

**LATE  
TESTIMONY**

**SB2426**

**HTH, CPN  
Committee Hearing  
02/13/2012**

NEIL ABERCROMBIE  
GOVERNOR

BRIAN SCHATZ  
LT. GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF TAXATION**  
P.O. BOX 259  
HONOLULU, HAWAII 96809  
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**LATE**  
FREDERICK D. PABLO  
DIRECTOR OF TAXATION

RANDOLF L. M. BALDEMOR  
DEPUTY DIRECTOR

To: The Honorable Josh Green, M.D., Chair  
and Members of the Senate Committee on Health

Date: Monday, February 13, 2012  
Time: 1:15 P.M.  
Place: Conference Room 229, State Capitol

From: Frederick D. Pablo, Director  
Department of Taxation

Re: S.B. 2426, Relating to Tobacco Products

The Department of Taxation (Department) appreciates the intent of S.B. 2426 and provides the following information and comments for the Committee's consideration.

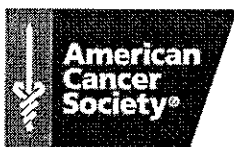
S. B. 2426 prohibits retailers from displaying, storing or retailing tobacco products through self-service displays. Violations of this new provision would subject the retailer to penalties including the suspension and/or revocation of the retailer's permit.

The Department of Taxation's role in the enforcement of tobacco laws focuses primarily on the Department's revenue collection function. Chapter 243, Hawaii Revised Statutes, focuses on the registration of retailers and the applicable tax rate(s) that apply to their products.

S.B. 2426 is a little unclear as to whether the Department of Taxation is being asked to also enforce the policy related to self-service displays. The Department has some concern that it does not have the resources necessary to implement this requirement.

Thank you for the opportunity to provide comments.

**LATE**



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February 12, 2012

Senate Committee on Health  
Senator Joshua Green, M.D., Chair  
Senator Clarence Nishihara, Vice Chair

Hearing:  
State Capitol Room 229  
February 13, 2012, 1:15 p.m.

**SB 2426 - Relating to Tobacco Products**

Thank you for the opportunity to testify in strong support of SB 2426, 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 testimony on this measure.

Sincerely,

A handwritten signature in black ink that reads "Cory Chun".

Cory Chun  
Government Relations Director

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

February 13<sup>th</sup>, 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 SB 2426 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.** Results from Hawaii's Youth Tobacco Survey from 2007 revealed that **76.6% of high school students and 71.3% of middle school students reported seeing advertisements for tobacco in convenience stores, Mom-and-Pop stores, and gas stations.**

The Tobacco and Alcohol Advertising Survey (TAAS) conducted in 2009 by the University of Hawaii Cancer Center and School of Public Health 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.

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

Mahalo,

Nicole Sutton  
Pearl City, Hawaii  
REAL: Hawaii Youth Movement Exposing the Tobacco Industry

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13, 2012 at 1:15pm; Room 229

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 SB 2426 that addresses tobacco displays.

**On a daily basis I see the nondiscriminatory consequences of smoking that affect people at all stages of life.** It affects the hospitalized boy whose father wants to quit smoking because he knows it is the cause of his son's illness. It affects the underage teen who smoked throughout her pregnancy but wants to quit now, for her baby's health. It affects a terminally-ill cancer patient who wants to quit so her spouse also has the courage and support to quit.

Prevention is the key. 11.3% of high school students in Hawaii smoke and there are 1,500 kids who become new daily smokers each year. **Move tobacco displays that target our keiki into beginning an addiction that can last a lifetime.**

I see mothers, fathers, aunties, uncles, grandmas, and grandpas – all who started smoking and now want to quit. **It's time to be proactive.** Let's take the step toward prevention today. Reduce the placement of a product that is responsible for hooking our youth into a lifelong addiction. Move tobacco displays behind the counter so my patients who are desperately trying to quit can enter a store without being bombarded by constant reminders of an addiction so strong that it has been compared to cocaine.

I strongly urge you to support SB2426 and help us in our prevention effort to reduce tobacco marketing directed at our youth.

Mahalo,

Megan Chan, Tobacco Treatment Specialist  
Nuuanu, Oahu

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

Dear Legislators:

My name is Grady Sullivan. I am from Pahoa on the island of Hawaii. I'm part of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. And I am in strong support of SB 2426.

