



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/13/2019

Time: 02:00 PM

Location: 329

Committee: House Consumer Protection &
Commerce

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 0276, HD1 RELATING TO FLAVORED TOBACCO PRODUCTS.

Purpose of Bill: Bans the sale of flavored tobacco products except for menthol or mentholated products. Prohibits mislabeling of e-liquid products containing nicotine. Establishes fines and penalties for violations. Effective 7/1/2050. (HB276 HD1)

Department's Position:

The Department of Education supports HB 276 HD1, with comments, provided that its passage does not replace or adversely impact priorities as indicated in our BOE approved budget.

The 2017 Hawaii Youth Risk Behavior Survey data indicate that almost half of our high school students have tried e-cigarettes, and 25% are now regular users. Although traditional cigarette use has declined in recent years, it is still concerning, with one out of every four youth saying that they have smoked a cigarette.

Flavor tobacco products are disproportionately used by youth, partially due to the false perception that fruit- and menthol-flavored tobacco products are less harmful than those that are tobacco-flavored [Pepper JK, Ribisi KM, Brewer NT. Adolescents' interest in trying flavored e-cigarettes. Tobacco control. 2016; 25(Suppl 2):ii62-ii66]. A 2013 U.S. Food and Drug Administration (FDA) report on the health impact of menthol cigarettes determined that menthol cigarettes lead to increased smoking initiation among youth and young adults, greater addiction and decreased success in quitting smoking [FDA. Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol versus Non-menthol Cigarettes (2013)]. Therefore, the Department respectfully requests that mentholated tobacco products be included in the scope of this measure in order to better protect Hawaii's youth.

The nicotine in tobacco products has been found to be addictive and is especially harmful to youth neurologic development. There are numerous other negative health consequences associated with the use of tobacco products and second hand exposure to tobacco smoke and electronic smoking devices (ESD) vapor, including higher rates of asthma and respiratory infection. These health conditions may limit a student's ability to attend and participate fully in school and may have long term effects on their educational attainment.

In addition to being highly addictive, nicotine adversely affects the heart, reproductive system, lungs, and kidneys. Tobacco is the leading cause of cancer and of death from cancer. [National Cancer Institute
<https://www.cancer.gov/about-cancer/causes-prevention/risk/tobacco>]

The Department of Education, in partnership with the Department of Health, is committed to helping students develop healthy practices, aimed toward achieving optimal academic success. Toward this end, the Department is actively engaged in educating our youth as to the harmful risks and dangers associated with the growing use of all tobacco products, including e-cigarettes. These efforts include a social media campaign, encouraging school-level student-led projects (e.g., video, art, essays, presentations, etc.), distributing informational pamphlets to students, erecting posters discouraging the use of all tobacco products, embedding curriculum on this topic into health and physical education classes, and holding parent nights to disseminate information.

The safety and well-being of all of our students is paramount to the Department of Education.

Thank you for the opportunity to provide testimony on this measure.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

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February 11, 2019

TO: The Honorable Roy M. Takumi, Chair
House Committee on Consumer Protection & Commerce

FROM: Kelly T. King
Council Chair *Kelly King*

SUBJECT: **HEARING OF FEBRUARY 13, 2019; TESTIMONY IN SUPPORT OF
HB 276 HD 1, RELATING TO FLAVORED TOBACCO PRODUCTS**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this measure is to prohibit the sale or distribution of all flavored tobacco products, including with menthol, in the State of Hawai'i.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

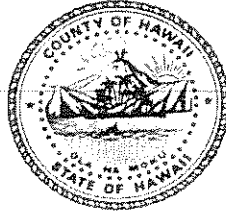
I **support** this measure for the following reasons:

1. This measure would allow the State to take more proactive measures in combating the leading cause of preventable disease and death in the United States and in Hawai'i: tobacco use.
2. Tobacco companies specifically target young people with flavored tobacco products. This leads to addiction and long-term negative health effects.
3. This measure would help the State protect keiki from preventable diseases.
4. This measure allows any county to adopt a rule or ordinance that places greater restrictions on the access of tobacco products provided in the measure, which allows counties to more effectively address the needs of their communities' air-quality, health and safety.

For the foregoing reasons, I **support** this measure.

MITCHELL D. ROTH
PROSECUTING ATTORNEY

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FIRST DEPUTY
PROSECUTING ATTORNEY



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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL NO. 276, HD1

A BILL FOR AN ACT RELATING TO FLAVORED TOBACCO
PRODUCTS

COMMITTEE ON COMMERCE, CONSUMER
PROTECTION, AND HEALTH
Rep. Roy M. Takumi, Chair
Rep. Linda Ichiyama, Vice Chair

Wednesday, February 13, 2019, 2:00 p.m.
State Capitol, Conference Room 329

Honorable Chair Takumi, Honorable Vice Chair Ichiyama and Members of the Committee on Commerce, Consumer Protection, and Health. The Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in SUPPORT of House Bill No. 276, HD1.

This measure bans the sale of flavored tobacco products.

Electronic smoking device (ESD) use among youth in Hawai'i has reached epidemic levels, and ESDs have surpassed cigarettes as the most used tobacco product among youth.

The tobacco industry claims they are not targeting children, but their actions tell a different story. The rise in youth use of EDSs has been in conjunction with the targeted branding of sweet, candy-flavored tobacco products. The toxic combination of enticing flavors and nicotine have led to a generation of youth addicted to tobacco products.

It is encouraging that the FDA has recognized flavors and ESDs as a national public health concern. It is also clear that we must act NOW to protect Hawai'i keiki from the enticement of candy-flavored tobacco products and a lifetime of addiction.

The Office of the Prosecuting Attorney, County of Hawai'i SUPPORTS the passage of House Bill No. 276, HD1. Thank you for the opportunity to testify on this matter.

From the office of -
Council Member
District 3



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SUSAN L.K. LEE LOY

25 Aupuni Street, Hilo, Hawai'i 96720

February 11, 2019

The Honorable Representative Roy Takumi, Chair
The Honorable Representative Linda Ichiyama, Vice-Chair
Members of the House Committee on Consumer Protection & Commerce
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

**Re: Strong Support of HB 276, HD1, relating to Flavored Tobacco Products
2pm, February 13, 2019, Conference Room 329**

Dear Rep. Takumi and Members of the Committee on Consumer Protection & Commerce:

I am writing this letter in strong support of the Youth Council's initiative to ban flavored tobacco/nicotine products.

We, as the responsible adults in our "family" that is the State of Hawaii, must stand up for our children and young people. The industry says it wants to keep tobacco out of the hands of our children, but they don't want to do anything about it. The surest proof that candy-flavored tobacco is infiltrating our schools is from the DOE. With 168,000 young people in our schools and with 42% of all high school students and 27% of middle schoolers reporting ever having used an "electronic vaping product" in 2017, we have an urgent need to act. All our young people deserve protection from a lifetime of addiction.

In addition, the industry claims they're not targeting our youth, but their actions tell a different story. With 15,500 flavors and growing, these products are not being responsibly marketed. Candy flavors such as Fruit Hoops, Sour Straws, and Cookie Monsta are designed to appeal to our children, and make nicotine go down easier. The packaging and ads are attractive, and the products smell and taste good. All of these help to hook our youth and make them repeat customers. Addiction is the opposite of freedom. We're fighting to keep our children free from the deadly addiction to these products. The health of Hawaii's keiki must be protected from the predatory marketing of tobacco companies.

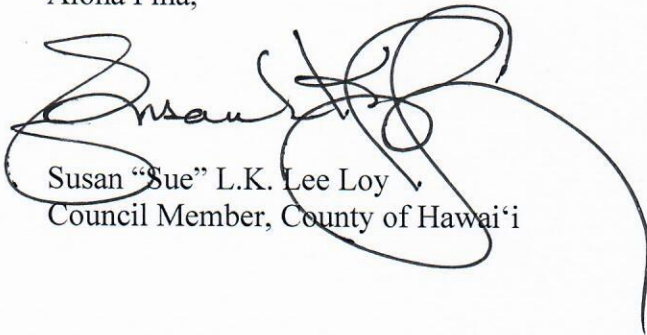
Included in the flavor ban would be menthol which has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes another popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, such as the African American community. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes. In the Philippines, market share of menthol cigarettes was 55%. The consequences of this are while nicotine and tobacco

addiction are deadly for everyone, Native Hawaiians and Filipinos die at higher rates of lung cancer than other groups.

Although some adults claim ESDs have helped them to “quit”, ESDs are not FDA-approved tobacco cessation products. We have yet to see any scientific evidence, beyond anecdotal data, that e-cigarettes have helped smokers to quit completely from tobacco use. The issue is with the aggressive and deceptive marketing of these products, we’re seeing other things happening: 1) people who have never smoked are using e-cigarettes, 2) children are picking them up as a path to smoking, and 3) smokers are using them to perpetuate their habit instead of to completely quit. Even more troubling is because of the historic declines in smoking, big tobacco has decided to focus on candy flavors and nicotine delivery solutions. Tobacco giant Altria, maker of Marlboro, is investing in the popular vaping company Juul, which has 76% of the e-cigarette market share and is worth \$16 billion.

If Hawaii’s tobacco stores are truly supportive of keeping the community healthy, then they must be fine offering products for sale other than cotton candy or gummy worm-flavored e-juice. Our residents are proud to support local, but not when these products directly contribute to the youth vaping epidemic. If we don’t remove candy flavors, the cost to our kids will be a lifetime of addiction to tobacco.

Aloha Piha,



Susan “Sue” L.K. Lee Loy
Council Member, County of Hawai‘i

BRIDGE CLUB HAWAII

February 9, 2019

RE: **SUPPORT for HB276**

Aloha Chair Takumi, Vice Chair Ichiyama, members of the Committee on Consumer Protection,

Thank you for your dedication to the health and livelihood of Hawai'i's keiki, and for this opportunity to testify in **SUPPORT** of HB276 related a ban on the sale of tobacco products. Bridge Club Hawaii is a youth community organization with ties to over 10,000 youth in Hawaii and across the globe. Our mission is to empower youth to become global leaders ready to tackle the problems of tomorrow and make the world a better place. To accomplish that goal, we must address any and all threats to society.

Flavored tobacco products are a direct attack on our keiki. There are over 7,000 different flavors of tobacco and there is clear evidence that these products are both unsafe and made to take advantage of young audiences decision by negatively influencing their decisions.¹ Research shows that chemicals used in flavorings of ESD liquid, such as Diacetyl and acetyl propionyl, are not approved by the FDA for inhalation and are associated with respiratory disease when inhaled.² Specifically, high doses of diacetyl have been shown to cause acute-onset bronchiolitis obliterans, a severe and irreversible obstructive lung disease when inhaled.³ Additionally, human lung cells that are exposed to ESD aerosol and flavorings are show increased oxidative stress and inflammatory responses.⁴

As a community, we must stay committed to the well-being of our youth, which is why Bridge Club Hawaii strongly supports HB276. Thank you for this opportunity to testify.

Sincerely,



Colby Takeda
Founder
Bridge Club Hawaii

¹ CDC (2018). Quick facts on the risks of e-cigarettes for kids, teens, and young adults. Retrieved from https://www.cdc.gov/tobacco/basic_information/e-cigarettes/Quick-Facts-on-the-Risks-of-E-cigarettes-for-Kids-Teens-and-Young-Adults.html

² Konstantinos E. Farsalinos, KE; Kistler, KA; Gilman, G; Voudris, V., "Evaluation of electronic cigarette liquids and aerosol for the presence of selected inhalation toxins," *Nicotine and Tobacco Research* 17(2): 168-174, February 2015.

³ "Preventing Lung Disease in Workers: Who Use or Make Flavorings," National Institute for Occupational Safety and Health. DHHS (NIOSH) Publication Number 2004-110, December 2003.

⁴ Lerner CA, Sundar IK, Yao H, Gerloff J, Ossip DJ, McIntosh S, et al. "Vapors Produced by Electronic Cigarettes and E-Juices with Flavorings Induce Toxicity, Oxidative Stress, and Inflammatory Response in Lung Epithelial Cells and in Mouse Lung," *PLoS ONE* 10(2): e0116732, February 6, 2015.

HB-276-HD-1

Submitted on: 2/9/2019 11:04:30 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

Strongly Support.

www.WeAreOne.cc



Hawaii COPD Coalition
700 Richards St., Suite 2410
Honolulu, HI 96813
Valerie@hawaiicopd.org
(808)699-9839

February 9, 2019

Honorable Chair Representative Roy Takumi
Honorable Vice-Chair Representative Linda Ichiyama
Members of the Committee on Consumer Protection & Commerce

RE: **Strong Support** of HB276, banning sale of all flavored tobacco products in Hawaii

Dear Representative Takumi, Ichiyama and members of the Consumer Protection and Commerce Committee:

This measure is extremely critical to the health of the children of our state and our entire state as well. Please vote in favor of HB276, banning all flavored tobacco products in Hawaii.

I am Executive Director of the Hawaii COPD Coalition and serve 46,015 Hawaii adults diagnosed with COPD in Hawaii (with an estimated equal number still undiagnosed). Since 2007, I have worked in Hawaii, nationally and internationally with countless people who have had their lungs and lives horribly affected by tobacco and nicotine.

We are grateful that this legislature has been the first in the nation to pass legislation banning the sale of tobacco and electronic smoking devices to people under 21 in Hawaii. Unfortunately, that doesn't stem the growing epidemic of young people and adults in our state who are smoking electronic smoking devices, commonly referred to as ESDs, e-cigs, or vaping.

With 168,000 young people in our schools and with 42% of all high school students and 27% of middle schoolers reporting ever having used an "electronic vaping product" in 2017, we have an urgent need to act. All our young people deserve protection from a lifetime of addiction.

While the FDA's proposed plan aims to restrict the sale of flavored e-cigarettes in convenience stores and gas stations, **it still allows e-cigarette products to stay on the market and online without review by the FDA until August 2022.** We know rulemaking at the federal level often takes a long time which is why state-level action on menthol and other flavored products is

needed now. We can't wait to protect our keiki. Additionally, the new proposed policies do not address flavors in any form of smokeless tobacco or hookah.

The chemicals used in e-juice and other products have NOT been tested nor approved for inhalation, particularly butter flavors which has been known to cause popcorn lung, otherwise known as bronchiolitis obliterans (which is a very serious progressive lung condition, basically causing the lungs to disappear from the bottom of the lungs upwards). The people using these products SAY they don't FEEL different and aren't currently having symptoms but the studies show otherwise. The most recent study is the FIRST study to show an independent association of e-cigarette use with chronic respiratory disorders and it's a Hawaii study. The citation is <https://www.ncbi.nlm.nih.gov/pubmed/30472577> Drug Alcohol Depend. 2019 Jan 1;194:363-370. doi: 10.1016/j.drugalcdep.2018.10.004. Epub 2018 Nov 7, E-cigarette use and respiratory disorder in an adult sample. Wills TA¹, Pagano I², Williams RJ³, Tam EK⁴.

Sadly, addicted tobacco smokers often also said they were "fine," up until they were hospitalized with a severe COPD "lung attack" and put on supplemental oxygen for the rest of their lives as well. The over 15,000 flavors of ESDs are designed to entice and attract youth with flavors and designs and packing like sweet candies they love!

Please help protect the lungs and lives of our children from these very harmful products that are spreading virally in our schools, from elementary through high school and beyond. We urge you to **please vote in favor of HB276 and pass it out of committee so it can become law**. The Hawaii COPD Coalition thanks you very much for your careful consideration of this most important and timely bill.

Very truly yours,

Valerie Chang

Valerie Chang
Executive Director



**Testimony to the House Committee on Consumer Protection and Commerce
Wednesday, February 13, 2019; 2:00 p.m.
State Capitol, Conference Room 329**

RE: SUPPORTING HOUSE BILL NO. 0276, HOUSE DRAFT 1, RELATING TO FLAVORED TOBACCO PRODUCTS.

Chair Takumi, Vice Chair Ichiyama, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** House Bill No. 0276, House Draft 1, RELATING TO FLAVORED TOBACCO PRODUCTS.

