Kaua'i, Hawai'i To:

Representative Ryan Yamane, Chair, Committee on Health Representative Dee Morikawa, Vice Chair, Committee on Health Members, Committee on Health

Re:

Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

Dear Legislators:

Aloha. My name is Mikiala Johnson. I'm from Wailua, Kaua`i. I'm part of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. And I support HB 1960.

Looking at the premise of HB 1960, I think it is appropriate to say that the negative impact of tobacco product placement and advertising is now known. However, what I'm sure most people realize is that tobacco advertising is more powerful on our youth today than being exposed to parental smoking and peer pressure. We cannot continue to allow companies like Phillip Morris to proceed with their "intrusive visibility" methods of marketing.

Though most of our local stores keep cigarettes behind counters and away from keiki reach, they neglect the Other Tobacco Products (OTPs). Many of these are not only candy flavored, but have packaging and colors that of which match the candy displays they are often placed near.

Our younger generations of Hawaii are considered as nothing more than "replacement smokers" and are being targeted by the tobacco industry to keep Big Tobacco profits strong. Supporting HB 1960 shows that you, as elected officials, pledge to stand-up for our younger generations and do your part in protecting us from the manipulating ways of the tobacco industry.

Mahalo for supporting HB 1960.

Mikiala Johnson Wailua, Kauai REAL

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

Aloha Legislators,

My name is Madieson Felicilda, and I am a senior at Maui High School. I am also a Board Member of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I am submitting this testimony in support of HB1960. This bill is everything that REAL has been trying to do in our communities. REAL's mission is to attack the tobacco industry not the consumer, to expose the tobacco industry's manipulative tactics and their effects, and to educate, protect, and empower our generation.

In REAL there is an OSOM Committee, which I am also a part of. OSOM stands for "Out of Sight, Out of Mind". I believe that if the tobacco products were out of sight then there will be less influence to youth here in Hawaii. The tobacco company's main target is youth because they want us to become the new customers.

By having cigarettes and other tobacco products stored for sale behind the counter, it will help decrease the influence that it has on youth because usually there are products near the checkout areas. Having the tobacco products out in the open is just another manipulative tactic to recruit new, younger customers. Current tobacco users already know what brand or color they normally would purchase. So there is no need to have it out there in the open. Moving these products behind the counter will keep them out of direct sight of kids.

Thank you for your time, and I am strongly in favor of this Bill being passed. Please support HB 1960.

Madieson Felicilda Wailuku, Hawaii REAL bluebearsmilez@gmail.com

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

Dear Legislators:

My name is Tristyn Gomes, and I am a senior at H.P. Baldwin High School in Wailuku on Maui. I am a member of REAL: Hawaii's youth-led movement against the tobacco industry. Tobacco control is very important to me, and I am even doing my senior project over how tobacco companies directly target youth with their products and their advertisements. I am writing this testimony in strong support of HB 1960.

We, as the REAL movement, have been working hard in our fight against the tobacco industry and have been aiming for a bill like this for years. This bill I believe will be very important to society and lessen the influence of tobacco companies on youth and directly reducing the number of youth who will start to use tobacco products.

It brings joy to me that someone is finally doing something about this problem and fixing it. I am very glad to have been a part of REAL to now potentially stop the advertisements of tobacco from manipulating today's youth. Now I have the hope of being less stressful knowing that tobacco products will no longer be found around items that my little sister likes. I would no longer have to worry when she asks me to buy her a tobacco product because she mistakes it as candy or thinks it is pretty and colorful. Little children like my sister can be so interested on what is shown on the tobacco advertisements because of its design of the package, or the bright colors that attracts their eyes. That is why I completely agree with this bill.

Thank you for your consideration. Please support HB 1960.

Tristyn Gomes Wailuku, Hawaii REAL tristyngomes@yahoo.com

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

Dear Legislators:

I am Lei Johnson of Wailua, Kauai. I am part of REAL: Hawaii Youth Movement Exposing the Tobacco Industry, and I strongly support HB 1960.

I think it's safe to assume that the general public of Hawaii knows that the number one cause of preventable diseases, like lung cancer, is smoking tobacco. However, many of our youth fail to grasp THIS fact: Advertising alone has an influence on the youth of today stronger than peer pressure and exposure to family smokers.

While cigarettes are usually stored behind the counter, many Other Tobacco Products (OTPs) can be found colorfully wrapped and flavored like the candy and food items they're sold by. I find this deceptive, not only to the adults that shop at the stores but also to the children that go in there looking for a new candy to try out.

As one of the many younger members of REAL, I personally appreciate the pledge you're making for Hawaii's youth. Your support for HB 1960 shows just how much Hawaii's leaders are caring for our future.

Thank you for your HB 1960 support.

