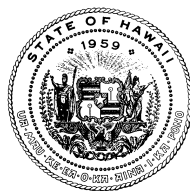


SB642

TESTIMONY

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

SENATE COMMITTEE ON HEALTH

SB0642, RELATING TO HEALTH

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

February 6, 2013
2:15 PM, Rm. 229

1 **Department's Position:** The Department of Health (DOH) appreciates the intent of this measure which
2 is consistent with the Family Smoking and Prevention Tobacco Control Act of 2009 that does not permit
3 self-service tobacco displays and is a Centers for Disease Control and Prevention recommended
4 strategy for impacting the burden of smoking by reducing tobacco use.

5 **Fiscal Implications:** Possible costs associated with community and retailer education.

6 **Purpose and Justification:** This measure proposes that cigarettes and tobacco products be sold from
7 behind a counter in an area accessible only to the personnel of the business, except in certain
8 establishments.

9 Smoking and tobacco use remain Hawaii's and the nation's leading cause of preventable
10 morbidity and mortality. In Hawaii there are over 1,100 deaths each year attributed to a tobacco-related
11 illness costing approximately \$336 million in medical and health care costs. Each year approximately
12 1,500 Hawaii youth become new daily smokers. The tobacco companies spend more than \$42 million
13 annually in Hawaii on advertising, marketing, and promotions to attract 'replacement smokers'.

14 It has been established that there is a clear relationship between advertising/promotion and
15 increased tobacco use particularly among youth. Because of restrictions on mass media ads in the

Promoting Lifelong Health & Wellness

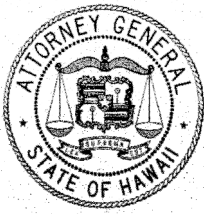
1 Master Settlement Agreement, the tobacco companies have now made commercial storefronts and
2 points-of-sale the new venue for advertising their tobacco products, providing financial incentives to
3 retail stores for product placement. Studies show that tobacco marketing has more power to influence
4 youth to smoke than peer pressure or parental smoking.

5 The 2011 Hawaii Youth Tobacco Survey (HYTS) indicated that over 75% of high school
6 students and over 71% of middle school students reported seeing tobacco product ads at local stores and
7 gas stations. In 2008, the Tobacco and Alcohol Advertising Survey found that 44% of stores surveyed
8 in Hawaii had tobacco products placed by the chips and candy and 62% had tobacco products at the eye-
9 level of children (3 feet or less).

10 This measure SB0642 is to restrict the placement of tobacco products promotes public health by
11 also reducing consumer exposure to, and impulse purchases of these products. Smokers who are
12 attempting to quit believe that these restrictions can support their cessation efforts.

13 Hawaii's smoking prevalence for both middle school students and high school students are low,
14 3.6% and 8.7% respectively (2011 HYTS). Yet, despite these low numbers, Hawaii has a compelling
15 interest in preventing the initiation of cigarettes and other tobacco and nicotine products among youth.
16 Studies show a correlation between children and youth exposure to the marketing of tobacco products
17 and initiation. The DOH recognizes that prohibiting self-service displays where the customer has direct
18 access to tobacco products is a realistic action to discourage tobacco company products and ads at point-
19 of-sale. By limiting the placement of tobacco products in retail stores, this policy can help prevent a
20 new generation of youth in Hawaii from being influenced to start smoking and support people in quitting
21 tobacco.

22 Thank you for the opportunity to testify on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2013**

ON THE FOLLOWING MEASURE:
S.B. NO. 642, RELATING TO HEALTH.

BEFORE THE:

SENATE COMMITTEE ON HEALTH

DATE: Wednesday, February 6, 2013 **TIME:** 2:15 p.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): David M. Louie, Attorney General, or
Blair Goto, Deputy Attorney General, or
Earl R. Hoke, Jr., Deputy Attorney General

Chair Green and Members of the Committee:

The Department of the Attorney General appreciates the intent of this bill in trying to decrease the use of tobacco products. However, we oppose the bill for practical reasons.

The purpose of this bill is to add a new section to chapter 328J, Hawaii Revised Statutes, that would require that cigarettes or tobacco products be stored for sale behind a counter in an area accessible only to employees of the business.

We are concerned that the new section being added to chapter 328J, contained in section 2 of the bill, will adversely impact the ability of the Tobacco Enforcement Unit of the Department of the Attorney General to ascertain whether cigarettes are properly stamped with tax stamps and whether cigarettes are approved for sale in the State of Hawaii. Historically, those who wished to evade the payment of cigarette taxes often stored the noncompliant product in back areas or under counters that were not readily visible to those tasked with investigating contraband cigarette sales. By requiring that cigarettes and tobacco products that are for sale be stored behind a counter accessible only to the personnel of the business, this new section will, unintentionally, facilitate the sale of untaxed, contraband cigarettes.