The bill, as received by your Committee, would:

- (1) Prohibit the sale, offer for sale, or possession with the intent to sell or offer to sell flavored a tobacco product, except for menthol or mentholated products beginning July 1, 2050;
- (2) Prohibit mislabeling or the sale or market for sale as nicotine free any e-liquid product that contains nicotine beginning July 1, 2050;
- (3) Establish a rebuttable presumption that a tobacco product is a flavored tobacco product if a statement or claim is made to the consumer or public that the product has or produces a characterizing flavor;
- (4) Provide that any tobacco product or electronic smoking device in the retailer's possession at the time of the violation be seized and forfeited to the State, and following administrative or judicial proceedings finding that the violation was committed, be destroyed by law enforcement;
- (5) Authorize the levying of a civil fine of \$500 for the first offense, and a fine not less than \$500 but not more than \$2,000 for any subsequent offense;

Testimony on House Bill No. 0276, House Draft 1
Wednesday, February 13, 2019; 2:00 p.m.
Page 2

- (6) Authorize any county to adopt a rule or ordinance that places greater restrictions on the access of tobacco products, and clarify that in the case of conflict with state law, the more stringent restriction prevail;
- (5) Include both savings and severability clauses ; and
- (6) Take effect on January 1, 2050.

Federally Qualified Health Centers (FQHCs) provide desperately needed medical services at the frontlines in rural communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of health.

FQHCs have long seen first-hand how tobacco has literally destroyed the lives of our patients and their families. Because of the ubiquity of cigarettes, chewing tobacco, and now electronic smoking devices, the impacts of tobacco affect our citizenry on a generational basis with people experimenting at even earlier ages. From our perspective, the development of flavored products are intended specifically to introduce these products to younger consumers for the purpose of grooming the next generation of smokers, chewers, and vaporers.

It is for this reason that the HPCA joins the Hawaii Public Health Institute and other advocates in strong support of all efforts to rid the marketplace of these products.

Thank you for the opportunity to testify on this measure.

In advance, thank you for your consideration of our testimony.



Testimony in Support of RE: Relating to Flavored Tobacco Products

Ellie Kelley-Miyashiro, RDH, BS

Past President/Regulations and Practice Chairperson – Hawaii Dental Hygienists' Association

Feb 11, 2019

Dear Chair Mizuno, Vice Chair Kobayashi and Respected Members of the Health Committee:

The Hawaii Dental Hygienists' Association (HDHA) strongly **supports House Bill 276 HD1** which proposes to amend Chapter 712, HRS by prohibiting the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawaii effective January 1, 5 2020.

We congratulate the Legislature for introducing a measure that seeks to address the health dangers caused by flavored tobacco products in Hawaii. The marketing of flavored tobacco products, clearly targets sales to Hawaii's youth as an initiation into the use of other nicotine products. In contrast to the positive decline in combustible tobacco smoking, use of electronic smoking devices (ESDs), also known as vaping or e-cigarettes, has increased dramatically over the last decade, making ESDs and flavored tobacco products the most common tobacco product used among youth.

HDHA believes that the nicotine in tobacco is clearly addictive and has been proven to be especially harmful to the oral health of those using it. Current research shows a direct correlation between smoking and periodontal disease. It has been shown to significantly increase the risk of tooth loss over time and decrease the ability for oral soft tissue to heal.

As the largest association representing Hawaii's licensed dental hygienists', HDHA strongly **supports HB276 HD1** to ban the sale of flavored tobacco products in Hawaii. Dental hygienists strive daily to educate patients on ways to improve their oral health, which includes discussing the harmful effects of smoking and tobacco related products. We look forward to working with lawmakers toward our common goal of increased health and decreased dental disease in our great State.

Thank you for your time and consideration.



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Executive Officers

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Derek Kurisu, KTA Superstores, *Advisor*

TO:
Committee on Consumer Protection and Commerce
Representative Nicole E. Lowen, Chair
Representative Rep. Tina Wildberger, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: February 13, 2019
TIME: 2pm
PLACE: Conference Room 329

RE: HB276 HD1 Relating to Flavored Tobacco Products

Position: Comments

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

The federal government already has in place adequate regulations regarding flavored cigarettes. Tobacco regulations are handled at the federal level for good reason. Enforcing this type of ban on very specific kinds of a product, which are legal at the federal level would require be a potentially logistically difficult and very expensive process. Any additional regulations of these types of products should occur at the federal level.

At the state level tobacco use in Hawaii is already restricted to those who are 21 and older. Kids and adults under 21 don't have legal access to these products and businesses already take measures to ensure that only those 21 and older are buying nicotine products.

This bill unfairly targets and penalizes those who choose to use certain types of products, and the businesses that serve these customers. This type of regulation is not really necessary and can be obtrusive. We thank you for the opportunity to testify.



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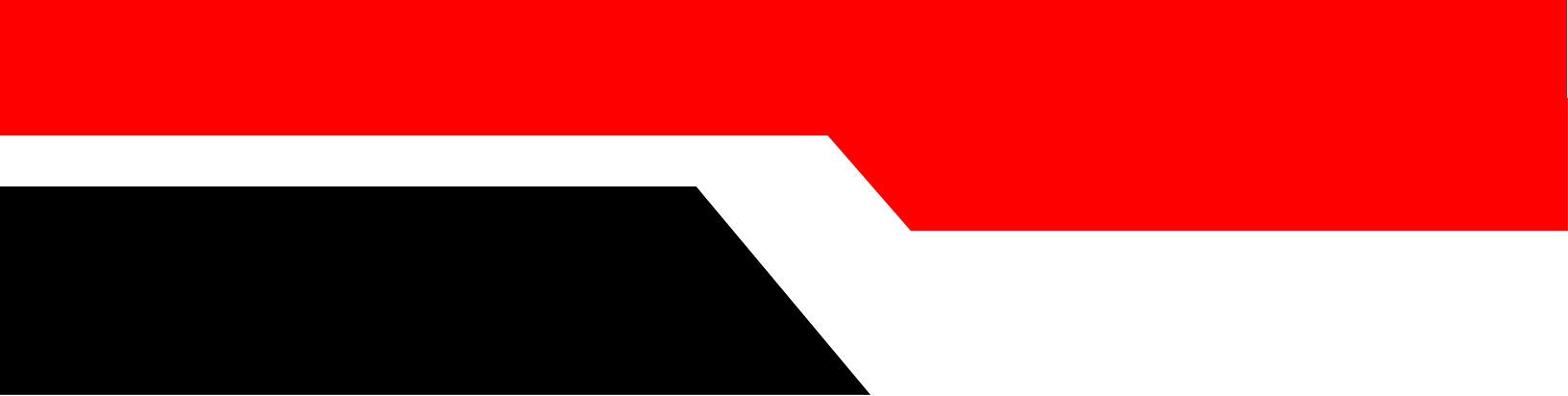
wholesale@hilyfevaporz.com

2/8/2019

Dear Hawaii State Representatives,

Aloha,

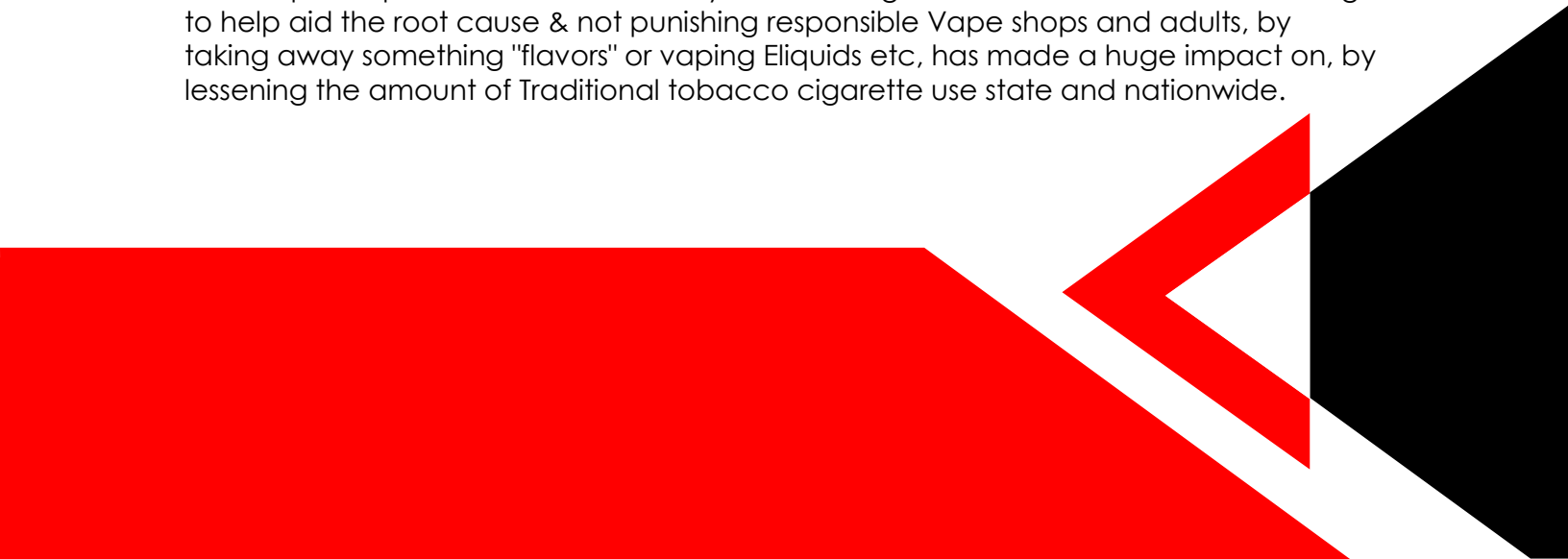
My name is Jostin and We Strongly oppose the House Bill 1574 (HB1574). As a REGISTERED Manufacturer with the U.S Food and Drug Administration and active member in the Vape community, I have no doubt that a bill of this magnitude will affect thousands of people in the state of Hawaii that have nothing short of a positive impact in their lives, health, and especially, the purpose of quitting combustible cigarettes. We DO NOT support teenage vaping; WE DO NOT SALE OR MARKET TO ANYONE UNDER THE LEGAL AGE OF AN ADULT PRODUCT; WE COMPLY WITH ALL THE CURRENT STATE AND U.S. FOOD AND DRUG ADMINISTRATION'S (FDA) LAWS AND REGULATIONS. Being a small business owner in Hawaii, my business Hi Lyfe Vaporz, LLC has acquired over 10 active employees. A bill like this will impact our business, as well as, many across the state in a negative manner such as: causing people to lose their jobs and homes, they would be unable to provide for their families, and many may end up going back to combustible cigarettes, which has been proven to be a known negative health factor throughout the world. The FDA has implemented many stringent rules and regulations which makes it very difficult for all the Vape industry's manufactures, and retailers to comply with, as well as stay up to date.



One of the problems with the youth vaping epidemic isn't Flavors, the issue is with enforcement to retailers of age restriction. By completely banning anything in this industry that has helped many adults, it will have a negative impact. Taxes alone from the industry generates a good amount of funding to our state. It's important to understand taking away vaping may greatly impact revenue to the state for health and research, ect.

Bill's like this simply goes against the positive impact vaping has made for all legal adults, who transitioned to a better alternative than combustible cigarettes. I humbly ask to think about this impact before passing such a bill. Myself, my family, as well as our employees, and customers will be greatly affected in a negative way. I am a former smoker of 20 years and I oppose HB1574 for the simple fact that this bill is unfair in the statement of making Flavors as the being the root cause of the teenage vaping epidemic. That is false. As a former smoker of traditional combustible cigarettes, vaping and its Flavors has helped myself, family members, and friends of legal smoking and vaping age, (whether it be state age laws or federal) to stay away from and stop smoking cigarettes. Since I've quit smoking and started vaping, having flavors to enjoy while vaping should be a right, as a law-abiding citizen that shouldn't be taken away from legal adults. As an adult we should have a choice to vape our preference of flavor!! The vaping epidemic in Hawaii and the USA of teenagers are because of certain devices like "Juil" and similar ones like it being easily accessible through gas stations, convenience stores, etc. At least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21. The vape shops, manufactures, and companies that have followed the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward the real issue, which is age enforcement.

The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because places other than vape shops do not take it seriously when asking for ID. There should be more stings to help aid the root cause & not punishing responsible Vape shops and adults, by taking away something "flavors" or vaping Eliquids etc, has made a huge impact on, by lessening the amount of Traditional tobacco cigarette use state and nationwide.



This will greatly urge citizens to go back to combustible cigarettes which is definitely more toxic due to the fact that my own Doctor has told me since I quit smoking cigarettes my health is much better in comparison.

Attachment "A1" is a letter from The FDA Commissioner, Scott Gottlieb. It states that the use of electronic nicotine delivery systems (ENDS) has contributed to a decline of combustible tobacco, which is known to cause cancer. It also clearly states that it intends on limiting flavored cigarettes to age restricted stores, or areas. Also please take a look at Senator Richard Burr in his explanation of what his thought are on this matter here is the link.

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W_qe6WHKH6gq-zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM

Here is a statement by Senator Burr

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2z1rLX_JvapjK2KmZUNLe0eW_D_G1AbPiLxgldNRnA--RQOfRFg61DLu8

Please see statements below by CDC, FDA Surgeon General, U.S Department of Health, Human Services & Center for Tobacco Products.

Mahalo for your time and consideration Jostin Iriarte jostin@hilyfevaporz.com



The Centers for Disease Control and Prevention

"E-cigarettes have the potential to benefit adult smokers who are not pregnant if used as a complete substitute for regular cigarettes and other smoked tobacco products."

<https://www.cdc.gov/tobacco/basic-information/e-cigarettes/about-e-cigarettes.html>



US Department of Health and Human Services

Secretary Alex Azar:

"I want to reiterate: E-cigs could help many American adults end their addiction to cigarettes."



Dec 18, 2018 (youtu.be/y0u2gooy80 @ 3:33)



"If you could take every adult smoker and fully switch them to e-cigarettes, that would have a substantial public health impact"



FDA Commissioner Dr. Scott Gottlieb

<https://www.c-span.org/video/?452001-1/fda-commissioner-scott-gottlieb-discusses-cigarettes-public-health-concerns>

FDA Commissioner Dr. Scott Gottlieb



"E-cigarettes may present an important opportunity for adult smokers to transition off combustible tobacco products and onto nicotine delivery products that may not have the same level of risks associated with them."



<https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/UCM620185.htm>



Dr. Jerome Adams, U.S. Surgeon General

"E-cigs and vaping as harm reduction not inherently a problem (though we need to continue research to ensure overall & max harm reduction)"

<https://twitter.com/JeromeAdamsMD/status/1058453736208412672>



"How could the same compound associated with so much death and disease be so safe that you can buy it without a doctor's prescription?" he asks.

"The answer is that it's about the delivery mechanism, not the drug."