I think it's fair to say that most people in Hawaii know that smoking tobacco is the main cause of lung cancer and several other preventable diseases. **BUT what most people don't realize is that one of the major contributors to getting people to use tobacco is tobacco marketing.** Actually tobacco advertising is more powerful on youth tobacco use than peer pressure and being exposing to parental smoking. **Still we continue to allow this form of marketing to be legal in our local stores where youth and small children cannot escape their view.**

Most times cigarettes are being kept behind the counter but all the Other Tobacco Products, many of which are candy flavored, are easily accessible and located right near the candy.

The young generations of Hawaii are being targeted by the tobacco industry as "replacement smokers" to keep Big Tobacco profits strong. **Supporting SB 2426 shows that you as elected officials have a commitment to stand-up for our younger generations** and protect us from a powerful and cold-hearted tobacco industry.

Mahalo for your support for SB 2426.

Grady Sullivan  
Pahoa, Hawaii  
REAL

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

My name is Jennifer Pescador and I am a registered voter in Hawaii as well as a representative of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I strongly support SB 2426 that addresses tobacco displays.

Studies have shown that the sale and display of tobacco actually gains new smokers and tobacco companies spend around \$33.5 million dollars to advertise tobacco every year, much of which is spent on tobacco promotion in our local community stores. This is a way that tobacco companies are able to make smoking seem to be normal, acceptable, and more prevalent than it actually is in reality. This impacts our young people's perceptions and ultimately influences their decision to start to using tobacco more than peer pressure or seeing their parents smoke.

In 2009 REAL did a survey called TAAS, Tobacco and Alcohol Advertising Survey, where we collected information about the placement of tobacco ads and products in our stores here in Hawaii. **In just one store we found close to 300 tobacco ads, many of which were at the eye level of children (3 feet or under).** 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.

Money is spent every year to educate youth about the harms of tobacco use and help the youth generation understand that we are being targeted BUT it's time that we ask ourselves **why aren't we doing more in a proactive way to protect our youth from the aggressive targeting of the tobacco industry that is notorious for putting their profits over the health and well-being of people.**

**We need a serious commitment from you as elected official to protect Hawaii's youth from this form of tobacco marketing that is rampant in our local communities.**

Please support SB 2426 so that we can **get all tobacco products out of reach of kids.** Let's share the love with our youth and everyone in the state of Hawaii to show them how much we care about them.

Mahalo,

Jennifer Pescador  
Kailua, Hawaii  
REAL

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

January 24<sup>th</sup>, 2012

Dear Senators:

My name is Abrahm Arkin. I am in strong support of SB 2426 Relating to Tobacco.

Currently Other Tobacco Products (OTPs), flavored cigarillos and snus, are within reach of youth. They are not treated like traditional cigarettes and are often just single items that are easily stolen. With such easy access for youth, and colorful packaging targeted towards youth, these products are a gateway to youth experimenting with tobacco. This bill would help get these OTPs behind the counter and out of the reach of youth. With just a simple move of these products, we can help protect the youth and young adults of Hawaii for years to come.

So I ask for your support of SB 2426 to protect our keiki from becoming tobacco users.

Sincerely yours,  
Abrahm Isaiah Arkin  
Kona, Hawaii



**LATE**

February 13<sup>th</sup>, 2012

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

Aloha Senators:

My name is Che Sabol. I am a Registered Voter residing in Honolulu, Hawaii. I'm part of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. And I am in strong support of SB 2426.

I think it's extremely important to make a change now to storefront tobacco marketing. Youth and young adults are influenced from media more now than before and tobacco companies entice them through their advertising. It's proved through research that youth and young adults are more susceptible to using tobacco due to advertising. Ads for new tobacco products make youth curious about products that look very similar to candy.

As a father and role model to my 8 year old daughter I want to protect her from tobacco marketing. I am also a counselor for education with teens and families. The young generations of Hawaii are being targeted by the tobacco industry as "replacement smokers" to keep Big Tobacco profits strong. **Supporting SB 2426 shows that you as elected officials have a commitment to stand-up for our younger generations** and protect us from a powerful and cold-hearted tobacco industry.

Mahalo for your support of SB 2426.

Che Sabol  
Honolulu, Hawaii  
REAL

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

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 SB 2426 relating to tobacco.