Lei Johnson Wailua, Kauai REAL

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

Aloha.

My name is Michelle Magdirila and I am a registered voter in Hawaii as well as a representative of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I'm in strong support of HB 1060 which removes self-service tobacco displays of tobacco products.

According to TAAS (Tobacco and Alcohol Advertising Survey) from 2009 which I participated in, 97% of stores surveyed in Hawaii had tobacco products at the point-of-sale, 90% of stores had tobacco ads at the point-of-sale, and 44% of stores had OTPs (Other Tobacco Products like snus, skoal, and cigarillos) at the point-of-sale. Tobacco companies know that by having storeowners place products at the point-of-sale they will attract customers, especially people who may be trying to quit because it's an addiction of course so when they see it it's a temptation to buy it.

Being with REAL I have been able to educate other youth about this issue and help raise awareness of what the tobacco industry is doing in our communities. I have personal experience of having dealt with a tobacco company marketing representative who would come into the store I worked at and would tell me where I should place the tobacco products. I know these companies are out there in our communities trying to get new youth customers to replace the smokers who pass away every year, and this has to stop.

This bill would get all tobacco products located behind the checkout counter where they are out of the reach of youth and less tempting for people who may be trying to quit.

Other Tobacco Products (OTPs) are a huge problem. They are just as dangerous as cigarettes. Some of them are even "fruit" flavored and look like popular candy. When placed next to candy at the check-out, you can't even tell the difference.

I urge you to support this bill. Passing it shows your commitment to protect my generation and my young siblings and cousins from the aggressive targeting by the tobacco industry through storefront tobacco promotion.

Mahalo for your consideration,

Michelle Magdirila Kaunakakai, Molokai

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

Dear Legislators,

My name is Kahvi Naholowaa and I live in Honolulu. I am part of REAL: Hawaii Youth Movement Exposing the Tobacco Industry.

I would like to voice my support for HB 1960 which addresses tobacco displays in Hawaii. This bill would help to reduce access to Other Tobacco Products (OTPs) that are not being treated like regular cigarettes. These products are available within reach of children. This is part of the tobacco industry's storefront marketing and promotion. I believe it especially impacts lower income neighborhoods where a lot of this marketing of these OTPs happens.

I strongly believe that tobacco companies specifically organize advertising to target young people in lower income communities. Overall this bill will help to create safer communities for young people that give us more protection from Big Tobacco. It's time for that to happen.

Mahalo for the opportunity to submit testimony.

Kahvi Naholowaa Honolulu

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

January 26th, 2012

Aloha Committee:

My name is Nicole Sutton and I am a registered voter in Hawaii, as well as a representative of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I'm in strong support of HB 1960 to restrict the placement of tobacco products in stores throughout Hawaii.

Campaign for Tobacco Free Kids in Washington, DC, estimates that more than \$33.5 million is spent on tobacco advertising each year in Hawaii by the tobacco industry, resulting in the placement of tobacco ads and special tobacco displays that we see everyday in our local community stores. Research shows that young people are more sensitive to this form of tobacco marketing than adults and that exposure to ads is more powerful than peer pressure or parental smoking in influencing youth to use tobacco.

The Tobacco and Alcohol Advertising Survey (TAAS) conducted in 2009 by the University of Hawaii Cancer Center and School of Public Health Studies found that 97% of stores surveyed throughout Hawaii had tobacco products at the point-of-purchase and 90% had tobacco ads at the point-of-purchase where everyone shopping in the store must see them, including children. That same study also found that 62% of stores had tobacco products at the eye level of children (3 feet or less) and 44% of stores surveyed had tobacco products placed near chips, candy, ice cream, or toys.

Restricting the positioning of tobacco products helps to keep them out of the hands of youth. Also restricting the placement of tobacco ads helps protect Hawaii's youth from the direct targeting by tobacco companies.

I ask you to please support this measure to **protect our kids from the aggressive targeting by the tobacco industry** through the easy access to and intrusive visibility of tobacco products in our stores.

Mahalo,

Nicole Sutton Pearl City, Hawaii

REAL: Hawaii Youth Movement Exposing the Tobacco Industry

Re: Strong Support for HB 1960, Relating to Tobacco Products
Committee on Health Hearing;
January 27th, 2012 at 9:00am; Room 329

Dear Legislators:

My name is Carrie Otto and I am a representative of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I strongly support HB 1960 which addresses tobacco displays.

Youth continue to have easy access to tobacco products in our stores because Other Tobacco Products (OTPs) are not treated like traditional cigarettes and put behind the counter where they are out of reach. Many of these products are also displayed below three feet and at eye-level for young children. As our elected officials, we need you to step up and protect Hawaii's youth from this type of marketing of an incredibly deadly and addictive product.