Mitch Zeller, JD, Director, Center for Tobacco Products

<https://www.roll2stop.com/culture/culture-news/e-cigs-inconvenient-but-it-s-not-easy-to-veg-28972>

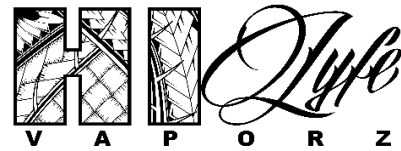


Mitch Zeller, Director, Center for Tobacco Products

"If we can get all of those people to completely switch all of their cigarettes for one of these non-combustible products, that would be good for public health"



<https://www.help.senate.gov/hearings/progress-and-challenges-the-state-of-tobacco-use-and-regulation-in-the-us> (01:59)




85-993 Farrington Hwy
Suite 206
Waianae, Hi 96792
808-200-4798
info@hilyfevaporz.com

2/8/2019

Dear Hawaii State Representatives,

Aloha,

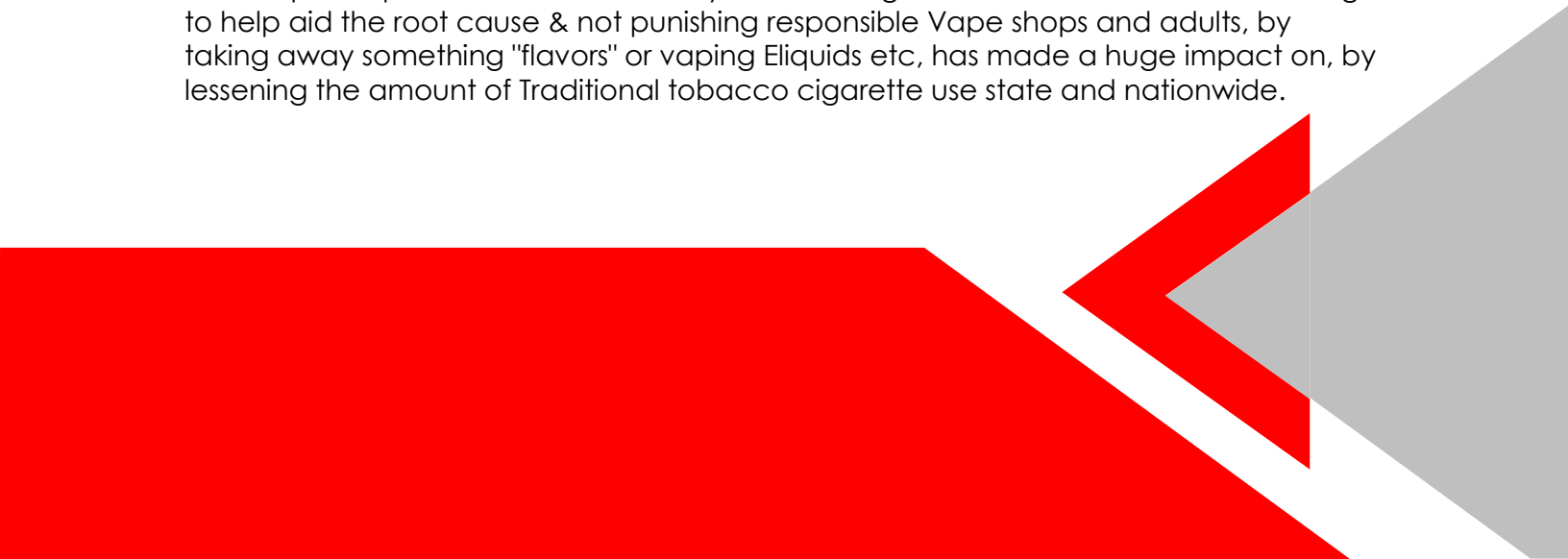
My name is Jostin and I Strongly oppose the House Bill 276 (HB 276). As a small business owner and active member in the Vape community, I have no doubt that a bill of this magnitude will affect thousands of people in the state of Hawaii that have nothing short of a positive impact in their lives, health, and especially, the purpose of quitting combustible cigarettes. We DO NOT support teenage vaping; WE DO NOT SALE OR MARKET TO ANYONE UNDER THE LEGAL AGE OF AN ADULT PRODUCT; WE COMPLY WITH ALL THE CURRENT STATE AND U.S. FOOD AND DRUG ADMINISTRATION'S (FDA) LAWS AND REGULATIONS. Being a small business owner in Hawaii, my business Hi Lyfe Vaporz, LLC has acquired over 10 active employees. A bill like this will impact our business, as well as, many across the state in a negative manner such as: causing people to lose their jobs and homes, they would be unable to provide for their families, and many may end up going back to combustible cigarettes, which has been proven to be a known negative health factor throughout the world. The FDA has implemented many stringent rules and regulations which makes it very difficult for all the Vape industry's manufactures, and retailers to comply with, as well as stay up to date.



One of the problems with the youth vaping epidemic isn't Flavors, the issue is with enforcement to retailers of age restriction. By completely banning anything in this industry that has helped many adults, it will have a negative impact. Taxes alone from the industry generates a good amount of funding to our state. It's important to understand taking away vaping may greatly impact revenue to the state for health and research, ect.

Bill's like this simply goes against the positive impact vaping has made for all legal adults, who transitioned to a better alternative than combustible cigarettes. I humbly ask to think about this impact before passing such a bill. Myself, my family, as well as our employees, and customers will be greatly affected in a negative way. I am a former smoker of 20 years and I oppose HB276 for the simple fact that this bill is unfair in the statement of making Flavors as the being the root cause of the teenage vaping epidemic. That is false. As a former smoker of traditional combustible cigarettes, vaping and its Flavors has helped myself, family members, and friends of legal smoking and vaping age, (whether it be state age laws or federal) to stay away from and stop smoking cigarettes. Since I've quit smoking and started vaping, having flavors to enjoy while vaping should be a right, as a law-abiding citizen that shouldn't be taken away from legal adults. As an adult we should have a choice to vape our preference of flavor!! The vaping epidemic in Hawaii and the USA of teenagers are because of certain devices like "Juil" and similar ones like it being easily accessible through gas stations, convenience stores, etc. At least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21. The vape shops, manufactures, and companies that have followed the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward the real issue, which is age enforcement.

The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because places other than vape shops do not take it seriously when asking for ID. There should be more stings to help aid the root cause & not punishing responsible Vape shops and adults, by taking away something "flavors" or vaping Eliquids etc, has made a huge impact on, by lessening the amount of Traditional tobacco cigarette use state and nationwide.



This will greatly urge citizens to go back to combustible cigarettes which is definitely more toxic due to the fact that my own Doctor has told me since I quit smoking cigarettes my health is much better in comparison.

Attachment "A1" is a letter from The FDA Commissioner, Scott Gottlieb. It states that the use of electronic nicotine delivery systems (ENDS) has contributed to a decline of combustible tobacco, which is known to cause cancer. It also clearly states that it intends on limiting flavored cigarettes to age restricted stores, or areas. Also please take a look at Senator Richard Burr in his explanation of what his thought are on this matter here is the link.

[https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W_qe6WHKH6gq-
zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM](https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W_qe6WHKH6gq-
zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM)

Here is a statement by Senator Burr

[https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2z1rLX_JvapjK2KmZUNLe0eW_D_G1AbPiLxgldNRnA--
RQOfRFg61DLu8](https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2z1rLX_JvapjK2KmZUNLe0eW_D_G1AbPiLxgldNRnA--
RQOfRFg61DLu8)

Mahalo for your time and consideration Jostin Iriarte jostin@hilyfevaporz.com



The Centers for Disease Control and Prevention

"E-cigarettes have the potential to benefit adult smokers who are not pregnant if used as a complete substitute for regular cigarettes and other smoked tobacco products."

<https://www.cdc.gov/tobacco/basic-information/e-cigarettes/about-e-cigarettes.html>



US Department of Health and Human Services

Secretary Alex Azar:

"I want to reiterate: E-cigs could help many American adults end their addiction to cigarettes."



Dec 18, 2018 (youtu.be/y0u2gooy80 @ 3:33)



"If you could take every adult smoker and fully switch them to e-cigarettes, that would have a substantial public health impact"



FDA Commissioner Dr. Scott Gottlieb

<https://www.c-span.org/video/?452001-1/fda-commissioner-scott-gottlieb-discusses-cigarettes-public-health-concerns>

FDA Commissioner Dr. Scott Gottlieb



"E-cigarettes may present an important opportunity for adult smokers to transition off combustible tobacco products and onto nicotine delivery products that may not have the same level of risks associated with them."



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Dr. Jerome Adams, U.S. Surgeon General

"E-cigs and vaping as harm reduction not inherently a problem (though we need to continue research to ensure overall & max harm reduction)"

<https://twitter.com/JeromeAdamsMD/status/1058453736208412672>



"How could the same compound associated with so much death and disease be so safe that you can buy it without a doctor's prescription?" he asks.

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Mitch Zeller, JD, Director, Center for Tobacco Products

<https://www.roll2stop.com/culture/culture-news/e-cigs-inconvenient-with-its-quick-ref-to-veps-28972>



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"If we can get all of those people to completely switch all of their cigarettes for one of these non-combustible products, that would be good for public health"



<https://www.help.senate.gov/hearings/progress-and-challenges-the-state-of-tobacco-use-and-regulation-in-the-us> (01:59)

Jamil Folio
The Man Cave
1993 S. Kihei Rd Suite 18
Kihei, Hawaii 96733



To our Distinguished Legislators:

My name is Jamil Folio, I am the Administrative Manager for “The Man Cave” retail business in Kihie, Hawaii. I am a property owner, father of young keiki, concerned citizen and a small business advocate who is proud to call Maui my home.

I am writing in STRONG support of HB276, the tobacco flavor ban. We sell tobacco products in our store, and understand the trepidation of other business owners/operators concerning potential lost revenue. BUT, we cannot jeopardize the health of our youth and our community by focusing on short term profit.

An alarming number of Maui high school students, 30%, are using flavored smokeless tobacco, or e-cigarettes. A good portion of them will go on to use more traditional tobacco products and in case you are unaware that carries significant health risks. Children are 3 to 10 times more likely to start smoking having had exposure to vaping or e-cigarettes in the past.

21,000 children under the age of 18 currently living in Hawaii will die prematurely from smoking.

If you could please read the previous sentence one more time. Then consider the financial cost associated with long term cancer and end of life care. Any lost short term revenue from banning the sales of flavored tobacco products is a minor rounding error in the long term costs associated with cancer for tens of thousands of Hawaii’s citizens.

We are not talking about the rights adults have to make informed discussions. We are talking about middle school children being hooked on bubble gum and cotton candy flavored addiction. And that is what is being sold: addiction. This is a tried and true campaign of influence from tobacco companies who have been marketing to children for decades (as proven in their own internal documents multiple times).

For every potential sale that would be lost, a life might be saved. So please represent your constituents, our community and our island ohana by doing the right thing. No child or adult needs candy flavored cancer causing products.

Thank you for your time.

Mahalo,

Jamil Folio



February 5, 2019

RE: SUPPORT HB276 HD1 Relating to Flavored Tobacco Products

Dear Chair Takumi & Members of the Committee on Consumer Protection and Commerce:

At Blue Zones Projects we are working to make Hawaii a happier, healthier place to live, work and play. We support HB276 HD1, which will ban the sale of all flavored tobacco products. Ultimately reducing the number of users and potential users.

Youth are highly attracted to the variety, 15,500 + and growing, flavors. These are marketed to appeal to young people. With names like Fruit Hoops, Cali Colada, Space Jam, TrollzE, and Blizzard Berry-BRRRST, clearly the industry is targeting children under 21. By attracting young people, the next generation of consumers is being cultivated.

It is targeted, and the messaging is working phenomenally well. Nationally, there was a 78% increase from 2017-2018 in current e-cigarette use among high school students and 48% increase among middle school students. Bringing the total number of middle and high school students currently using to 3.6 million, 1.5 million more than the previous year. Hawaii youth are part of this trend, 42% of HIDOE high school students and 27% of middle school students report having ever used an electronic vaping product.

As a state, we do not have the time to take a “wait and see” approach. The crisis is now. For years, we have done our keiki a disservice by ignoring the numbers and trusting the industry that were acting ethically. We are allowing a generation to become addicted to nicotine through the hook of flavored e-liquids. This measure is the top priority of the youth council. Our children are asking the adults to address the issue of their health and well-being; we can’t fail them.

We are grateful to the Committee for hearing HB 276 HD1, and hope that you will consider passing this bill as it is to the House Committee on Consumer Protection and Commerce.

Sincerely,

Peggy Mierzwa

Peggy Mierzwa
Statewide Policy Lead
Blue Zones Project—Hawaii

Brought to
Hawaii by



An Independent Licensee of the Blue Cross and Blue Shield Association

Wednesday, February 13, 2019 at 2:00 PM
Conference Room 329

House Committee on Consumer Protection & Commerce

To: Representative Roy Takumi, Chair
Representative Linda Ichiyama, Vice Chair

From: Michael Robinson
Vice President, Government Relations & Community Affairs

Re: **Testimony in Support of HB 276, HD1
Relating to Flavored Tobacco Products**

My name is Michael Robinson, Vice President, Government Relations & Community Affairs at Hawai'i Pacific Health. Hawai'i Pacific Health is a not-for-profit health care system comprised of its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox and over 70 locations statewide with a mission of creating a healthier Hawai'i.

I write in support of HB 276, HD1 would ban the sale of flavored tobacco products, with the exception of menthol flavored products.

Tobacco use remains the leading cause of preventable disease and death in the United States and in Hawai'i. Tobacco use is a serious public health problem in terms of the human suffering and loss of life it causes, as well as the financial burden it imposes on society and our healthcare system. Annually, \$526,000,000 in health care costs are directly attributed to smoking in the State. Flavored tobacco products promote youth initiation of tobacco use and help young occasional smokers become daily smokers by reducing or masking the natural harshness and taste of tobacco smoke, thereby increasing the appeal of tobacco products. Menthol, in particular, is used by the tobacco industry because it has a cooling and numbing effect and can reduce the throat irritation from smoking, thus making menthol cigarettes an appealing option for youth who are initiating tobacco use. Candy and fruit flavors improve the taste and reduce the harshness of tobacco products, making them more appealing and easier for beginners to try tobacco products and ultimately become addicted. The popularity of electronic cigarettes among youth is concerning, as these products contain nicotine.

E-cigarette use or vaping among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawaii have decreased through the years, ESD use has rapidly increased, threatening significant

public health gains through our Tobacco 21 law and tobacco youth access laws. This is particularly concerning because e-cigarettes provide a new way to deliver the addictive drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids. Marketing strategies by the tobacco industry and electronic smoking device industry have significantly increased the introduction and marketing of flavored non-cigarette tobacco products, especially ESDs. Products are glamorized in order to appeal to our youth, using flavors such as candy, fruit, chocolate, mint, Kona coffee, Maui Mango, Shaka strawberry, and Moloka'i hot bread.

Recognizing the increasing public health concerns of flavored tobacco products, other jurisdictions have enacted bans on the sale of those products. Hawaii should also take the step to impose a similar ban.

Thank you for the opportunity to testify.



February 11, 2019

To: The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

Re: **Strong Support for HB276 HD1**

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

The Hawaii Public Health Association is a group of over 600 community members, public health professionals and organizations statewide dedicated to improving public health. HPHA also serves as a voice for public health professionals and as a repository for information about public health in the Pacific.

HPHA strongly supports HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Thank you for the opportunity to provide testimony on important health issues affecting people in Hawai'i.

Respectfully submitted,

A handwritten signature in black ink that reads 'Holly Kessler'.

Holly Kessler
Executive Director
Hawaii Public Health Association

Date: February 13, 2019

To: The Honorable Roy M. Takumi, Chair
The Linda Ichiyama, Vice Chair
Committee on Consumer Protection & Commerce

From: Members of the University of Hawaii Student Health Advisory Council

Re: Strong Support for HB276, Relating to Flavored Tobacco Products

Hrg: Wednesday, February 13, 2019 at 2:00 pm at Conference Room 229

Thank you for the opportunity to submit testimony in **SUPPORT** of HB276, which bans the sale of flavored tobacco products, effective 1/1/2020.

The Student Health Advisory Council has played a pivotal role in the development and implementation of health policies and tobacco education on the UH System campuses. In 2015, the Student Health Advisory Council actively supported the passing of the law prohibiting the sale of all tobacco products to anyone under the age of 21. In 2018, the Student Health Advisory Committee also actively supported passing the law prohibiting the use of tobacco products on all 10 UH campuses and university-owned facilities. We remain deeply committed to the mission of reducing the use of tobacco products, including electronic smoking devices, among adolescents and young adults.

Electronic cigarettes are now the most commonly used form of tobacco among youth in the United States, surpassing conventional tobacco products, including cigarettes, cigars, chewing tobacco, and hookahs. According to the Centers for Disease Control and Prevention, e-cigarette use among adolescents has increased considerably, growing an astounding 900% among high school students from 2011 to 2015. The sale of candy-like flavored tobacco products entices minors to start using these harmful products which may cause addiction, lead to dual use of combustible cigarettes and vape products and to damage of the developing adolescent brain. The banning of flavored tobacco products is an imperative next step in tobacco control, if we are committed to protecting the health of adolescents and young adults in Hawaii.

On behalf of the Student Health Advisory Council, mahalo for your support for HB 276.



HALE'ŌPIO KAUA'I INC.

Nurturing Our Youth

SINCE 1975

Board of Directors

February 1, 2019

Curtis E. Law
President

To: Rep. John M. Mizuno, Chair
Rep. Bertrand Kobayashi, Vice Chair

Orianna Skomoroch
Vice President

Re: Support of HB276/SB1009 – Related to Flavored Tobacco Products

Randall Hee
Secretary

Dear Chair Representative Mizuno,

Thomas Lodico
Treasurer

My name is Vonn Ramos and I am the Executive Director of Hale Opio Kauai. Over the last two years, our Court Diversion Program – Kauai Teen Court, has experienced an explosion of referrals of youth being arrested for possession and/or use of Electronic Smoking Devices (ESD). Close to half of the 300+ referrals were relating to offenses involving ESDs. To address this growing issue, we have partnered with Tobacco Free Kauai Coalition in implementing an ESD psychoeducation class as part of the youth's sentencing.

—
Addison Bulosan, DC

Judge William J.
Fernandez, Ret.

Carol Furtado

In the US, the youth vaping rates increased by a shocking 78% from 2017 to 2018 — that's over 3.6 million youth under the age of 18 vaping. ***In Hawai'i, youth use of ESDs has doubled or even tripled national rates.***

Randall Hee

Gregory Meyers

Wanda Shibata

It is no coincidence that the rise in youth use of ESDs has been in conjunction with the explosion of sweet, candy-flavored tobacco products. The toxic combination of enticing flavors and nicotine have led to a generation of youth hooked on tobacco products.