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. But 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 SB 2426. We need your help to protect my generation from tobacco companies and nicotine addiction.

Mahalo,  
Kerilee Erice  
Maui

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

My name is Carrie Otto and I am a representative of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I strongly support SB 2426 which addresses tobacco displays.

The unfortunate truth is that approximately one-third of all youth smokers will eventually suffer a premature death from a tobacco-related illness; by getting tobacco products out of the reach of kids and tobacco ads out of their face, we can ensure more Hawaii youth live longer, healthier lives. As our elected officials, we need you to step up and protect Hawaii's youth from this type of advertising of an incredibly deadly and addictive product.

Please show your commitment to our youth by supporting SB 2426.

Mahalo,

Carrie Otto  
Pearl City, Hawaii  
REAL

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

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 SB 2426 which removes self-service tobacco displays.

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

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Dear Legislators:

My name is Alexander Halley. I am a Baldwin High School graduate on Maui, and I am writing to strongly support SB 2426.

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 displayed at eye level of children and near youth friendly items, youth are becoming victims and vulnerable to tobacco influence. This type of placement 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 SB 2426 and keep big tobacco's influence out of our islands.

Mahalo for your support for SB 2426.

Alexander Halley  
Wailuku, Hawaii  
REAL  
ahalley14@gmail.com

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

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

February 13, 2012

Dear Legislators,

My name is Alexander Miyashiro. I am from Captain Cook. I am with Konawaena High School and the REAL program. I am in strong support of SB 2426.

The tobacco companies are putting their products in places where it intrudes into kids' view and we become compelled to buy these tobacco products. SB 2426 is a way to reduce the placement of tobacco products that are affecting youth.

Please do anything you can to help support SB 2426.

Sincerely,

Alexander Miyashiro

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health  
Hearing; February 13<sup>th</sup>, 2012 at 1:15pm; Room 229

February 13<sup>th</sup>, 2012

Dear Legislators:

My name is Stephanie Franklin, and I work as Maui's Island Coordinator for REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I am writing in strong support of SB 2426 relating to the display in our local stores.

Tobacco companies spend \$33.5 million annually in Hawaii alone to promote their deadly, addictive product, and we know that their advertising works. In Hawaii, the most heavily advertised cigarette brands are also the same brands that are most frequently smoked by Hawaii's youth. Numerous tobacco products are placed at the at the point of sale near the cash register, and some products are even displayed at the eye level of children. All of these techniques are used to recruit new tobacco users, some of which will be youth.

By eliminating self-service tobacco displays and there will be a reduction in youth access to tobacco, including a reduction in the amount of youth who will decide to start using tobacco. By reducing tobacco use, less people will be subjected to the horrible health effects associated with using this product. This also in turn can help save the state money on health costs.

Please help make Hawaii a safe and healthy place for our youth. Please support SB 2426 and help reduce the display and advertising of tobacco.

Sincerely,  
Stephanie Franklin  
REAL: Hawaii Youth Movement Exposing the Tobacco Industry  
Wailuku, Hawaii

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Hello Senators:

My name is Rebecca Marini. I am from the island of Oahu. I attend Aiea High School and am a statewide leader with The REAL Movement.

I'm writing **today in strong support of SB 2426** that urges Hawaii to address tobacco displays.

**Did you know that:**

**Tobacco companies use contracts with storeowners that require tobacco products to be placed in the most visible areas on the store where all customers, including children, are forced to see them.**

I strongly support SB 2426 because this affects my generation as well as small kids. Have you considered that your own children are being targeted by the tobacco companies to think that smoking a normal and socially acceptable "habit" and that because of this your children could become addicted tobacco users even before it's legal for them to purchase the products?

Research shows that most adult smokers started before they were 18 years old. This is a huge benefit to the tobacco industry since the longer customers smoke the more money tobacco companies make. Still we let tobacco companies openly recruit for customers in our local communities without much thought.

It's time that we take steps in Hawaii to protect young people. **We are asking for this as teens.** Ultimately we would like to see tobacco products eventually moved completely out of sight in stores until requested by customers. For us SB 2426 is a step in the right direction. Please help us bring this vision to life by supporting SB 2426. We can't do it without your support.

Thank you,  
Rebecca Marini  
*Ewa Beach, Hawaii*



**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Dear Legislators:

My name is Cami Iwata. I am from Ewa Beach on the island of Oahu. I'm a part of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. And I am in strong support of SB 2426.