The unfortunate truth is that approximately one-third of all youth tobacco users will eventually suffer a premature death from a tobacco-related illness; by getting tobacco products out of the reach of kids and out of their faces, we can ensure more Hawaii youth live longer, healthier lives.

Please show your commitment to our youth by supporting HB 1960.

Mahalo,

Carrie Otto Pearl City, Hawaii REAL

Re: Strong Support for HB 1960, Relating to Tobacco Products
Committee on Health Hearing;
January 27th, 2012 at 9:00am; Room 329

Aloha Senators:

My name is Kerilee Erice and I am a Hospitality and Tourism major at the University of Hawaii – Maui College. I am also a member of REAL: Hawaii's youth-led movement against the tobacco industry. I am writing this testimony in very strong support of HB 1960 relating to tobacco products.

Currently, many Other Tobacco Products (OTPs) are placed in easily accessible areas of the store and many are at eye-level of children (3ft. and under) which makes it impossible for them to avoid and easy for them to steal. The tobacco industry loves this because these are new customers to addict.

OTPs look a lot like candy and even include many flavors found in the popular candies. OTPs are the product for the new generation. Most grandpas and grandmas would most likely not be seen with these OTPs. They are to attract new users and most importantly YOUTH. Youth WILL want to try something that claims to taste good and makes their first experience with tobacco a good one.

Our generation is being used as guinea pigs for all these new tobacco products. No one knows the long-term health risks of them yet. And they are marketed to seem less harmful than regular cigarettes when they may actually be even more dangerous.

Please consider this testimony in strong support of HB 1960 that will restrict the access and view of OTPs in our stores. We need your help to protect our generation from tobacco companies and nicotine addiction.

Mahalo, Kerilee Erice Maui

morikawa2 - Grant

From:

mailinglist@capitol.hawaii.gov

Sent:

Wednesday, January 25, 2012 8:08 PM

To:

HLTtestimony

Cc:

mz9995@hotmail.com

Subject:

Testimony for HB1960 on 1/27/2012 9:00:00 AM

Testimony for HLT 1/27/2012 9:00:00 AM HB1960

Conference room: 329

Testifier position: Oppose Testifier will be present: No Submitted by: Micheal Zehner

Organization: Hawaii Smokers Alliance

E-mail: mz9995@hotmail.com Submitted on: 1/25/2012

Comments:

Looks like the professional anti-smoking lobby wants to ban speech they don't agree with again. Of course these same folks have no problem with liquor and condom ads at kids eye level right next to the candy because they're not getting payed to care about that.

morikawa2 - Grant

From:

Sent:

mailinglist@capitol.hawaii.gov Wednesday, January 25, 2012 12:01 PM

To:

HLTtestimony

Cc:

jenybissell@hawaii.rr.com

Subject:

Testimony for HB1960 on 1/27/2012 9:00:00 AM

Testimony for HLT 1/27/2012 9:00:00 AM HB1960

Conference room: 329

Testifier position: Support Testifier will be present: No Submitted by: Jeny Bissell Organization: Individual

E-mail: jenybissell@hawaii.rr.com

Submitted on: 1/25/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, January 25, 2012 7:50 PM

To: HLTtestimony

Cc: jjw333333@gmail.com

Subject: Testimony for HB1960 on 1/27/2012 9:00:00 AM

Testimony for HLT 1/27/2012 9:00:00 AM HB1960

Conference room: 329

Testifier position: Oppose
Testifier will be present: No
Submitted by: Jake Watkins
Organization: Individual
E-mail: jjw333333@gmail.com
Submitted on: 1/25/2012

Comments:

This bill will be life harder for small retailers. What ever happened to the first amendment?

Re: Strong Support for HB 1960, Relating to Tobacco Products Committee on Health Hearing; January 27th, 2012 at 9:00am; Room 329

My name is Megan Chan and I am a Tobacco Treatment Specialist for the HEALTHY Program located at Kapi'olani Women & Children's Medical Center. I strongly support HB1960 that addresses tobacco displays.

On a daily basis I see the nondiscriminatory consequences of tobacco products that affect people at all stages of life. I see mothers, fathers, aunties, uncles, grandmas, and grandpas – all who started smoking and now want to quit.

11.3% of high school students in Hawaii smoke and there are 1,500 kids who become new daily smokers each year.

It's time to be proactive. Let's take the step toward prevention today. End the placement of Other Tobacco Products (OTPs) in areas that are easily accessible to the general public, specifically within the reach and sight of minors. Require more stringent rules for displaying a product that is responsible for hooking our youth into a lifelong addition.

I strongly urge you to support SB2425 and help us in our prevention effort to prevent access to tobacco products for minors.

Mahalo,

Megan Chan Tobacco Treatment Specialist