Geri Young, MD

—

Vonn Ramos
Executive Director

We are concerned that our vulnerable and impressionable youth are being lured into a life of addiction. **We strongly support the banning of flavored tobacco products.**

Sandra Cummings
Controller

Mahalo nui loa -

Vonn Ramos, MA, MS, CSAC
Executive Director

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www.haleopio.org • info.haleopio.org





Testimony of Jim Yates,
President of the Hawaii Petroleum Marketers Association

**IN SUPPORT OF THE INTENT OF HOUSE BILL 276, HOUSE DRAFT 1,
RELATING TO FLAVORED TOBACCO PRODUCTS
WITH AMENDMENTS**

House Committee on Consumer Protection & Commerce
The Honorable Roy Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair

Wednesday, February 13, 2019 at 2:00 p.m.
Hawaii State Capitol, Conference Room 329

Chair Takumi, Vice Chair Ichiyama and members of the Committee,

I am Jim Yates, president of the Hawaii Petroleum Marketers Association (“HPMA”). HPMA is a non-profit trade association comprised of members who directly market liquid motor fuel products across the Hawaiian Islands. Our membership includes individuals and companies who operate as independent marketers, jobbers or distributors of petroleum products and who buy liquid motor fuel products at the wholesale level and sell or distribute products to retail customers, other wholesalers, and other bulk consumers. HPMA’s primary purpose is to protect and advance its members’ legislative and regulatory interests in Hawaii and Washington, DC.

House Bill 276, House Draft 1 bans the sale of flavored tobacco products except for menthol or mentholated products. The bill further prohibits mislabeling of e-liquid products containing nicotine, and establishes fines and penalties for violations.

HPMA supports the intent of HB 276, HD 1. We would also ask for the Committee’s consideration in exempting flavored smokeless tobacco products and deleting § 712 - __ (5) to provide for a uniform statewide law.

HPMA does not make these requests lightly.

- Most smokeless tobacco products are flavored, and they are clearly marketed to an adult crowd.
- While we favor strict enforcement of laws regulating access to tobacco products, we are concerned that having counties with varying degrees of restrictions will be difficult for retailers to comply with. We suggest establishing a uniform statewide law through the enactment of this bill.

Testimony by the Hawaii Petroleum Marketers Association
In Support of H.B. 276, H.D. 1, Relating to Flavored Tobacco Products
House Committee on Consumer Protection & Commerce
Hawaii State Capitol, Room 329
Wednesday, February 13, 2019 at 2:00 p.m.
Page 2

Therefore, we respectfully request that the Committee consider making the following amendments:

§ 712 - Sale of flavored tobacco products

~~[(5) Any county may adopt a rule or ordinance that places greater restrictions on the access of tobacco products than provided for in this section. In the case of a conflict between the restrictions in this section and any county rule or ordinance regarding access to tobacco products, the more stringent restrictions shall prevail.]~~

“Flavored tobacco product” means any tobacco product that contains a constituent that imparts a characterizing flavor, except for menthol or mentholated products and all smokeless tobacco products that are flavored.

Thank you for considering the HPMA’s suggested amendment and for providing this opportunity to testify.



**WAIANAE COAST
COMPREHENSIVE
HEALTH CENTER**
www.wcchc.com

February 12, 2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection & Commerce:
The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

Hearing: February 13, 2019 at 2:00 PM at Capitol Room 329

Submitted by: Dr. Vija Sehgal, Waianae Coast Comprehensive Health Center

As a Pediatrician and Director of Pediatric Services, which include three School Based Health Centers on the Waianae Coast, I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to appeal to young adolescents. With more than 15,500 flavors, these products are being irresponsibly marketed.

The sale of candy-flavored tobacco contributes to leading our youth to a lifetime of nicotine addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act.

I strongly support HB276 HD1 and ask you to pass this out of committee.

Thank you for your consideration.



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 13, 2019**

Re: HB 276 HD1 Relating to Flavored Tobacco Products

Good afternoon Chairperson Takumi and members of the House Committee on Consumer Protection and Commerce. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) as founded in 1901 and is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

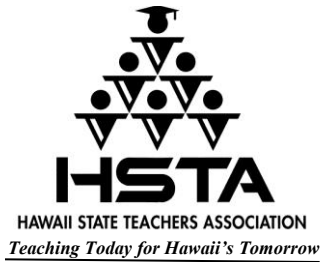
We OPPOSE HB 276 HD 1 Relating to that would ban the sale of flavored tobacco products. This bill would essentially ban all electronic vapor products and e-liquids. As a result, people will be compelled to purchase these goods online at less than reputable sites, on the black market or try to make it themselves. This will essentially force many small local businesses who sells these items to shut down, thus leaving many of our family, friends and neighbors out of work.

Currently Hawaii has a law in place that states that it is unlawful for a person under the age of 21 years to purchase electronic vaping devices, e-liquids and tobacco products. However adults that are 21 and older are able to purchase these items and enjoy them like an electronic vaping device with their favorite flavored e-liquid. Many adults like the sweet flavors of chocolate, candy, fruit, and vanilla to name a few.

Furthermore, every electronic vaping device and e-liquid available worldwide is “flavored.” Because they do not contain tobacco, electronic vaping devices has no “natural tobacco” taste, or any taste for that matter, without the addition of flavorings. These flavored e-liquids are enjoyed by many adults.

In addition, vapor products and e-liquids are NOT the same as a tobacco product. Electronic vaping devices contains NO tobacco and NO smoke is emitted when vaporized. The New England Journal of Medicine published an article recently that found that electronic vaping devices were nearly twice as effective as conventional nicotine replacement products, like patches and gum, for quitting smoking. The study was conducted in Britain and funded by the National Institute for Health Research and Cancer Research UK.

Mahalo again for this opportunity to testify.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee
President
Osa Tui Jr.
Vice President
Logan Okita
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON
CONSUMER PROTECTION & COMMERCE

RE: HB 276, HD1 - RELATING TO FLAVORED TOBACCO PRODUCTS

WEDNESDAY, FEBRUARY 13, 2019

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Takumi and Members of the Committee:

The Hawaii State Teachers Association **strongly supports HB 276, HD1** banning the sale of flavored tobacco products, except for menthol or mentholated products, although we think in the future the menthol tobacco products should also be phased out.

This measure would ban the sale of flavored tobacco products in the state of Hawaii starting on 1/1/2020.

Flavored tobacco products have been proven as the entry point for youth to start smoking. According to the FDA's 2018 National Youth Tobacco Survey over two-thirds (67.8 percent) are using flavored e-cigarettes, which is a significant increase from 2017. The 2017 CDC, Youth Risk Behavior Surveillance System reported 8.1% of high school students smoked on at least one day in the past 30 days.

Locally the Hawaii's Youth Risk Behavior Survey of public high school students disclosed the following: over 42% of Hawaii high school students have tried using vapor products; over 25% of Hawaii high school students indicated that they are regular users; and neighbor islands high school students reporting even higher numbers with over 31% of Kauai students, over 32% of Maui students, and over 34% of Hawaii county students reported to be regular users.

We need to protect our youth and stop tobacco companies from preying on them at the cost of their future health, thus the Hawaii State Teachers Association asks your committee to **support** HB 276, HD1.



**American
Heart
Association.**

**American Heart Association Testimony Supporting the INTENT
of HB 276, HD1, “Relating to Flavored Tobacco Products,”
But Recommending Amendments**

Chairman of the Board

Mark Yamakawa

President

Kahealani Rivera, MD

Board Members

Rick Bruno, MD, FACEP
Brandt Farias
Mimi Harris
David Honma
Glen Kaneshige
Brandon Kurisu
Howard Lee
Michael Lui, MD
Kazuma Nakagawa, MD,
FAAN, FAHA
Barbara Petrus
Andrew Rosen
Dave Underriner
Elisa Yadao

Serving Hawaii since 1948

Mission Statement:

“To be a relentless force
for a world of longer,
healthier lives.”

For more information on
the AHA’s educational or
research programs, visit
www.heart.org or contact
your nearest AHA office.

Office: (808) 377-6630

Fax: (808) 524-0556

Neighbor Islands:

Serviced by the Oahu
office

The American Heart Association supports the intent of HB 276, HD1 “Relating to Flavored Tobacco Products.” However, the AHA has strong concerns about the deletion of menthol flavoring from the bill and recommends that menthol be included in the flavor ban.

The 2014 Surgeon General’s Report projects that if current trends continue, 5.6 million of today’s youth under 18 will die prematurely in adulthood from smoking-related illness. To protect this vulnerable population, policymakers need to move quickly and ban the use of characterizing flavors, including menthol, from all tobacco products.

The evidence supporting a flavor ban is clear. As we discuss below, flavored tobacco products are highly attractive to youth and have led to increased initiation and use among children and adolescents. The number of flavored products on the market has also increased substantially with the tobacco industry marketing thousands of fruit, candy, and mint flavored products that appeal to children. Allowing these products to remain on the market puts a new generation at risk of a dangerous addiction.

While we understand that some adult tobacco users report using flavored products to transition or switch from combustible cigarettes, there is little evidence supporting their use as a cessation tool. In addition, there is some evidence that flavored tobacco products have enticed adult never smokers to try tobacco for the first time – just as they have with children. We encourage legislators to make protecting children its top priority when considering legislative options for flavored tobacco.

AHA feels that a blanket flavoring ban is needed because a wide array of flavors appeal to youth and young adults, which increases the risk of initiation and continued tobacco use. Also, many of the flavorings, including some of the most popular, contain known toxins. We believe this would make it extremely difficult to identify specific flavors to ban. Studies show that menthol cigarettes increase initiation, especially among youth.

The number of flavored tobacco products on the market increased substantially after flavored cigarettes were banned. After the 2009 federal ban on flavored cigarettes took effect, the tobacco industry started producing different types of flavored tobacco products that were not subject to the prohibition. This led to the rise in the number of youth using flavored cigars, and especially in Hawaii, e-cigarettes. Both the tobacco industry and youth adjusted to the cigarette ban by moving to other tobacco products where flavors were still allowed. If the legislature were to pass a flavoring ban, but limit it to certain types of products or flavorings, we are likely to see the same thing happen again.

The availability of flavors is one of the main reasons youth and young adults use cigarettes and other noncombustible products. If the legislature wants to decrease youth tobacco use, removing flavors from noncombusted products is key. In addition, current smokers will be motivated to move to noncombusted products – even if they are unflavored – when the nicotine content in cigarettes is reduced through federal regulation.

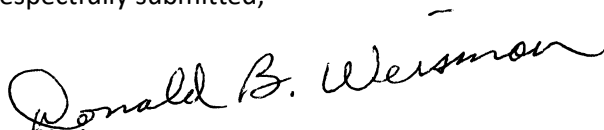
In Hawaii alone, tobacco use claims 1,400 lives each year and creates \$526 million in annual health care costs directly caused by smoking (\$141.7 million of that is covered by the state Medicaid program). Hawaii residents' state & federal tax burden from smoking-caused government expenditures is \$836 per household. Hawaii's estimated tobacco tax revenue, estimated to be approximately \$110 million per year, does not come close to offsetting the losses to the state caused by tobacco use. Smoking declines caused by state cigarette tax increases directly reduce these smoking-caused economic burdens for all taxpayers, and Hawaii businesses which bear the brunt of employee healthcare costs in our state.

Those who might quit tobacco addiction as a result of a comprehensive flavor ban would then have additional money to spend on taxable products that don't result in over a \$500 million in healthcare costs to the state. The money doesn't go up in smoke or vapor; instead it will likely be spent on more productive things that can benefit the smokers' and/or their families and our state.

It's time to end the use of candy flavors and menthol to entice our children into a deadly addiction.

The American Heart Association asks for your support of HB 276, HD1, but to amend the bill by adding menthol back into the flavor ban.

Respectfully submitted,


Don Weisman
Hawaii Government Relations/Communications Director

February 12, 2019

TO: Chair Roy M. Takumi
Vice Chair Linda Ichiyama
Members of the House Committee on Consumer Protection & Commerce

FROM: Cigar Association of America, Inc.
(William Goo)

RE: **HB 276, HD1** - Relating to Flavored Tobacco Products
Hearing Date: February 13, 2019
Time: 2:00 pm

My name is William Goo. I represent the Cigar Association of America, Inc. (CAA).

CAA **opposes HB 276, HD1** which seeks to ban the sale of flavored tobacco products to the extent that it includes a ban on cigars and pipe tobacco. The primary focus of this bill is to address the rising use of flavored tobacco products especially with electronic smoking devices by youth in Hawaii. CAA strongly supports a ban on youth smoking. Cigars and pipe tobacco are primarily the choice and custom of mature, responsible and informed adults. Cigars and pipe tobacco are not the tobacco product of choice of Hawaii's youth. Any ban on flavored tobacco products should exclude cigars and pipe tobacco.

Thank you for considering this testimony.

HB-276-HD-1

Submitted on: 2/12/2019 12:40:54 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:



HIPHI Board

Michael
Robinson, MBA, MA
Chair
Hawaii Pacific Health

Mark Levin, JD
Secretary
William S. Richardson School
of Law

Kilikina Mahi, MBA
Treasurer
KM Consulting LLC

Joy Barua, MBA
Kaiser Permanente

Forrest Batz, PharmD
Retired, Daniel K. Inouye
College of Pharmacy

Debbie Erskine
Kamehameha Schools

Keawe'aimoku
Kaholokula, PhD
John A. Burns School of
Medicine, Department of
Native Hawaiian Health

Bryan Mih, MD, MPH
John A. Burns School of
Medicine, Department of
Pediatrics

Rachel Novotny,
PhD, RDN, LD
University of Hawaii at Manoa,
College of Tropical Agriculture
and Human Resources

Catherine Taschner, JD
McCorriston Miller Mukai
MacKinnon LLP

JoAnn Tsark, MPH
John A. Burns School of
Medicine, Native Hawaiian
Research Office

En Young, MBA
Sansei, Lanai

Date: February 12, 2019

To: Representative Roy Takumi, Chair
Representative Linda Ichiyama, Vice Chair
Members of the Commerce and Consumer Protection
Committee

Re: Strong Support for HB276 HD1, Relating to Flavored Tobacco
Products

Hrg: February 13, 2019 at 2:00pm at Conference Room 329

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute¹ is in **Strong Support of HB 276 HD1** which would end the sale of all flavored tobacco products in the state.

This measure will help to save lives.

Tobacco use remains a serious threat to public health. Each year, Hawaii spends \$526 million in health care costs and \$141.7 million in Medicaid costs due to smoking. Candy flavors such as Fruit Hoops, Sour Straws, Gummy Bears, and Cookie Monsta are designed to mask the harshness of tobacco and make nicotine go down easier. With 81% of youth starting with a flavored tobacco productⁱⁱ, regulating the flavors designed to capture and addict new customers prioritizes the health and safety of our community over tobacco's special interests.

This measure helps to protect our keiki from a lifetime of addiction.

Hawaii is experiencing a vaping epidemic among our young people. The State Legislature has worked hard to protect our residents from the harms caused by tobacco use, but the rapid growth of e-cigarette use is alarming. With 42% of all high school students and 27% of middle schoolers reporting ever having used an "electronic vaping product" and 4.3%ⁱⁱⁱ of adults regularly using ESDs in 2017, we have an urgent need to act. In addition, the latest report released in Feb 2019 by the CDC (attached) is very concerning:

- E-cigarette use increased from 11.7% to 20.8% among high school students and from 3.3% to 4.9% among middle school students from 2017 to 2018.
- There were 1.5 million **more** current youth e-cigarette users in 2018 than in 2017.