Tobacco displays, specifically in and around stores, are more powerful on youth tobacco use than peer pressure and being exposing to parental smoking. Seeing tobacco displays daily normalizes tobacco products, thus making them more likely to smoke or think that there is nothing wrong. This is something that we should be protecting the younger generations from, not putting in their faces.

Many of the younger generations of Hawaii do not realize this, but they are being targeted by the tobacco industry as "replacement smokers" to keep Big Tobacco profits strong. **Passing SB 2426 gets help to reduce the access of youth to tobacco products. It also shows that you, as elected officials, have a commitment to stand-up for our younger generations and protect the future leaders of Hawaii .**

Mahalo for your support of SB 2426.

Cami Iwata  
Ewa Beach, Oahu  
REAL

# LATE

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Dear Senators,

Hello, my name is Brianna and I am a student at Kalaheo High School. I am writing to ask for your support for SB 2426 addressing tobacco displays in our local convenience stores including the placement of tobacco products.

Tobacco displays in our stores are portraying messages that smoking is a good thing. They use bright colors to attract the attention of children, teenagers and young adults. They have new ways of selling it now, like putting it in containers that look like mints or candy and it makes it eye-catching right at the check-out.

I'm asking that you help get a better control on storefront tobacco promotion by passing SB 2426. We need less tobacco promoting in our communities.

Sincerely,

Brianna Kreica  
2028 S. Lawrence Rd.  
Kailua, HI 96734

# LATE

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Aloha Chairs and Committee Members:

My name is Melissa Chong and I'm from Hilo. I am a young adult advocate with REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I have been involved in tobacco control at the local, state, and national levels for more 6 years now and feel a strong commitment to telling the truth about what I see tobacco companies doing here in Hawaii and throughout the world.

I am submitting this testimony in strong support of SB 2426 that addresses the advertising and display of tobacco products in our local stores.

One of the last frontiers for tobacco companies to have direct influence in our communities is through their heavy advertising in our local stores. It is estimated by Campaign for Tobacco Free Kids in Washington, DC, that **the tobacco industry spends more than \$33.5 million a year on tobacco promotion in Hawaii** alone, not just to keep their current customers but also to recruit new smokers from the younger generations. And research has shown again and again that **tobacco marketing has more power to influence youth to smoke than peer pressure or parental smoking.**

Tobacco companies directly influence the placement of their products and ads in areas that are highly visible to all customers, including children. REAL's statewide investigation of tobacco advertising in 2009 found that 44% of stores surveyed in Hawaii had tobacco products placed by the chips and candy and 62% had tobacco products at the eye sight of children (that's 3 ft or less).

Check-out points or "point-of-purchase" is another place where **tobacco ads and products are prominently displayed to entice impulse purchases** by smokers, tobacco users who are trying to quit, and new potential tobacco users who may become curious about the colorful packaging.

Hawaii needs to move toward strong restrictions that limit the time, placement, and manner of tobacco products and ads that are consistent with the Family Smoking Prevention and Tobacco Control Act passed by congress and signed into law by President Obama in 2009. I believe that SB 2426 does this and so I urge to you pass it. Doing so shows the commitment of Hawaii to support people in quitting tobacco and protects young people from ever starting.

Mahalo for your support,

Melissa Chong  
REAL  
Hilo, Hawaii

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Aloha,

Hello, my name is Melissa Rapoza. I am a voter in Hawaii and a representative of REAL: Hawaii youth-led movement exposing the tobacco industry. I am in strong support of SB2426 that addresses tobacco displays.

Tobacco advertisements and sale displays are bombarding our children. I have 3 small children and the advertisements are at their eye-level of view. By allowing the tobacco companies to display their advertisements we are saying to our children that this product is ok and the norm.

The tobacco company works to make sure that their advertisements and their products are at the point-of-sale where everyone has to look at them while checking out, including our children. Often you can find tobacco products and ads right next to snack items like chips and candy which is where our children go to get snacks when we are in the store. Also this placement makes tobacco easily accessible for youth who may choose to steal it if they are unable to purchase it.

Youth Advocates with REAL have worked to educate others in their communities about tobacco advertising and how tobacco companies are targeting our youth. To allow these harmful products to be displayed and advertised for sale doesn't protect our youth from an industry that values profits over the well-being of people.