Accordingly, we respectfully ask the Committee to hold this bill.



American Cancer Society
Cancer Action Network
2370 Nu`uanu Avenue
Honolulu, Hawai`i 96817
808.432.9149
www.acscan.org

Senate Committee on Health
Senator Josh Green, Chair
Senator Roz Baker, Vice Chair

Hearing: February 6, 2013; 2:15 p.m.

SB 642 - RELATING TO HEALTH

Cory Chun, Government Relations Director – Hawaii Pacific
American Cancer Society Cancer Action Network

Thank you for the opportunity to testify in support of SB 642, which requires tobacco products for sale to be stored behind the counter.

The American Cancer Society Cancer Action Network (ACS CAN), the advocacy affiliate of the American Cancer Society, is the nation's leading cancer advocacy organization. ACS CAN works with federal, state, and local government bodies to support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem.

ACS CAN 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 other chronic health problems. Thank you for the opportunity to provide testimony on this measure.



To: The Honorable Josh Green, M.D., Chair, Committee on Health
The Honorable Rosalyn Baker., Vice Chair, Committee on Health
Members, Senate Committee on Ways and Means
From: Jessica Yamauchi, Executive Director
Date: February 5, 2013
Hrg: Senate Committee on Health; Wed., February 6, 2013 at 2:15 p.m. in Rm 229
Re: **Support for SB 642, Relating to Health**

Thank you for the opportunity to offer testimony in support of SB 642 which requires all tobacco products to be placed behind the counter, eliminating self-service displays.

The Coalition for a Tobacco Free Hawaii (Coalition) is an independent organization in Hawaii working to reduce tobacco use through education, policy and advocacy. Our organization is a small nonprofit organization of over 100 member organizations and 2,000 advocates that works to create a healthy Hawaii through comprehensive tobacco prevention and control efforts.

Other Tobacco Products or OTPs are usually located on the counter at the point of sale in most convenient stores, where they are easily accessible. 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.¹ 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

OTPs should be kept behind the counter, like cigarettes, where the product is only accessible by an employee. This will keep the products away from eyesight of our youth and take away a powerful marketing tool currently enjoyed by a deadly industry. 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.

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.

⁴ N.Y. PUB. HEALTH LAW § 1399-cc(7).



COALITION FOR A
TOBACCO-FREE HAWAII

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

Jessica Yamauchi, M.A.
Executive Director

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

February 4th, 2013

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 642 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 and 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 intrusive visibility of tobacco products and easy access of tobacco products in our stores.

Mahalo,

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

From: [Deanna Kackley](#)
To: [HTHTestimony](#)
Subject: Strong support for SB 642
Date: Tuesday, February 05, 2013 12:55:26 PM

To: Senator Josh Green, Chair
Senator Rosalyn Baker, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 642: Relating to Tobacco Products

Hrg: February 6, 2013 at 2:15 pm, Room 229

I am in strong support of requiring all retailers to store all tobacco products for sale behind the counter. I believe that if the tobacco products were out of sight there would be less influence by the tobacco industry on Hawaii's youth. This is a cutting-edge approach to reduce youth access to tobacco and lower youth tobacco use rates.

Other Tobacco Products or OTPs are usually located on the counter at the point of sale in most convenient stores, where they are easily accessible. The colorful packaging and various candy flavors of other tobacco products draw the youth, which is very dangerous. OTPs should be kept behind the counter, like cigarettes, where the product is only accessible by an employee. This will keep the products away from eyesight of our youth.

Tobacco products, regardless of form, are still the leading cause of preventable disease. We can stop this by making sure youth never start and tobacco users have every opportunity to quit. Storing tobacco products behind the counter is a critical step in our tobacco prevention and control efforts.

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

Deanna Kackley
P.O. Box 437200
Kamuela, HI 96743

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

Dear Legislators:

My name is Grady Sullivan. I am from Pahoia 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 642.

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 which includes the placement of tobacco products where they are extremely visible.** Actually tobacco advertising is more powerful on youth tobacco use than peer pressure and being exposed 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 such as little cigars, snus, and skoal, many of which are candy flavored, are easily accessible to be touched. They are also many times located right near the candy where kids are most likely to be shopping. This direct form of marketing via product placement should not be allowed to continue.

The young generations of Hawaii are being targeted by the tobacco industry as "replacement smokers" to keep Big Tobacco profits strong. **Supporting SB 642 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 642.

Grady Sullivan
Pahoia, Hawaii
REAL

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB642 on Feb 6, 2013 14:15PM*
Date: Friday, February 01, 2013 1:57:44 PM

SB642

Submitted on: 2/1/2013

Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

February 4th, 2013

Aloha Senators:

My name is Kerilee Erice and I am an a young adult leader of REAL: Hawaii's youth-led movement against the tobacco industry. I am writing this testimony in very strong support of SB 642 relating to health.