The industry claims that they're not targeting kids, but their actions tell a different story. With 15,500 e-cigarette flavors and growing, these products are not being responsibly marketed. The industry selects colorful packaging and ads that appeal to taste and pop culture. Tobacco companies have a long history of using these same tactics to entice new and younger users and make them repeat customers. In addition, despite our Tobacco 21 law, several stores continue to sell to underage minors, as reported by the FDA Compliance Check inspections site^{iv}:

Retailer Name	Street Address	City	State	Zip	Sale to Minor	Product Type	Decision Date	Inspection Result
HC DRIVE INN	94-210 LEOKANE STREET	WAIPAHU	HI	96797	Yes	E-liquid	11/10/2016	Warning Letter Issued
HELE SNACK EXPRESS	74-5590 PALANI ROAD	KAILUA KONA	HI	96740	Yes	E-liquid	01/12/2017	Warning Letter Issued
IMM 10TH AVE #1016	1451 10TH AVE	HONOLULU	HI	96816	Yes	E-liquid	08/10/2017	Warning Letter Issued
7-ELEVEN / HELE 54128	85-010 FARRINGTON HIGHWAY	WAIANAE	HI	96792	Yes	ENDS / E-liquid	11/29/2018	Warning Letter Issued
7-ELEVEN HAWAI'I 54127	1247 KAILUA RD	KAILUA	HI	96734	Yes	ENDS / E-liquid	08/16/2018	Warning Letter Issued
ALOHA ISLAND MART	95-280 KIPAPA DRIVE	MILILANI	HI	96789	Yes	ENDS / E-liquid	09/06/2018	Warning Letter Issued
EXPRESS MINI MART / SHELL	94-380 PUPUPANI STREET	WAIPAHU	HI	96797	Yes	ENDS / E-liquid	09/06/2018	Warning Letter Issued
VAPORFI	555 N KING ST	HONOLULU	HI	96817	Yes	ENDS / E-liquid	08/16/2018	Warning Letter Issued
VOLCANO	98-1005 MOANALUA ROAD, SPACE K 7	AIEA	HI	96701	Yes	ENDS / E-liquid	09/06/2018	Warning Letter Issued
WALGREENS 10048	46-021 KAMEHAMEHA HIGHWAY	KANEOHE	HI	96744	Yes	ENDS / E-liquid	09/06/2018	Warning Letter Issued

These new products are glamorizing nicotine addiction.

The vaping industry has taken full advantage of delays by the FDA to regulate these products. Large volume (30-60mL), highly concentrated (5-5.9%) nicotine sale e-liquids have entered the market in youth-oriented flavors. Most recently, pod-based systems such as Juul and Suorin have disrupted the e-cigarette market by creating an easily concealable sleek device that can deliver higher concentrations of nicotine. Tobacco giant Altria, maker of Marlboro, spent \$12.8 billion to purchase a third of Juul, which has 76% of the e-cigarette market share and is worth \$16 billion.



Example of a high-dose nicotine e-liquid – 60mg/mL or 6% nicotine in gummy bear flavor.



JUUL introduced 5% nicotine salt solutions in 0.7mL pods (about the size of your thumb). The company claims that it releases the same amount of nicotine found in a pack of cigarettes.

At the risk of allowing these products to remain on the market, we are addicting a new generation to these deadly products. The health of Hawaii’s keiki must be protected from the predatory marketing of tobacco companies.

Hawai’i has an opportunity to act now and be the first state to end the sale of flavored tobacco.

Over 180 localities^v have passed restrictions on the sale of flavored tobacco products, and over two dozen restrict the sale of menthol cigarettes. FDA’s proposed plan aims to restrict the sale of flavored e-cigarettes in convenience stores and gas stations, however, it still allows e-cigarette products to stay on the market and online without review by the FDA until August 2022. Since recognizing flavors and vaping as a national public health concern, the FDA has only sent warning letters to 18 manufacturers since May 2018. We know rulemaking at the federal level is often a long process, which is why state-level action on the sale of flavored products is needed now. E-cigarettes are not FDA-approved tobacco cessation products. We have yet to see any scientific evidence, beyond anecdotal data, that e-cigarettes have helped smokers to quit completely from tobacco use. The concern is that with the aggressive and deceptive marketing of these products, we are seeing other consequences: **1) people who have never smoked are using e-cigarettes, 2) children are picking them up as a path to smoking, and 3) smokers are using them to perpetuate their habit instead of to completely quit.**

Prohibiting the sale of flavored tobacco products can help to keep kids from ever starting to smoke or vape, and can encourage those addicted to these products, to quit. We appreciate

Hawaii's leadership in tobacco control and the legislature's actions to protect our young people from a deadly addiction. We respectfully urge the committee to **pass HB276 HD1.**

Attachments:

Page 4-5: List of organizations and leaders supporting the #FlavorsHooksKidsHI campaign

Page 7: CDC Feb 2019 report: Tobacco Use by Youth Is Rising, E-cigarettes are the main reason

Mahalo,



Trish La Chica, MPA
Policy and Advocacy Director

As listed on

<https://flavorshookkidshi.org>

HEALTH ORGANIZATIONS

'Ohana Health Plan
Adventist Health – Castle
Akamai Recovery Maui
American Academy of Pediatrics – Hawaii Chapter
American Cancer Society Cancer Action Network (ACS CAN)
American Heart Association
American Lung Association
American Pharmacist's Association – Academy of Student Pharmacists (APhA-ASP)
Big Island Substance Abuse Council
Blue Zones Project
Campaign for Tobacco-Free Kids
Coalition for a Drug-Free Hawaii
Coalition for a Tobacco-Free Hawai'i
Get Fit Kauai
Hamakua Kohala Health Centers
Hana Lima Physical Therapy
Hawaii Association for Health, Physical Education, Recreation & Dance (HAHPERD)
Hawaii COPD Coalition
Hawaii Dental Hygienists' Association
Hawai'i Nurses' Association
Hawaii Pacific Health
Hawaii Public Health Association
Hawai'i Public Health Institute
Hui Malama Ola Na Oiwi

I Ola Lahui
Kaho'omiki; Hawaii Council of Physical Activity and Nutrition
Kapiolani Medical Center for Women & Children
Kauai Rural Health Association
Keiki Injury Prevention Coalition
Lāna'i Community Health Center
National Community Pharmacist Association – Hawaii Student Chapter
Papa Ola Lōkahi
Pediatric Therapies Hawaii
Project Vision Hawai'i

Tobacco Prevention Project, Daniel K. Inouye College of Pharmacy
West Hawaii Community Health Center

YOUTH AND COMMUNITY ORGANIZATIONS

American Youth Soccer Organization (AYSO)
Baldwin HS Peer Education
Hale 'Ōpio Kaua'i Inc.
Hawaii Appleseed Center for Law & Economic Justice
Hawaii Association of Independent Schools (HAIS)
Hawaii Children's Action Network
Hawaii Health and Harm Reduction Center
Hawaii High School Athletic Association (HHSAA)
Hawaii Job Corps Center
Hui Ola Pono (UH Public Health's Student

Organization)
Kauai Path Inc.
Kiwanis Club of the Valley Island
Konawaena HS Wellness Committee
Maui Interscholastic League (MIL)
Moanalua HS Peer Education Program
Pacific American Foundation
Pono Hawaii Initiative
The Friends of Kamalani and Lydgate Park-
Beach Cleanup Team
Waiakea High School PTSA
Waimānalo Health Center
Waipahu Int. Youth for Safety Club
We Are One Inc.

ELECTED OFFICIALS & GOVERNMENT

Sen. Stanley Chang
Rep. Stacelynn Eli
Rep. Sharon Har
Maui County Councilmember Kelly King
Hawai'i County Councilmember Sue Lee Loy
Kuliouou-Kalani Iki Neighborhood Board #2
Makakilo/Kapolei/Honokai Hale
Neighborhood Board #34
Mililani/Waipio/Melemanu Neighborhood
Board #25
Waipahu Neighborhood Board #22
County of Kauai Office of the Prosecuting
Attorney
Department of Education
Office of Hawaiian Affairs (OHA)

HEALTH & COMMUNITY LEADERS

Tina Alcain
Frank R. Baum, M.D.
Danielle Bergan
Janet Berreman, M.D.
Gregg Brenes, pastor
Jeenna Canche

Clifford Chang, MPH
Valerie Chang, JD
Jeffrey H. Chester, DO
Carmen Cook, LMFT
Patti Cook
Joan Craft, RN
Keawe Kaholokula. PhD
Gary Hooser
Carol R. Ignacio
Colleen F Inouye, M.D.
Mark Levin, J.D.
Jasmin Kiernan, RN
Bryan Mih, M.D.
Michael Robinson, MBA, MA
Janice Shishido
Elizabeth K. Tam, M.D.
Catherine Taschner, J.D.
Jill Tokuda
John A. H. Tomoso, MSW, ACSW, LSW
Linda Weiner, M.D.
Stacy Woodson
Cassiopia Yamashita

SCHOOLS

Chiefess Kamakahahei Middle School
Maui Preparatory Academy
Mid Pacific Institute
Sacred Hearts Academy
Saint Louis Schools
Waiakea High School
Waimea Middle Public Conversion Charter
School

BUSINESSES

Emma Whitney Photography
Ganesha Body Piercing
Heartlight Montessori Homeschool
Home Remedies Interior Design
Paia Tattoo Parlor
The Root Cellar Studio Maui

ⁱ The Coalition for a Tobacco-Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute (HIPHI) that is dedicated to reducing tobacco use through education, policy, and advocacy. With more than two decades of history in

Hawai'i, the Coalition has led several campaigns on enacting smoke-free environments, including being the first state in the nation to prohibit the sale of tobacco and electronic smoking devices to purchasers under 21 years of age.

The Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ Ambrose BK, Day HR, Rostron B, et al. Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. JAMA. 2015;314(17):1871-1873. doi:10.1001/jama.2015.13802

ⁱⁱⁱ 2016 Behavioral Risk Factor Surveillance System (BRFSS).

<http://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=5203&localeId=14>

^{iv} US Food and Drug Administrations. Compliance Check Inspections of Tobacco Product Retailers (through 01/31/2019) from https://www.accessdata.fda.gov/scripts/oc/inspections/oc_insp_searching.cfm

^v States and Localities That Have Restricted the Sale of Flavored Tobacco Products, Campaign for Tobacco Free Kids. January 22, 2019, from <https://www.tobaccofreekids.org/assets/factsheets/0398.pdf>

CDC Vitalsigns™

Tobacco Use By Youth Is Rising E-cigarettes are the main reason



Want to learn more?
www.cdc.gov/vitalsigns/youth-tobacco-use

1.5M

There were 1.5 million **more** current youth e-cigarette users in 2018 than 2017.

4.9M

4.9 million youth were current tobacco product users in 2018.

38.3%

Use of any tobacco product grew by 38.3% among high school students (2017-2018).

Overview:

Tobacco product use among US youth is increasing. More than 1 in 4 high school students and about 1 in 14 middle school students in 2018 had used a tobacco product in the past 30 days. This was a considerable increase from 2017, which was driven by an increase in e-cigarette use. E-cigarette use increased from 11.7% to 20.8% among high school students and from 3.3% to 4.9% among middle school students from 2017 to 2018. No change was found in the use of other tobacco products, including cigarettes, during this time.

Among youth:

- E-cigarettes are still the most commonly used tobacco product, ahead of cigarettes, cigars, smokeless tobacco, hookah, and pipes.
- E-cigarettes are the most commonly used product in combination with other tobacco products.
- E-cigarette use is highest for boys, whites, and high school students.



PROBLEM:

Nearly all tobacco product use begins in adolescence.

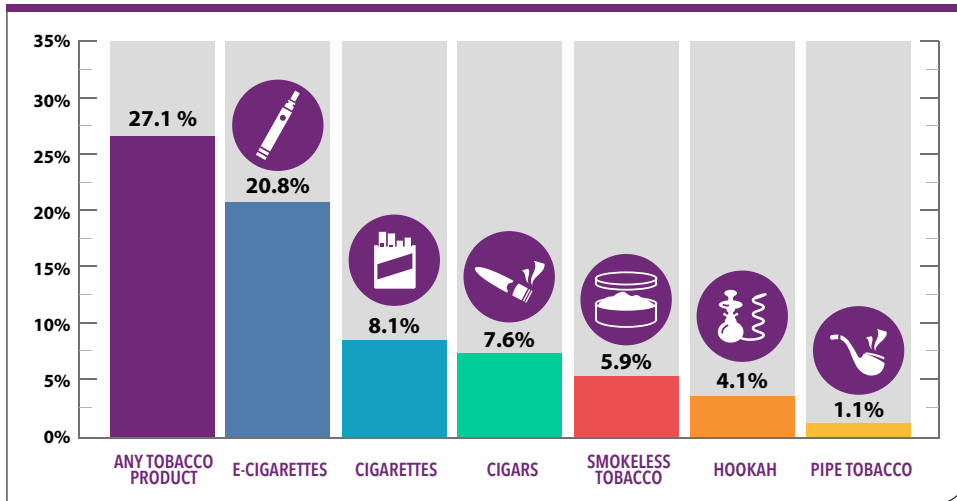
Any tobacco product use among youth is unsafe, including e-cigarettes.

- Cigarette smoke contains over 7,000 chemicals, including about 70 that cause cancer.
- Nearly all tobacco products, including e-cigarettes, contain nicotine.
- Youth nicotine use can lead to addiction and can harm the developing brain, impacting learning, memory, and attention.



Centers for Disease Control and Prevention
National Center for Chronic Disease Prevention and Health Promotion

Tobacco product use among high school students—2018



SOURCE: Tobacco Product Use Among Middle and High School Students — United States, 2011-2018. Morbidity and Mortality Weekly Report (MMWR), February 2019.

High school e-cigarette users are using them more often.

2017 **20%** 2018 **28%**

Use more than 20 days in the past 30 days

Advertising

Flavors

Youth e-cigarette use

Increase in youth e-cigarette use happened at same time as increased JUUL sales.

JUUL PODS & FLAVORS

NICOTINE LEVELS

1 JUUL Pod = 1 Cigarette Pack

JUUL is now the most commonly sold e-cigarette in the US.

- JUUL is an e-cigarette shaped like a USB flash drive and is easy to conceal.
- JUUL uses liquid nicotine refills called “pods,” which contain at least as much nicotine as a pack of cigarettes and are available in flavors that appeal to youth.
- JUUL devices are being used by youth in schools, including inside bathrooms and classrooms.

THE WAY FORWARD

PARENTS AND EDUCATORS CAN:

- Set a positive example by not using tobacco products themselves.
- Learn about different types and risks of tobacco products, including e-cigarettes.

HEALTHCARE PROVIDERS CAN:

- Ask specifically about e-cigarettes when screening for tobacco product use.
- Warn youth about the risks of all tobacco product use, including e-cigarettes.

SCHOOLS CAN:

- Adopt and enforce tobacco-free campus policies that include e-cigarettes.
- Reject tobacco industry-sponsored prevention programs, which are proven not to work.

STATES AND COMMUNITIES CAN:

- Prohibit smoking and e-cigarette use inside workplaces and public places.
- Increase the minimum age of sale of tobacco products to 21 years.
- Prohibit the sale of flavored tobacco products.

For more information

1-800-CDC-INFO (232-4636)
TTY: 1-888-232-6348 | Web: www.cdc.gov

Centers for Disease Control and Prevention
1600 Clifton Road NE, Atlanta, GA 30333

Publication date: February 11, 2019

HB-276-HD-1

Submitted on: 2/11/2019 9:27:18 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Smith	VOLCANO Fine Electronic Cigarettes	Oppose	Yes

Comments:



Ph: (808) 446-2032
Fax: (833) 565-3144
PediatricTherapiesHawaii@gmail.com

To: The Honorable Members of the Committee

From: Dr. Amy Peterson, Executive Director

I am in full support of banning flavored tobacco. Flavored tobacco is marketed to children and is a way for the tobacco industry to get kids hooked on this horrible drug. I am a mother and a health care professional and this bill is in the best interest of our children and our community. This is a common sense bill that will protect the health of our keiki. Please do the right thing and pass this bill.

Thank You,

Dr. Amy Peterson, PT

HB-276-HD-1

Submitted on: 2/10/2019 5:25:04 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mariner Revell	Irie Hawaii Stores	Oppose	No

Comments:

I strongly oppose SB1009. A few years ago the state raised the smoking age to 21 years of age. According to supporters of that bill this would greatly decrease smoking in teens. The rights of adults 18-20 were greatly impeded. Flash forward a couple of years later and smoking/vaping among teens persists.

The problem with under age smoking.vaping is a parenting problem. The state of Hawaii has very strict laws the sales of tobacco products yet teens are getting a hold of them. How? Not from local retailers! Please do proper research on this issue before taking more rights away of the people!

Teens drink flavored alcohol and no laws are made to combat that problem! The drinking age is also 21! This draconian bill is a infringement on freedoms and liberties and will only cost peoples lives (those who use vape to combat traditional smoking), will cost many local jobs, and will cost us our FREEDOM.

If law makers think local businesses are selling flavored tobacco products to persons under 21, do the research! Investigate these suspicions! Do not kill innocent people and cost hundreds of jobs due to unrehearsed suspicions!

Every year legislators create laws that take our rights and freedoms away. Please put a stop to this! I strongly oppose this bill!