It's time for Hawaii to take steps to get tobacco ads and products out of sight. I strongly believe SB2426 accomplishes some of what needs to be done to protect our kids.

Research says that if we do this it will keep tobacco out of the minds of our young people ultimately reducing the number of young people who take up tobacco use and become life long customers of the tobacco industry.

I ask that you please support this measure to ensure that Hawaii maintains a commitment to protecting our kids against aggressive targeting by the tobacco industry through storefront tobacco marketing.

Thank you,

Melissa Rapoza  
Kurtistown, Hawaii  
REAL: youth-led movement exposing the tobacco industry

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Dear Legislators:

Thank you for taking the time to read my testimony. I am Hannah J. Fuqua. I am recent Baldwin High School graduate from Kihei and a board member for REAL: Hawaii's youth-led movement against the tobacco industry. I am writing in strong support to SB 2426.

I would like to see greater laws put in place limiting the placement of tobacco products next to youth friendly items and at their eye level.

Please protect our youth from an ugly future. Thank you again for your time. Please support SB 2426 that will reduce tobacco's influence on Hawaii's youth.

Sincerely,

Hannah J. Fuqua  
Kihei, Maui  
REAL  
hannah\_fuqua@hotmail.com

# LATE

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Dear Senators,

As a resident of Kailua and a student of Kalaheo High School, I am writing to ask for your support to take action to pass SB 2426 about tobacco products.

We all know that tobacco smoking can affect your health in the most dramatic way. Tobacco companies make people want to buy their products. I am concerned about the younger teens who see these products everyday. Thinking about my 14 year old sister smoking is such a sad thing. Think about the people who are suffering because of cigarettes. We are not AGAINST smoking, we just want to address that these stores and tobacco companies are telling people, especially younger teens, to buy tobacco because of all the displays in our stores.

Please do something to help by passing SB 2426.

Sincerely,

Jan Katherine Sibug  
320-1 Lale St.  
Kailua, HI 96734

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
Committee on Health Hearing  
January February 13, 2012 at 1:15pm, Room 229

Dear Senators,

As a resident of Kaneohe and as a student, I am writing in strong support of SB 2426 that would restrict tobacco displays in our public stores. As a Peer Educator we were taught by the Real Program about the impact of tobacco placement on youth. When this was brought to my attention, I knew that I wanted to take immediate action.

Tobacco products are shown to everyone including younger children. These displays are some of the root causes of youth becoming tobacco users. Seeing these products and ads makes it seem okay for them to smoke because it is now considered "cool," and acceptable. We need to limit the exposure of tobacco products to children and young adults. I believe youth are the main audience for all the tobacco displays we see in our stores.

Mahalo for your support of SB 2426.

Sincerely,

Danielle Keith

44-308 #4 Olina St.

Kailua, HI 96744

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
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Aloha,

I'm Emily Murai, a member of REAL on Maui. REAL is a youth-led movement against the tobacco industry.

I am asking you to please support SB 2426. Limiting the display of tobacco will save money and result in a healthier Hawaii. Tobacco usage can be prevented by limiting availability of tobacco. This is the only way to ensure that young people are protected from tobacco company marketing.

Thank you for supporting SB 2426 and caring for the people of Hawaii.

Emily Murai  
Wailuku, Maui  
REAL



**LATE**

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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 SB 2426, which concerns tobacco products and the displays and placement of these products in local establishments.

In 2009 REAL released the Tobacco and Alcohol Advertising Survey (TAAS). For the survey, REAL's youth members collected information about the placement of tobacco products in stores throughout the state of Hawai'i. A significant amount of stores also had tobacco products near the products that youth shop for in our local stores like chips, ice cream, candy, and toys. Ubiquitous displays of tobacco in our communities impacts our perceptions of smoking, making it seem normal and more prevalent than it actually is. SB2426 would be a step toward addressing this issue -- a step that is long overdue.

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 SB2426. Please support SB 2426 so that we can get all tobacco products out of the reach of our keiki, so that the only thing they see when wandering about the corner store isn't a slew of tobacco products. Our communities will be healthier in the long run.