Other Tobacco Products (OTPs) such a cigars and chew 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. I strongly feel 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.

Not only do these products target youth but they are not treated the same as traditional cigarettes which for the most part are kept behind the counter. SB 642 would get these products out of the reach of youth.

Please consider this testimony in strong support of SB 642. We need your help to protect my generation from tobacco companies and nicotine addiction.

Mahalo,
Kerilee Erice
Maui

February 4th, 2013

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; 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 642.

I think it's extremely important to make a change now to storefront tobacco marketing which include the display of tobacco products. Youth and young adults are influenced by this form of marketing 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 marketing tactics. Being exposed to tobacco products makes youth curious about these products that look very similar to candy.

As a father and role model to my 9 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 642 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 642.

Che Sabol
Honolulu, Hawaii
REAL

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

Aloha Legislators,

My name is Madieson Felicilda, graduate of Baldwin High school, and Board Member of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I am submitting this testimony in support of SB 642. This bill relates to something REAL has been trying to do in our communities to reduce youth access to tobacco product.

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 642.

Madieson Felicilda
Wailuku, Hawaii
REAL
bluebearsmilez@gmail.com

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

February 4th, 2013

Aloha Committee:

I am Makeda Morris. I am a leader in REAL, a youth-led anti-tobacco industry movement. I believe in SB 642 because it will move Other Tobacco Products (OTPs) behind counter leaving no self-service display of tobacco.

OTPs are often placed in reach of children or by products children often use, and are often designed in ways attractive to children. The current placement makes stealing these products easy as well as mistaking them for candy. Anyone under the age of 18 having access to these products is very dangerous because they are addictive and terrible for health.

SB 642 also will help address all the products that are so visible to kids in our stores. The only way to protect young people from becoming addicted to tobacco is to stop the heavy marketing of these products.

Please vote to pass the SB 642 for the protection of younger generations. We need it!

Thank you,
Makeda Morris
Honolulu, HI

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

February 4th, 2013

Aloha Committee:

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 642 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 SB 642 and help us in our prevention effort to reduce tobacco marketing directed at our youth.

Mahalo,

Megan Chan, Tobacco Treatment Specialist
Nuuanu, Oahu

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

February 4th, 2013

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 SB 642 that addresses tobacco displays.

Tobacco advertisements and sale displays are bombarding our children. I have 3 small children and the product displays are at their eye-level of view. By allowing the tobacco companies to display their products and 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 SB 642 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

To: Senator Josh Green, Chair
Senator Rosalyn Baker, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 642: Relating to Tobacco Products

Hrg: February 6, 2013 at 2:15 pm, Room 229

From: Michele Brooks, RN

I am in strong support of requiring all retailers in Hawai'i to store all tobacco products for sale behind the counter. I believe that if the tobacco products were out of sight there would be less influence by the tobacco industry on Hawai'i's youth.

This is, simply put, a life-saving measure. I smoked for twenty years as a younger person, but then quit for 25 years. Now I am diagnosed with COPD. I thought my years of having stopped smoking would protect me from this but I was wrong. As a nurse, I know the type of death I could now face, but I cannot undo the damage I did so many years ago. Maybe we can help prevent others from doing the same.

Let us first remember that the tobacco industry, proven liable to the United States Government for racketeering,* targets our youth as their entry customers: "...the base of our business is the high school student." (Lorillard, 1978). "[I]t is during the teenage years that the initial brand choice is made...." (Philip Morris, 1981). "We were targeting kids, and I said at the time it was unethical and maybe illegal, but I was told it was just company policy." (R.J. Reynolds sales rep., 1990)(Quotes from "Trust Us, We're the Tobacco Industry, Campaign for Tobacco Free-Kids, pp. 42-44, cites to original sources at p. 46 (2001)).

This measure will enact a fundamental and vital approach to reduce youth access to tobacco and lower youth tobacco use rates.

Other Tobacco Products or OTPs are usually located on the counter at the point of sale in most convenient stores, where they are easily accessible. The colorful packaging and various candy flavors of other tobacco products entices youth of all ages, even pre-school children.

OTPs should be kept behind the counter, like cigarettes, where the product is only accessible by an employee. This will keep the products away from eyesight of our youth and take away a powerful marketing tool currently enjoyed by a deadly industry.

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

Mahalo,
Michele Brooks

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; 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 642 which removes self-service tobacco displays.

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

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

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 SB 652.

Looking at the premise of SB 642, 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 SB 642 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 SB 642.

Mikiala Johnson
Wailua, Kauai
REAL

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

Re: **Strong Support for SB 642, Relating to Health**
Committee on Health
Hearing; February 6th, 2013 at 2:15pm; Room 229

February 4th, 2013

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 642 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 642 to reduce youth access to tobacco products.

Mahalo,

Rose Anne Navalta
UH Hilo Student
REAL Statewide Leader and Activist