To Whom it May Concern,

My name is Emma Whitney, and I am the owner of Emma Whitney Photography. I live in Kula and I am writing you regarding a very important issue, for our community and out keiki.

I am writing regarding the upcoming hearing for the measure HB276. I am testifying in STRONG, and UNYIELDING SUPPORT of HB276.

For me, it is inconceivable that this is even a question on the table, for the facts regarding the harm of tobacco are undeniable. The use of candy flavors to directly target children, are reprehensible and as undeniable. When I was coming of age, in the 80's and 90's, tobacco manufacturers used menthol tobacco to do this, and it worked. This is the cigarette that my friends chose, because it tased minty.

The tobacco industry is depending on our lifelong addiction, for their monetary security, so it is no surprise that they are scared, for when the true nature of the addiction and health impacts, came to light, the number of smokers hit record lows. To now use flavors that mirror sugar children's candies, to gain new smokers, reaches a whole new level of low! This tragic and disgusting and it is only hurting our children and our community.

It should alarm you, that 42% of all High School students, and 27% of Middle School students have tried these products. Of course, they have! Candy flavored anything, is appealing. All of these children are at an enormous risk for long term, severely detrimental, and terminal health issues.

These products do not help people quit, as they are touted. Instead, children are picking them up and getting hooked. By choosing to sell these products, we are contributing to the inevitable long term harm of these children.

Please, protect our children. No one needs candy flavored tobacco.

Mahalo for doing right by our community.

Aloha,
Emma Whitney

HB-276-HD-1

Submitted on: 2/11/2019 10:29:49 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Whitney	The Root Cellar Studio Maui	Support	No

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 12:43:52 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Betty Sestak	AAUW Windward	Support	No

Comments:

Very Important!

HB-276-HD-1

Submitted on: 2/10/2019 7:08:48 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
rysa lee	hiphi	Support	No

Comments:

I highly agree with banning tobacco flavored products because many teenagers are hooked on these devices like candy. My friends and many under class men are suffering an addiction to nicotine and it is something that no one of this age should be facing. Many of these teens are consuming too much nicotine and it is very dangerous. Most of my friends have started with a flavored product and it is known to be the reason why they start. I really hope that we can take away the flavors in vape products because I can't see my friends follow this path and it is very hard to see them addicted at such a young age.

Petition to Submit Testimony in Support of HB276 HD1

Petition summary and background:	As Registered Dental Hygienists in the state of Hawaii, we are concerned that electronic smoking device (ESD) use among youth in Hawaii has reached epidemic levels. The toxic combination of nicotine and enticing flavors have made ESD use a preferred choice when compared to other tobacco products (ex. cigarettes). As oral health educators, it is our duty to inform our patients of the risks caused by smoking/vaping tobacco products (oral cancer, periodontal disease, tooth loss). We can avoid future nicotine addiction of our youth by addressing the problem now.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now to SUPPORT HB276 HD1 and ban the sale of flavored tobacco products in an effort to stop this addicting behavior for the sake of our youth.

Printed name	Signature	Address	Comment	Date
Shirley Chun, RDH		scpinksky@gmail.com		
Jamie Tengan, RDH		jamzan10@gmail.com		
Faye Fox, RDH		fnf1464@gmail.com		
Darlee Motosue, RDH		dkmotosue@yahoo.com		
Audra Dennis, RDH		oceanbreeze@gci.net		
Gaea Tunnissen, RDH		gaea.tunnissen@gmail.com		
Arimxay Varel, RDH		aavarel19@gmail.com		
Ariel Ita, RDH		ariel1214@yahoo.com		
Jennifer Shiroma, RDH		jshiroma@hawaiiifamilydental.com		
Christine Schroeder, RDH		dnqtrdh808@gmail.com		
Cynthia Taylor, RDH		cynktaylor@gmail.com		
Chelsea Acob, RDH		cjba@hawaii.edu		
Lorie Calma, RDH		l0121376@aol.com		
Linda Kang, RDH		lindakan@hawaii.edu		
Andrea Hetherington, RDH		ajh.rdh13@gmail.com		
Susan Eladnani, RDH		susaneladnani@gmail.com		
Iris Woolsey, RDH		igttwink@hawaii.rr.com		
Crystal Egusa, RDH		cegusa@gmail.com		
Samantha Fisher, RDH		samjfisher@yahoo.com		
Kim Schneider, RDH		kschneider@hawaii.rr.com		
Marilyn Nonaka, RDH				

Printed name	Signature	Address	Comment	Date
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HB-276-HD-1

Submitted on: 2/8/2019 8:26:20 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelsie Cajka	Individual	Support	No

Comments:

Tobacco clearly targeted at youth populations creates life-long health complications and addiction. The use of flavored tobacco is unknown and should be prohibited to minors. Please vote in support of this bill.

HB-276-HD-1

Submitted on: 2/8/2019 8:31:55 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
April Pacheco	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/8/2019 11:46:04 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Winters	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/9/2019 4:05:01 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Stevenson	Individual	Oppose	No

Comments:

aloha,

I oppose bill HB276. As i am a former smoker of over 12 years. I stopped smokinng traditional cigarettes with vaping. I as an adult have the right to choose a healthier lifestyle. Vaping is just that. I switched to vaping because of the multitude of flavors available. I would rather smell like a strawberry cereal than a nasty old cigarrete any day. I have not smoked a cigarette for over 12 years now. I can taste my food , i can breath easier , i dont smell like an ashtray all day. This flavor ban will destroy an industry that saves lives. As i get it flavors may attract underage teens to try it, though it was the same as cigarettes. Many young people smoke and continue to smoke by any means neccessary. We need to come together and figure out a way to make a difference and somehow curb the underage from getting their hands on anything illegal for them to do. Dont blame an industry that has had such a positive influence on many , many folks.

Much mahalos for your time.

HB-276-HD-1

Submitted on: 2/9/2019 6:23:36 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Larson	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/10/2019 9:04:20 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Kim	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/10/2019 10:56:39 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Dietrich	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/10/2019 11:29:26 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Ahn	Individual	Oppose	No

Comments:

I strongly oppose this bill. I am 33 years old and have the right to choose the flavor of my products. I have been vaping since 2012 and have always chosen flavor. Even when I smoked cigarets I preferred menthol. Taking this choice out of the lives of adults that vape and smoke is not a wise thing to do. There will always be under age people who break the law by choosing to smoke whether it is flavored or not. I do not endorse this but it is a sad fact. By making the rest of us suffer it is really not going to make a difference in the long run.

Sincerely,

Jessica Ahn

HB-276-HD-1

Submitted on: 2/10/2019 12:26:45 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Chung	Individual	Oppose	Yes

Comments:

HB276, while well-intentioned is NOT the solution and has very negative unintended consequences.

1. NOT ALL E-LIQUIDS CONTAIN NICOTINE

I started at the highest level of nicotine (over 24 mg) and am now at ZERO nicotine. If you ask many of the local vape shops, their biggest sellers are 0 and 3 mg.

2. E-LIQUIDS ARE NOT TOBACCO

Those against e-liquids consistently mix-up the terms “tobacco”, “nicotine” and “e-liquids”. E-liquids are flavored fluid that produce vapor.

3. BANNING E-LIQUIDS WILL DECIMATE HAWAII’S LOCAL MOM & POP STORES

Anecdotally, there are about 200 local vape shops in Hawaii – each with about 10 employees. Banning e-liquids will close these local businesses, cause about 2000 workers to lose their jobs, and significantly reduce tax revenues to the state.

4. LOCAL VAPE STORES DO NOT WANT KIDS VAPING

Local vape owners have already followed FDA regulations and have re-packaged their products. They are all interested in working with organizations like the DOE to educate our keiki about vaping.

5. BANNING E-LIQUIDS WILL CAUSE ADULTS TO GO BACK TO CIGARETTES

According to a study by the International Journal of Environmental Research & Public Research, a ban will cause adults who successfully stopped smoking cigarettes by using flavored e-liquids – to go back to smoking cigarettes. This is a terrible unintended public health consequence of this bill.

I urge you to reconsider and defer this bill.

Mahalo for the opportunity to testify.

HB-276-HD-1

Submitted on: 2/10/2019 1:43:24 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chanster Vaquilar	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/10/2019 1:46:16 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
austin kelliinoi-westbrook	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/10/2019 5:18:03 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
May Rose Dela Cruz	Individual	Support	No

Comments:

February 13, 2019

Conference Room 329

Committee on Consumer Protection & Commerce

To: Rep. Roy M. Takumi, Chair

Rep. Linda Ichiyama, Vice Chair

From: Dr. May Rose Dela Cruz, DrPH

Re: Testimony in Support of HB 276 HD1, Relating to Health

Aloha! My name is May Rose Dela Cruz, DrPH, and I am a public health researcher in the state of Hawai'i. I strongly support HB 276 HD1 which would end the sale of flavored tobacco products, including flavored e-liquids.

Please help me protect my *keiki* who are asthmatic and are below the ages of 18 years old. They have told me they have classmates who have tried and/or are vaping because of the candy flavors. It is no wonder that there is a rise in youth vaping because of the sweet e-liquid flavors used to hook kids.

This bill will most especially protect our populations who have high health disparities, such as Native Hawaiians and Filipinos, both who are currently #1 and #2 in electronic smoking device (ESD) use. In a recent statewide survey I have conducted with Filipino vape users and smokers in Hawai'i, a little **over 63% of the vape users (n=74) stated they started vaping because of the different flavors**. These vape users say **they continue to vape because of the flavors (96%)**. Although my study comprised of adults, youth vape users could easily have the same preference. Although it is illegal for individuals under 21 years old to use ESD, 11% of high school students are current users. Youth vape users may become adult vape users who have no desire to quit.

I urge this committee to pass HB 276 HD1. It is the right thing to do for our *keiki* and our community.

Thank you for the opportunity to provide this testimony.

Date: February 10, 2019

To: The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

Re: **Strong Support of HB276 HD1**, Relating to Flavored Tobacco Products

Hrg: February 13, 2019 at 2:00 PM in Capitol Room 329

Aloha House Committee on Consumer Protection and Commerce,

I am writing in **strong support of HB276 HD1**, which bans the sale of flavored tobacco products except for menthol or mentholated products; prohibits mislabeling of e-liquid products containing nicotine; and, establishes fines and penalties for violations.

Hawai'i is in the midst of a youth vaping epidemic. Studies find that 80% of kids start with a flavored vape product and 80% of kids who vape regularly use flavored products. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, including Fruit Hoops, Sour Straws, or Cookie Monsta- who is the industry really targeting with flavors?

I respectfully ask you to add menthol back to HB276 HD1, after it was removed from HB276. It is critical to include menthol in the tobacco flavor ban. Menthol is commonly found in products that start tobacco use, as it has cooling properties that mask the harshness of tobacco smoke and nicotine. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, which has led to higher tobacco use and tobacco-related health disparities in groups including the Native Hawaiian community.

The vast majority of vape products, and the products most commonly used by youth, contain the *highly addictive* chemical, nicotine. Nicotine impairs brain development of youth and young adults, interferes with heart function and blood sugar control, as well as increases the risk of anxiety and depression in youth.

Thanks to Hawai'i's leadership in tobacco prevention, cigarette smoking among our youth is at an all-time low. But, candy flavored vape products are now introducing large numbers of our kids to nicotine who would otherwise not be exposed. Kids who are unlikely to start smoking and who vape are eight times more likely to go on to smoke tobacco cigarettes compared to similar kids who don't vape. And, research shows that nearly 80% of youth who vape would never have started vaping if flavored products were unavailable.

We need to ban flavored tobacco products, including menthol, to prevent a new generation of youth from becoming addicted to nicotine.

I **strongly support HB276 HDI** and respectfully ask you to amend to include menthol and pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Kea'au, HI

HB-276-HD-1

Submitted on: 2/10/2019 7:02:02 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kyli kaleo	Individual	Support	No

Comments:

Hello, My name is Kyli Kaleo and I'm a senior at Waiakea High School on the Big island. I am testifying in support of HB276 because of the affect it has been taking on my friends and other teens around me. Never did I think when I was in intermediate that all my friends would be smoking or doing drugs in highscool. Now, I can't even remember a time that I don't see them vaping or smoking something. Over half of the kids at my school own a vaping device. Everyday I see kids vaping in class but the one thing that all these kids have in common is that their all smoking flavored tobacco products. They may have different devices and different levels of nicotine but they are all smoking a flavored tobacco product. If flavors were never invented for vaping, I would bet half the teenagers that are vaping wouldn't be. Maybe even more. Flavors are what is enticing my teenage friends to vape and do drugs. I am part of the youth council as well and I have been doing presentations to different adult groups and they don't even know that this epidemic is going on. They don't know that our percentages are 700 above the national average. We need to stop this epidemic from spreading and it starts with this bill. Banning tobacco flavored products will help and prevent teens from vaping or even trying it. I need my friends to stop vaping because we don't know the long term effects about what this drug could do to them in 20 years.

HB-276-HD-1

Submitted on: 2/10/2019 10:58:59 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Catian	Individual	Support	Yes

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 10:06:19 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Molly Mamaril	Individual	Support	No

Comments:

As a millennial, strongly support HB276 HD1 in order to more effectively prevent youth from using tobacco products at an early age.

HB-276-HD-1

Submitted on: 2/11/2019 10:53:33 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marc	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 11:22:43 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cyrus Howe	Individual	Support	No

Comments:

We need to close the loophole(s) on unlawful shipment of e-cig's and more strongly regulate the industry's permitting and licensing - increasing the license fee to sell tobacco is a good start!

Mahalo,

Cyrus Howe

HB-276-HD-1

Submitted on: 2/11/2019 11:45:00 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaenz	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 12:05:54 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle K.	Individual	Support	No

Comments:

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

HB-276-HD-1

Submitted on: 2/11/2019 12:10:42 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teddy Kim	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 12:16:31 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren Loor	Individual	Support	No

Comments:

Aloha,

My name is Lauren Loor and I live in Kahului, Maui. I strongly support HB276 because vaping is a huge problem among our youth. There are over 15,000 vape flavors on the market that are heavily marketed to children because they are flavors like cotton candy, sour apple, gummy bear, ice cream and so on. The packaging also looks like juice boxes and other candy packaging. Youth in Maui are experimenting and using vaping products at much higher rates compared to the State average, with 50.7% (or 1 in 2 Maui youth) trying these products and 32.3% or (less than 1 in 3 Maui youth) regularly vaping. This is a an issue across the state and it needs to be addressed. Please support this bill for the future of our keiki.

Mahalo,

Lauren Loor

HB-276-HD-1

Submitted on: 2/11/2019 1:06:41 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dora	Individual	Support	No

Comments:

I am support of this bill. These products should not be flavored targeting the very young.

HB-276-HD-1

Submitted on: 2/11/2019 1:07:34 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
K. McGlone	Individual	Support	No

Comments:

Support to reduce the use of these products by underage people.

HB-276-HD-1

Submitted on: 2/11/2019 1:11:22 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jostin A Iriarte	Individual	Oppose	No

Comments:

2/11/2019

Dear Hawaii State Representatives,

Aloha,

My name is Jostin and I Strongly oppose the House Bill 276 (Hb276). As a small business owner and active member in the Vape community, I have no doubt that a bill of this magnitude will affect thousands of people in the state of Hawaii that have nothing short of a positive impact in their lives, health, and especially, the purpose of quitting combustible cigarettes. We DO NOT support teenage vaping; WE DO NOT SELL OR MARKET TO ANYONE UNDER THE LEGAL AGE OF AN ADULT PRODUCT; WE COMPLY WITH ALL THE CURRENT STATE AND U.S. FOOD AND DRUG ADMINISTRATION'S (FDA) LAWS AND REGULATIONS. Being a small business owner in Hawaii, my business Hi Lyfe Vaporz, LLC has acquired over 10 active employees. A bill like this will impact our business, as well as, many across the state in a negative manner such as: causing people to lose their jobs and homes, they would be unable to provide for their families, and many may end up going back to combustible cigarettes, which has been proven to be a known negative health factor throughout the world. The FDA has implemented many stringent rules and regulations which makes it very difficult for all the Vape industry's manufactures, and retailers to comply with, as well as stay up to date.

One of the problems with the youth vaping epidemic isn't Flavors, the issue is with enforcement to retailers of age restriction. By completely banning anything in this industry that has helped many adults, it will have a negative impact. Taxes alone from the industry generates a good amount of funding to our state. It's important to understand taking away vaping may greatly impact revenue to the state for health and research, ect.