Mahalo,

Jennifer Ray  
Kapahi, Kaua'i, Hawai'i

# LATE

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My name is Joen Nalundasan and I reside in Kahului, Maui where I attend school as a senior at Maui High School. I joined REAL: Hawaii Youth Movement Exposing the Tobacco Industry back when I was a junior because I have seen what horrible effects tobacco companies were making on the island I was grown and raised on. Therefore, I am in strong support of SB2426.

Cigarettes are being normally kept behind the counter but those Other Tobacco Products (OTPs), most of which are candy flavored, are being placed in easily accessible places and located near the candy. It is acts like these that can influence someone and make them think that smoking is good. In kid's eyes, it makes tobacco products look just like candy. It doesn't show any of the damaging health effects you will have later.

This is our future generation we are affecting and although it may seem impossible to stop all the tobacco products, we can make a difference with this bill and lower the chances of our youth being impacted by these tobacco displays. Ultimately, this will reduce the number of youth who will become new smokers. Supporting SB 2426 is the way to go. Protect the Hawaii and protect our generation.

Thank you for your support for SB 2426.

Joen Nalundasan  
Kahului, Hawaii  
REAL  
joen.mae@gmail.com

# LATE

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Re: **Strong Support for SB 2426, Relating to Tobacco**  
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My name is Jessica Gazmen, born and raised on Maui. I am a freshman at the University of Hawaii-Maui College studying for a degree in psychology. I am also a member of REAL: Hawaii's Youth Movement Against the Tobacco Industry. I am writing this testimony to say that I strongly support HB 2426.

I can recollect going to gas stations, general stores and grocery stores when I was growing up. I remember always seeing a power wall of tobacco products advertised to be sold right by the checkout, and I always thought it was ugly. Unfortunately, more recently, I've been seeing tobacco products near children's toys, candies and other kid friendly products. I never understood why tobacco companies would have storeowners put such an awful product near kid friendly items. Once I joined REAL, I found the answer to my curiosity.

First, tobacco companies want to make children their number one targets. Why the children? It's because the tobacco industries need people to fill the shoes for those who have died from smoking or using too much tobacco. Of course, at this age, children cannot buy tobacco products, but in the future, they will grow up and remember the tobacco product being next to their favorite candy or toy. They may think that the products are harmless. Therefore, they will experiment with trying it and get addicted to something they will regret getting into at such a young age. Second, having the tobacco product near kid's toys or candies in the store makes these items easily accessible by children, youth, teens, and practically everyone. Children can easily grab these harmful products because unlike cigarettes most other tobacco products are not found purely behind the counters of stores.

The placement of tobacco products has a huge impact on our keiki. I believe the keiki are being bombarded with unnecessary tobacco signs everywhere they look. REAL's current campaign is "Out of sight, Out of mind," when it comes to tobacco products. It's self-explanatory, but it shows how much of an impact it can make on an individual.

With this said, please pass Bill 2426 and help our keiki live a healthy life and gain a healthy future.

Mahalo.  
Jessica Gazmen  
Wailuku, Hawaii  
REAL  
jess\_gazmnn@yahoo.com

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
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Re: **Strong Support for SB 2426, Relating to Tobacco**  
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Aloha! My name is Layla Fidel. I am currently a Junior at Pearl City High School on the island of O'ahu. I am also a representative of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I am in full support of SB2426, which addresses tobacco displays.

Studies have shown that the sale and display of tobacco actually is in direct correlation to why there are new smokers every year. Many children are exposed to tobacco at a young. They make smoking appear normal, acceptable, and harmless, which is definitely not the case. This triggers the youth to believe that it is acceptable and could potentially lead them to smoking themselves.

In 2009 REAL did a survey called TAAS, Tobacco and Alcohol Advertising Survey, where we collected information about the placement of tobacco products in our stores here in Hawaii. A significant amount of stores also had tobacco products near the products that youth shop for in our local stores like chips, ice cream, candy, and toys. Imagine if there were tobacco displays in Toys R Us, or other toy shops. By putting them near items that are easily accessible to children, the tobacco companies are saying that they target young.

Money is spent every year to educate youth about the harms of tobacco use and help the youth generation understand that we are being targeted BUT it's time that we ask ourselves why aren't we doing more in a proactive way to protect our youth from the aggressive targeting of the tobacco industry that is notorious for putting their profits over the health and well-being of people.

We need you, as an elected official, to protect a person like me, a youth of this beautiful state from this type of tobacco displays in our local communities. We need you to commit to the well-being of the future of Hawai'i, our youth.

