



STATE OF HAWAII
DEPARTMENT OF HEALTH
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In reply, please refer to:
File:

HOUSE COMMITTEE ON HEALTH

HB1350, RELATING TO TOBACCO

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health

February 8, 2013
8:30 AM, Room 329

1 **Department's Position:** The Department of Health shares the Legislature's concern over the need to
2 further reduce the prevalence of youth smoking. The Department opposes this measure in that laws
3 directed at minors' purchase, possession or use of tobacco products when implemented alone, yield
4 insufficient evidence to determine effectiveness. In short, according to the Centers for Disease Control
5 and Prevention (CDC), these laws have not shown to be successful in reducing youth smoking rates.

6 **Fiscal Implications:** None

7 **Purpose and Justification:** This bill amends section 709-908, HRS, to prohibit the possession or
8 smoking of tobacco products by minors. The bill continues to allow a minor to purchase or possess
9 tobacco products in controlled purchases as part of a law enforcement activity or authorized study and
10 permits the possession of tobacco products by a minor in the course of delivery, under the direction of
11 the minor's lawful employer.

12 Smoking and tobacco use remain the leading cause of preventable illness and death in Hawaii,
13 causing over 1,100 deaths annually and resulting in over \$525 million in economic losses. The tobacco
14 industry nationally spends over \$8.5 billion annually on advertising and promotions, \$25 million in

1 Hawaii. The industry has continued to market their products with images and messages which strongly
2 resonate among our children.

3 In the CDC Guide to Community Preventive Services, a review of laws that prohibit possession
4 or use of tobacco products by minors that require minors to receive citations and participate in
5 educational programs have been found to be ineffective. Further, these laws had little or no effect on the
6 rates of youth initiation and youth access to tobacco products. Instead, they divert policy attention
7 away from effective tobacco control strategies and relieve the tobacco industry of responsibility for its
8 marketing practices.

9 The Department feels more effective measures to impact youth access to tobacco include: 1) the
10 passage of laws that impact the time, place, and manner as to how tobacco products are sold; 2) a strong
11 merchant education effort; 3) strong enforcement 4) consistent adjudication by the courts; and 5) greater
12 public and community awareness. These actions, when taken together, will reduce both the appeal and
13 the access to tobacco products to Hawaii's youth.

14 Thank you for the opportunity to testify.