Bill's like this simply goes against the positive impact vaping has made for all legal adults, who transitioned to a better alternative than combustible cigarettes. I humbly ask to think about this impact before passing such a bill. Myself, my family, as well as our employees, and customers will be greatly affected in a negative way. I am a former smoker of 20 years and I oppose HB276 for the simple fact that this bill is unfair in the statement of making Flavors as the being the root cause of the teenage vaping epidemic. That is false. As a former smoker of traditional combustible cigarettes, vaping and its Flavors has helped myself, family members, and friends of legal smoking and vaping age, (whether it be state age laws or federal) to stay away from and stop smoking cigarettes. Since I've quit smoking and started vaping, having flavors to enjoy while vaping should be a right, as a law-abiding citizen that shouldn't be taken away from legal adults. As an adult we should have a choice to vape our preference of flavor!! The vaping epidemic in Hawaii and the USA of teenagers are because of certain devices like "Juul" and similar ones like it being easily accessible through gas stations, convenience stores, etc. At least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21. The vape shops, manufactures, and companies that have followed the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward the real issue, which is age enforcement.

The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because places other than vape shops do not take it seriously when asking for ID. There should be more stings to help aid the root cause & not punishing responsible Vape shops and adults, by taking away something "flavors" or vaping Eliquids etc, has made a huge impact on, by lessening the amount of Traditional tobacco cigarette use state and nationwide.

This will greatly urge citizens to go back to combustible cigarettes which is definitely more toxic due to the fact that my own Doctor has told me since I quit smoking cigarettes my health is much better in comparison.

Attachment "A1" is a letter from The FDA Commissioner, Scott Gottlieb. It states that the use of electronic nicotine delivery systems (ENDS) has contributed to a decline of combustible tobacco, which is known to cause cancer. It also clearly states that it intends on limiting flavored cigarettes to age restricted stores, or areas. Also please take a look at Senator Richard Burr in his explanation of what his thought are on this matter here is the link.

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2x2xiS590W_qe6WHKH6gq-zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM

Here is a statement by Senator Burr https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2z1rLX_JvapiK2KmZUNLe0eW_D_G1AbPiLxgldNRnA--RQOfRFg61DLu8

Please also see attachment with some statements from CDC, FDA, Surgeon General and US Department of Health & Human Services

Mahalo for your time and consideration Jostin Iriarte iriarte96792@gmail.com

HB-276-HD-1

Submitted on: 2/11/2019 2:06:10 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Devin Wolery	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 2:27:10 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Natalie Burton	Individual	Support	No

Comments:

Big Tobacco Companies are targeting the youth by selling tobacco products with flavors in them. Flavors are being used to target the youth by making these products enjoyable. Flavors such as Mango are being used by companies because they know youth would enjoy that more than the actual tobacco flavor. The FDA banned flavored cigarettes, other than menthol, in 2009 because they agreed that flavors targeted the youth. This is the exact same thing the Big Tobacco Companies did before. Why let Tobacco companies profit off of hurting our youth by using flavors to distract them from the truth of what really is inside of tobacco products.

HB-276-HD-1

Submitted on: 2/11/2019 3:02:50 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vin Kim	Individual	Oppose	No

Comments:

To whom it may concern,

I am opposing the bill presented. As a long time vaper of 7+ years, vaping has been a huge help in my life and my health. I've been cigarette free for the last 4 years due to vaping and my doctor has commended me for the improvement of my overall health condition.

I believe this bill is unfair and unconstitutional to what us Americans believe in, which freedom of choice. It's unfair that something like vaping which is so innovative in helping millions of Americans quit dangerous traditional tobacco cigarette is being ignored and demonized as being far more dangerous, even though there's hundreds of studies saying otherwise or opposite.

This bill will cause thousand of Hawaii residents to go right back to smoking and thousand who work at small mom and pop vape shops to be unemployed, and their shops shut down and go out of business. There are much bigger issues here in Hawaii:

-Homelessness

-Alcohol, Flavored Alcohol, deaths caused by drunk driving which was recently in the news.

-High cost of living and limited homes and apartments for locals born and raised here, causing thousand each year to leave their homes to live in the mainland.

I implore you to please look over this bill you're trying to pass and see if it's in the best interest for the people of Hawaii.

I vape and I use flavored e-liquids and it saved my life along with millions around the world. Please don't take that away from us.

Sincerely, Vince Tran of Honolulu, Hawaii

HB-276-HD-1

Submitted on: 2/11/2019 3:23:01 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laksmi M Abraham	Individual	Support	No

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 4:23:20 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Watanabe	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 4:27:39 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
C. Azelski	Individual	Support	No

Comments:

With 8 in every 10 kids starting with a flavored tobacco product, and 42% of Hawaii high schools students trying e-cigarettes, there is an urgent need to act. With over 15,000 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction and its associated wellness and financial costs.

HB-276-HD-1

Submitted on: 2/11/2019 4:34:20 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Henry weaver	Individual	Oppose	No

Comments:

My name is Henry I am a former smoker of 20 year's, I oppose HB276, for the simple fact that this bill is unfair in the statement of Flavors is the reason of being the root cause of the teenage vaping epidemic is false, as a former smoker of traditional combustible cigarettes, vaping and its Flavors has helped myself, family members and friends of legal smoking and vaping age whether it be State age laws or federal to stay away from and stop smoking cigarettes, since I've quit smoking and started vaping having flavors to enjoy as a law abiding citizen while vaping should be a right that shouldn't be taken away to legal adults. As an adult we should have a choice to vape a flavor!! The vaping epidemic in Hawaii and the USA of teenager are because of certain devices like "Juul" and similar ones like it being easily accessible through gas stations, convenience stores ect, at least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21, these vape shops, manufactures and companies who follow the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward. The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because place other than vape shops dont take it seriously when asking for ID. There should be more stings to help aid the root cause & not punishing responsible Vape shops and adults. By taking away something "flavors" vaping Eliquids ect that has made a huge impact by lessing the amount of Traditional tobacco cigarette use state and nation wide, will greatly impact citizens to go back to combustible cigarettes which is definitely more toxic due to the fact my own Doctor has told me since I quit smoking cigarettes my health is much better in comparison.

Attachment "A1" is a letter from The FDA Commissioner, Scott Gottlieb. It states that the use of electronic nicotine delivery systems (ENDS) has contributed to a decline of combustible tobacco, which is known to cause cancer. It also clearly states that it intends on limiting flavored cigarettes to age restricted stores, or areas.

Thank youfor your your time

HB-276-HD-1

Submitted on: 2/11/2019 5:12:02 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Hagan	Individual	Support	No

Comments:

For the protection of our children and to stem the growing tide of youth vaping in our state, it is essential to ban flavored tobacco products.

Research demonstrates that flavored tobacco products appeal to youth and young adults. Data from the 2013-2014 Population Assessment of Tobacco and Health (PATH) study found that 80.8 percent of 12-17 year olds who had ever used a tobacco product initiated tobacco use with a flavored product.

Youth are largely unaware of the possible health hazards of tobacco use, especially electronic cigarettes, and flavored products are drawing them in to try them because they are "fun" and "taste good" and seem harmless. This is very concerning to me as the mother of a pre-teen child. Furthermore, as a nurse who does smoking cessation counseling, I am all too aware of how hard it is for people to quit once addicted to nicotine products, and our best hope is to prevent future generations from starting down the tobacco use path.

We have an opportunity to demonstrate that Hawaii is committed to keeping its youth tobacco-free, and the next step is passing HB276.

HB-276-HD-1

Submitted on: 2/11/2019 6:03:56 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Higa	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/11/2019 6:12:27 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kimo Cruz	Individual	Oppose	Yes

Comments:

Not only no, but hell no with this asinine ban.

February 13, 2019

RE: SUPPORT HB276 HD1 Relating to Flavored Tobacco Products

Aloha Chair Takumi, Vice Chair Ichiyama, and Members of the Committee,

My name is Malia Mierzwa, and I am in the 7th grade at Kailua Intermediate School.

I asked my mom to come here today to ask you to please support HB276 HD1 Relating to Tobacco Products. I think if you ban flavors, you will stop a lot of young kids from using vaping products.

Everyday at my intermediate school, I see kids vaping. In some of my classes my friends and I see kids secretly vaping on the side of class. Kids also skip class to go to the bathrooms or to sneak to restricted places on campus to vape or smoke. Before and during lunch and recess kids hide from the security guards to vape and smoke too.

Kids will hotbox the bathrooms, which means filling the bathroom up with a vaping cloud. If you just want to use the bathroom, you have no choice but to walk into that vape cloud. Another problem is that parents will just buy products for their kids. One girl I know got in trouble for vaping, and her parents said to just go to them next time, and they will buy it for her.

I have also been asked on campus to try vaping by my schoolmates. Most of the kids really think it is harmless, and they say it's safe, that it won't hurt you. That's not true, it can harm your blood vessels, which bring oxygen throughout our bodies. It can also harm your lungs, and there are still studies being done to learn more about what vaping does to teenagers.

I just wanted to share with you some of the ways vaping is a part my 12-year old everyday life, even though I don't vape. Kids really like smoking the flavored products. That's what they prefer. I know that banning flavors will help to decrease kids and all people from using vaping products.

Thank you for listening to my testimony. Please pass HB276 HD1 to ban the sale of all flavored tobacco.

Sincerely,

Malia Mierzwa

HB-276-HD-1

Submitted on: 2/11/2019 9:33:42 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaimana Brummel	Individual	Support	No

Comments:

HB-276-HD-1

Submitted on: 2/12/2019 6:19:31 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
DANIEL DRAPESA	Individual	Oppose	No

Comments:

Aloha, my name is Daniel. My wife smoked cigarettes for more than fifteen years. She would constantly get sick. Would get winded easily. She tried quitting many times with no success. After trying vaping she was able to quit over night. She has been smoke free for over a year and a half now with out the urge to return. Her health has dramatically improved and she can run and play with our children. With out flavored Eliquids this all would not be possible and with out them she would most likely got back to traditional cigarettes. Because of my wife's situation I highly oppose HB276 and the other Flavor ban bills coming up

As an individual I word at a brick and mortar Vape shop. I thoroughly enjoy my job and it allows me to take care of andvprovide for my wife and kids. If this bill becomes law the mist likely result would be my co workers and myself being played off as the business closes its doors. We would all be out of a job and our livelihood taken way from us. Our families would suffer if HB276 becomes law.thank you for your time and consideration.

-Daniel Drapesa Sr.

HB-276-HD-1

Submitted on: 2/12/2019 8:28:04 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol R. Ignacio	Individual	Support	No

Comments:

Please pass this important Bill.

Carol R. Ignacio

Hawaii Island

HB-276-HD-1

Submitted on: 2/12/2019 8:37:49 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Adeline Kline	Individual	Oppose	No

Comments:

Dear legislators,

As a health care professional who works in our communities with our children I implore you to take action and prohibit flavored tobacco products. These are not being marketed to adults, it is a guise to get our youngest and most vulnerable to addiction hooked on the next generation of tobacco products. We've seen this before in the era of cigarette companies using marketing to reach young, this is just a different spin on a familiar tale. Adults don't gravitate toward sweet and fruity flavors. Already vaping is the most popular tobacco product among teens, ironic for a brand that markets itself as a tool to help adults quit. We know the data shows teens who vape are more likely to become cigarette smokers down the line. Please place the health of our islands Keiki above profit and ban flavored tobacco products.

Respectfully,

Adeline Kline

HB-276-HD-1

Submitted on: 2/12/2019 8:42:41 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Trevor Hussein	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/12/2019 10:43:27 AM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elise Carmody	Individual	Support	No

Comments:

I am in favor of this bill.

I started smoking when I was 12. If you are at all familiar with the tobacco trials of the 1980-90's the tobacco companies intentionally marketed to children because their research showed that pre and teenage people were more susceptible to nicotine addiction than adults.

One of the ways they marketed to young people was with flavored cigarettes.

This is just history repeating itself. The vaping industry is using flavored products to attract young users who are more susceptible to nicotine addiction and thereby becoming life-long customers.

Hawaii has a history of attempting to protect young people from this addiction. "On November 23, 1998, Hawaii, along with 45 other states that had filed similar actions against the tobacco companies, entered into a "global" settlement. Under the Master settlement agreement ("MSA"), which memorialized the "global" settlement, the tobacco companies agreed to take steps aimed at reducing or eliminating tobacco use by minors and educating the public at large about the dangers of tobacco use. MSA, at 18-47, available at <http://www.library.ucsf.edu/tobacco/litigation> (Nov. 1998)."

Proponents will say that tobacco and vaping products are illegal for persons under 21. That is true and has been true for many years. However, it has never stopped a young person from obtaining tobacco.

Unavailability of flavored products will make vaping less attractive to young people and hopefully save many from years of ill health due to addiction to nicotine.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

H.B. NO. 276, H.D. 1, RELATING TO FLAVORED TOBACCO PRODUCTS.

BEFORE THE:

HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

DATE: Wednesday, February 13, 2019 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 329

TESTIFIER(S): Clare E. Connors, Attorney General, or
Richard W. Stacey, Deputy Attorney General

Chair Takumi and Members of the Committee:

The Department of the Attorney General appreciates the intent of the bill and provides the following comments and amendments.

The bill seeks to address the health dangers caused by flavored tobacco products in Hawaii.¹ The bill creates a new criminal offense for any retailers or their agents or employees selling, offering for sale or possessing with intent to sell or offer for a sale, a flavored tobacco product. In addition, the bill defines “E-liquid” and “Flavored tobacco product.” This bill creates an exception from the prohibition on the sale of flavored tobacco products for menthol and mentholated products. It provides for a specific fine of \$500 for the first offense.

Section 2 (page 5, lines 10 – 19) creates a rebuttable presumption that a tobacco product is a flavored tobacco product in certain circumstances. Because the bill places the new section in the penal code, pursuant to section 701-117, Hawaii Revised Statutes (HRS), and Rule 306, Hawaii Rules of Evidence (HRE),

¹ See *Grusendorf v. City of Oklahoma City*, 816 F.2d 539 (10th Cir.1987) (the act of smoking a cigarette does not rise to the level of a fundamental right), as cited by *City of North Miami v. Kurtz*, 653 So.2d 1025, 1028 (Fla. 1995). In addition, in 2009, the U.S. Food and Drug Administration (FDA) banned cigarettes with characterizing flavors other than menthol (e.g., cherry, chocolate), which are known to appeal to youth and young adults, U.S. Food & Drug Administration, Menthol and Other Flavors in Tobacco Products, available at <https://www.fda.gov/TobaccoProducts/Labeling/ProductsIngredients/Components/ucm2019416.htm#reference>. Last visited January 30, 2019. In November 2018, the FDA announced new planned restrictions on certain flavored products related to e-cigarettes. <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm625884.htm>. Last visited January 30, 2019.

the wording should be consistent with other presumptive language in the penal code, as follows:

(2) A statement or claim directed to consumers or the public that the tobacco product has or produces a characterizing flavor, including but not limited to text, color, images, or all, on the tobacco product's labeling or packaging that are used to explicitly or implicitly communicate that the tobacco product has a characterizing flavor made by a manufacturer or an agent or employee of the manufacturer, in the course of the person's agency or employment, is prima facie evidence that the tobacco product is a flavored tobacco product.²

Some of the wording used in section 2 of the bill (pages 5-6) borrows from section 712-1258(6), HRS, which proscribes the sale of tobacco products and electronic smoking devices (ESDs) to persons under twenty-one years of age. The wording in section 2 should conform to the intent of this bill. For instance, subsection (3) of section 2 of this bill, at page 5, lines 20 – 21, to page 6, lines 1 - 5, states:

[a]ny tobacco product or [ESD] that is found in the retailer's possession that violates this section shall be seized at the time of violation. Such products shall be summarily forfeited to the State and destroyed by law enforcement following the conclusion of an administrative or judicial proceeding finding that a violation of this section has been committed.

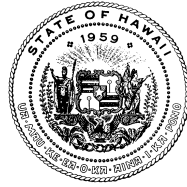
This wording, although taken almost verbatim from section 712-1258(6), HRS, may leave open the possibility that all tobacco products and ESDs in the retailer's possession at the time of the violation shall be forfeited. This raises due process concerns. If the intent is to criminalize only the sale of flavored tobacco products and not all tobacco products and ESDs in the retailer's possession, we recommend wording that would clarify this objective. The wording should be more specific as to flavored tobacco products only:

² "Prima facie evidence of a fact is evidence which, if accepted in its entirety by the trier of fact, is sufficient to prove the fact. Prima facie evidence provisions in this Code are governed by section 626-1, rule 306." Section 701-117, HRS. See also section 712-1251, HRS ("the presence of a dangerous drug... is prima facie evidence of knowing possession thereof by each and every person in the vehicle..."); and section 708-801, HRS ("the value of property or services shall be prima facie evidence that the defendant believed or knew the property or services to be of that value").