Please support SB 2426 so that we can get all tobacco products out of reach of children. Let us take the initiative, as a state, to protect the citizens of Hawaii from being poisoned by tobacco.

Mahalo for your support.

Aloha,  
Layla Fidel  
Pearl City High School  
REAL

# LATE

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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 Bill 2426. 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.

Thank you for your time, and I am strongly in favor of this Bill being passed. Please support SB 2426.

Madieson Felicilda  
Wailuku, Hawaii  
REAL  
bluebearsmilez@gmail.com

**LATE**

To: Senator Josh Green, M.D., Chair, Committee on Health  
Senator Clarence Nishihara, Vice Chair, Committee on Health  
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Re: **Strong Support for SB 2426, Relating to Tobacco**  
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Dear Legislators,

My name is Loren Amaral and I am from Volcano, Hawaii. I am in strong support of SB 2426 relating to tobacco.

I would like for the Other Tobacco Products (OTP's) to be placed behind the counter instead of available within reach at most checkouts. There's no doubt in my mind that OTPs are targeted at younger kids because of the colors, flavors, and where they are located in stores: usually right near the candy and gum at check-out. With OTPs so accessible it gives kids the chance to steal them and be tempted to pick them up. By placing them off the counter and putting them out of reach kids and young adults they won't be tempted as much to try them.

I strongly urge you pass this bill to protect the younger generation.

Thank you for your time.

Sincerely,  
Loren Amaral

**LATE**

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Senator Clarence Nishihara, Vice Chair, Committee on Health  
Members, Senate Committee on Health

Re: **Strong Support for SB 2426, Relating to Tobacco**  
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Aloha Senators,

My name is Rose Anne Navalta and I am from Laupahoehoe, Hawaii, where I attend University of Hawaii in Hilo.

I am an active state leader with REAL: Hawaii Youth Movement Exposing the Tobacco Industry where I work to educate my generation about the ways that the tobacco industry seeks to market their deadly products to younger potential customers.

I'm asking for your support of SB 2426 because I have had first-hand experience with a survey called TAAS or Tobacco and Alcohol Advertising Survey conducted by REAL. A lot of us who worked on this project have woken up to realize just how much the tobacco industry has worked to get tobacco products placed in our local community stores where they are easily accessible and highly visible. This has been proven through research to influence youth to experiment with tobacco and is more powerful than peer pressure or parental smoking.

We can only do so much through education and prevention. We need your commitment to take on this issue of tobacco influence and targeting of youth in Hawaii. Please support the protection of my generation and those to come by passing SB 2426 to reduce youth access to tobacco products.

Mahalo,

Rose Anne Navalta  
UH Hilo Student  
REAL Statewide Leader and Activist

# LATE

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Dear Legislators:

My name is Kiana Cordeiro. I am a 17-year-old senior at H.P. Baldwin High School and reside in Wailuku on Maui. I am a state board member with REAL: Hawaii's youth-led movement exposing the lies and manipulations of the tobacco industry. As a youth advocate of REAL, I am writing this testimony because I am in strong support of SB 2426.

As a youth, I am offended that when I look around stores I see numerous tobacco products. I see tobacco products located throughout the store, in the aisles, and at the cash register.

I am the oldest child of three children; I care about my siblings; I care about our youth. I care about our future. Children and youth shouldn't have to be subjected to tobacco products. They shouldn't know more brands of cigarettes than candies.

By passing Senate Bill 2426, you will protect me and many other youth by requiring cigarettes and tobacco products to be stored for sale behind a counter making these products less accessible to children. You will remove the association for youth between candy and tobacco products and will remove these items from the eye level of kids.

I am a citizen of the United States; I am a resident in Hawaii. I have a voice not because people say I can have one, but because I believe that no one is too young to make a change. I may not be considered an adult through the eyes of most but you could help me and many others with our voice and change things one step at a time.

Thank you so much for your time and I am honored to be able to write and testify. I hope that the people who read this will do what is right and help us save the future of Hawaii's youth. Change has to start somewhere. In the time that you all will decide, I would like you to think about your children and grandchildren and generations after that; what kind of life would you want for them? Again, please support SB 2426.

Mahalo,

Kiana Cordeiro  
Wailuku, Hawaii  
REAL  
papinyellow@yahoo.com