Any flavored tobacco product found in the retailer's possession that is in violation of this section shall be considered contraband, promptly seized, subject to immediate forfeiture and destruction and shall not be subject to the procedures set forth in chapter 712A, HRS.

Section 2 of the bill, at page 6, lines 6-8, states: "[a]ny person who violates this section may be fined \$500 for the first offense. Any subsequent offenses shall subject the person to a fine not less than \$500 nor more than \$2,000." Unless the intent is to have the only possible fine for the first offense set at exactly \$500, the wording should be amended to indicate that a first offender "may be sentenced to pay a fine not exceeding \$500," tracking the wording of section 706-640, HRS, "Authorized fines," in the penal code.

Thank you for the opportunity to provide comments and recommend amendments on this bill.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of H.B.276, H.D. 1
RELATING TO FLAVORED TOBACCO PRODUCTS

REPRESENTATIVE ROY M. TAKUMI, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE
Hearing Date: February 13, 2019 Room Number: 329

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) supports House Bill 276, House
3 Draft 1 (H.B. 276, H.D.1) which proposes to amend Chapter 712, HRS by prohibiting the sale or
4 distribution of all flavored tobacco products in the State of Hawaii. The Department offers an
5 amendment to include menthol in the definition of characterizing flavor.

6 The unprecedented youth vaping epidemic in Hawaii has become a serious public health
7 issue. Exposure to nicotine during adolescence can cause addiction and harm the developing
8 adolescent brain.¹ In contrast to the positive decline in combustible tobacco smoking, use of
9 electronic smoking devices (ESDs), also known as vaping or e-cigarettes, has increased
10 dramatically over the last decade, making ESDs the most common tobacco product used among
11 youth.

12 Hawaii data showed that from 2011 to 2015, experimentation with vaping among middle
13 school students increased six-fold while among high school youth it increased by four-fold.²
14 According to the Hawaii 2017 Youth Risk Behavior Survey, 16% of middle school and 26%
15 high school youth are current ESD users. The prevalence rates are even higher on the neighbor

¹ US Department of Health and Human Services. E-cigarette use among youth and young adults: a report of the Surgeon General. Atlanta, GA: US Department of Health and Human Services, CDC, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health; 2016.

² Hawaii State Department of Health 2015 Hawaii Youth Tobacco Survey. Hawaii Health Data Warehouse

1 islands with Hawaii County at 34%; Maui County at 32%; and Kauai County at 31%³ These
2 percentages are over twice as high as the national average of 13%.⁴

3 Scientific studies are increasingly reporting that flavors are one of the main reasons that
4 youth use tobacco. In recent years, there has also been an explosion of sweet or kid-friendly
5 flavored tobacco products, especially for ESDs and cigars. A 2014 study identified more than
6 7,700 unique e-cigarette flavors, with an average of more than 240 new flavors being added per
7 month.⁵ Among student responders to the 2017 Hawaii Youth Tobacco Survey reporting ever-
8 using ESDs, 26% stated the availability of “flavors such as mint, candy, fruit, or chocolate” was
9 their primary reason for using ESDs. Further, one in four said they did not believe ESDs to be
10 dangerous.²

11 The 2009 federal Family Smoking Prevention and Tobacco Control Act, prohibited the
12 sale of cigarettes with characterizing flavors other than menthol or tobacco, including candy and
13 fruit flavors with the purpose of deterring youth smoking. (Amongst cigarette flavors available
14 was Camel’s “*Kauai Kolada*” described as, “Hawaiian hints of pineapple and coconut,” in
15 special edition packaging featuring a recumbent dark-haired young woman wearing a lime-slice
16 lei, bikini top and hula skirt.) This prohibition only extended to flavored cigarettes and their
17 flavored cigarette component parts, such as tobacco, filter, or paper.”⁶ It did not apply to non-
18 cigarette tobacco products, nor the flavors of menthol and tobacco. The absence of regulation
19 has led to the proliferation of flavored tobacco products in the marketplace, enticing new users,
20 particularly youth, to a lifetime of nicotine addiction. This growing market for flavored tobacco
21 products is undermining the nation’s overall progress in reducing youth tobacco use.

22 The Department supports this legislation to ban flavored tobacco products. Ending the
23 sale of flavored tobacco products is an issue of both health and social justice. Candy and fruit

³ Hawaii State Department of Health 2017 Youth Risk Behavior Survey. Hawaii Health Data Warehouse

⁴ US Youth Risk Behavioral Surveillance Systems, 2017, <https://www.cdc.gov/healthyyouth/data/yrbs/pdf/2017/ss6708.pdf>.

⁵ American Academy of Pediatrics, Campaign for Tobacco-Free Kids. The Flavor Trap: How Tobacco Companies are Luring Kids with Candy Flavored E-cigarettes and Cigars. March 2017. Retrieved on January 29, 2019 from https://www.tobaccofreekids.org/microsites/flavortrap/executive_summary.pdf

⁶ Ctr. For Tobacco Products, Food & Drug Admin., Guidance to Industry and FDA Staff: General Questions and Answers on the Ban of Cigarettes that Contain Certain Characterizing Flavors 1 (2D ED.) (2009)

1 flavored tobacco products are being marketed to youth intentionally as a way of replacing adult
2 smokers of traditional cigarettes. Those who use flavored tobacco products are more likely to
3 progress to regular smoking.

4 The major tobacco companies continue to invest heavily in flavored tobacco products
5 with their own brands or acquired existing e-cigarette companies. Global e-cigarette industry
6 grew dramatically and by 2017 was valued at 10.24 billion US dollars. Most recently, Altria,
7 parent company of Phillip Morris, invested \$12.8 billion dollars or 35 percent stake in JUUL, a
8 product so popular with youth, “to JUUL,” is used as a synonym for vaping. A flavored pod of
9 JUUL contains as much nicotine as 20 regular cigarettes. The passage of H.B. 276, H.D.1 would
10 be a significant policy to close the market of appealing products that are addicting our youth and
11 young adults to nicotine.

12 Menthol tobacco use has been associated with younger smokers and may facilitate
13 addiction. Menthol is a chemical compound used to reduce harshness of cigarettes smoke due to
14 its characteristic cooling effects on the mouth and throat.^{7,8} Longitudinal studies show that
15 initiation with menthol cigarettes facilitates progression to established cigarette use among
16 young smokers.^{9,10} Data from nationally representative samples show that the youngest cigarette
17 smokers use menthol at the highest rates.^{11,12}

18 In 2017, a scientific review demonstrated that between 2008 and 2010, 57% of smokers
19 ages 12-17 smoked menthol cigarettes, compared with 35% of smokers overall.¹³

⁷ Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol Versus Nonmenthol Cigarettes. (n.d.), 153.

⁸ Yerger, V. B., & McCandless, P. M. (2011). Menthol sensory qualities and smoking topography: a review of tobacco industry documents. *Tobacco Control*, 20(Suppl_2), ii37–ii43. <https://doi.org/10.1136/tc.2010.041988>

⁹ Nonnemaker J, Hersey J, Homsy G, Busey A, Allen J, Vallone D. Initiation with menthol cigarettes and youth smoking uptake. *Addiction*. 2013;108(1):171-178.

¹⁰ Dauphinee AL, Doxey JR, Schleicher NC, Fortmann SP, Henriksen L. Racial differences in cigarette brand recognition and impact on youth smoking. *BMC Public Health*. 2013;13(1):170.

¹¹ Giovino GA, Villanti AC, Mowery PD, et al. Differential trends in cigarette smoking in the USA: is menthol slowing progress? *Tobacco control*. 2015;24(1):28-37.

¹² Caraballo RS, Asman K. Epidemiology of menthol cigarette use in the United States. *Tobacco induced diseases*. 2011;9 Suppl 1:S1.

¹³ Villanti, A. C., Collins, L. K., Niaura, R. S., Gagosian, S. Y., & Abrams, D. B. (2017). Menthol cigarettes and the public health standard: a systematic review. *BMC Public Health*, 17. <https://doi.org/10.1186/s12889-017-4987-z>

1 In Hawaii, menthol tobacco use is especially problematic. A 1983 document from R.J. Reynolds
2 declared that Hawaii was a “menthol market”.¹⁴ According to the 2010 study titled, Smoking and
3 Tobacco use in Hawaii, 78% of Native Hawaiian/ Pacific Islander adult smokers and 42% of
4 White adult smokers consume menthol cigarettes.¹⁵ The 2017 Hawaii Youth Tobacco Survey
5 (YTS) data stated that 54% of high school youth who smoke usually smoke menthol cigarettes.¹⁶

6 Thank you for the opportunity to testify.

7 **Offered Amendments:** The Department respectfully requests the inclusion of menthol in the
8 definition of characterizing flavor under the proposed section 712(6) on page 6, lines 16 to page
9 7, line 5, as follows:

10 (6) For the purposes of this section:

11 “Characterizing flavor” means a distinguishable taste or
12 aroma, or both, other than the taste or aroma of tobacco,
13 imparted by a tobacco product or any byproduct produced by the
14 tobacco product. Characterizing flavors include but are not
15 limited to tastes or aromas relating to any candy, chocolate,
16 vanilla, honey, fruit, cocoa, coffee, dessert, alcoholic
17 beverage, menthol, mint, wintergreen, herb, or spice. A tobacco
18 product shall not be determined to have a characterizing flavor
19 solely because of the use of additives or flavorings or the
20 provision of ingredient information in the absence of a
21 distinguishable taste or aroma, or both.

¹⁴ Kennedy, J.C. “Marketing Research Report. Hawaii Regional Analysis Distribution”. 06 Jun 1983. R.J. Reynolds Records.
<http://industrydocuments.library.ucsf.edu/tobacco/docs/rxpj0103>

¹⁵ Hawaii State Department of Health. (2010) Smoking and Tobacco Use in Hawai'i Facts, Figures, and Trends. Retrieved on January 25, 2019
from <http://health.hawaii.gov/tobacco/files/2013/06/2010-Facts.pdf>

¹⁶ 2017 Hawaii Youth Tobacco Survey. Hawaii Health Data Warehouse. Hawaii State Department of Health.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
JONATHON GREMS
DEPUTY CHIEFS

OUR REFERENCE JP-SA

February 13, 2019

The Honorable Roy M. Takumi, Chair
and Members
Committee on Consumer Protection & Commerce
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 329
Honolulu, Hawaii 96813

Dear Chair Takumi and Members:

SUBJECT: House Bill 276, H.D.1, Relating to Flavored Tobacco Products

I am J Pedro, Major of the Community Affairs Division, Honolulu Police Department (HPD), City and County of Honolulu.

The HPD strongly supports House Bill 276, H.D.1, which proposes the ban on flavored tobacco products. The marketing of flavored tobacco products clearly target sales to the under twenty-one age group as well as our youth to their initiation into the use of nicotine products. Nicotine has proved to be highly addictive and is a threat to the health of our youth and the public. It is very difficult for people to break this addiction once started.

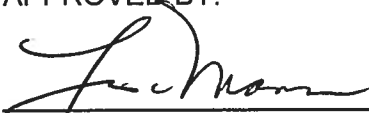
The HPD urges you to support House Bill No. 276, H.D.1, Relating to Flavored Tobacco Products.

Thank you for the opportunity to testify.

Sincerely,


J Pedro, Major
Community Affairs Division

APPROVED BY:


for: Susan Ballard
Chief of Police

January 30, 2019

Relating to HB276 HD1

The Coalition for a Drug-Free Hawaii Supports HB276 HD1

We strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Despite it being illegal for minors Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. We must end the sale of these youth luring flavored tobacco products to protect our kids from addiction.

Make no mistake, this is an industry preying on youth to ensure lifetime addicted customers.

Twenty years ago Hawaii settled with the tobacco industry, and great progress has been made to reduce youth smoking. Today we fight on a new front, but the same foe. Big Tobacco is fully invested in the vape/e-cig movement. Big Tobacco company Altria is invested in e-cig company Juul, as well as Cronos – a Canadian cannabis grower.

I strongly support HB276 HD1. For the health and safety of the keiki please pass this out of committee.

Aloha,



Greg Tjapkes
Executive Director

HB-276-HD-1

Submitted on: 2/12/2019 5:03:08 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Hawaii Smokers Alliance	Oppose	Yes

Comments:

We strongly oppose this bill. People need to make the choice for themselves. If people don't like the flavors, then boycott them.

Also why aren't flavored drug company nicotine products banned??????



Kapi'olani Smokefree Families, the tobacco & nicotine cessation program at Kapi'olani Medical Center for Women & Children, **strongly supports HB 276 to ban the sales of flavored tobacco products in Hawaii.**

At Kapi'olani Medical Center for Women & Children, we often treat pediatric patients who are adversely affected by tobacco products in multiple ways. We have babies in the NICU (neonatal intensive care unit) who were born early due in part to the effects of smoke exposure during pregnancy. We see young children routinely coming in with asthma and ear infections because they are being exposed to secondhand and thirdhand smoke. Now, we have teenagers and young kids coming in who are screening positive for e-cigarette or vape use.

One of the biggest concerns with e-cigarettes is the lack of longitudinal studies on health and safety of these products. It took decades for the harmful side-effects of combustible cigarettes to become well-known, and we do not want our youth to be the ones to suffer from any potential health effects of e-cigarettes or vape products.

Initiation of e-cigarette use is almost always associated with a flavored product. Studies have shown that flavored tobacco-use is particularly enticing to youth. The e-cigarette and vape companies use attractive packaging and flavors that are very similar to candy products and sweets that are easily recognizable by children and teens. These flavors include common candies like cotton candy, sweet tart, blue raspberry, and even local Hawaii-inspired flavors like POG (passion orange guava), Hawaii Sweet Roll, and Pele's Papaya.

In the best interest of our local youth, we would like to request the ban of flavored tobacco products that have been enticing to the youth. Thank you for the opportunity to provide testimony on this measure.

**TESTIMONY OF
LARRY S VERAY
TO
COMMITTEE ON JUDICIARY
ON SB 560
RELATING TO ELECTIONS
JANUARY 31, 2019**

Aloha, Chair Karl Rhoads, Vice Chair Glenn Wakai and members of the Committee on Judiciary. Although I am Chair of the Pearl City Neighborhood Board No. 21, I am submitting this testimony as an individual. I am in total support of SB 560.

This bill is long overdue because it will definitely influence and make it much easier to vote by mail uniformly across all counties thus saving money, time and effort with supporting voter service centers. Mail-in ballots will most definitely accommodate voters with special needs, offer same day registration and voting and provide other election services. If this bill is enacted into law, there will still need to be careful monitoring of mail-in ballots screening signatures of the elderly where there could be potential cases of fraud by some care givers.

I most strongly urge you to pass SB 560. Mahalo!

Very respectfully,

Larry S. Veray

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Rick Collins, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm Reduction Center

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Maui Youth and Family Services

Na Pu'uwai Molokai Native Hawaiian Health Care Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the Great Northwest and Hawaiian Islands

Residential Youth Services & Empowerment (RYSE)

Salvation Army Family Intervention Services

Sex Abuse Treatment Center
Susannah Wesley Community Center

The Catalyst Group

February 13, 2019

To: Representative Roy Takumi, Chair
And members of the Committee of Consumer Protection and Commerce

TESTIMONY IN SUPPORT OF HB 276 HD1 RELATING TO FLAVORED TOBACCO PRODUCTS

Hawaii Youth Network Services, a statewide coalition of youth-serving organizations, supports HB 276 HD1 Relating to Flavored Tobacco Products.

Elimination of flavored tobacco products across the state of Hawai'i will prevent addiction, reduce continued use of tobacco products throughout one's lifespan, and prevent chronic health conditions such as COPD and cardiovascular disease.

It is important to ban flavored tobacco products as today's marketing targets and encourages youth to take part in this unhealthy behavior. Hawaii has the fifth highest amount of vaping in the United States. E-cigarettes continue to grow in popularity leading to a potential health epidemic. With up to 15,500 flavors, e-cigarettes are of particular interest and attraction to Hawai'i's youth. Along with the enticing flavors and packaging, youth perceive e-cigarettes to be less harmful than other nicotine filled tobacco products. Students have shared that vaping is a popular activity that occurs both inside and outside of the academic setting. Youth have the ability to access flavorless tobacco through social media accounts, vape stores without regulation of the 21-year-old age law, and online orders with their parent's credit cards.

Youth do not understand the dangers of this harmful product. E-cigarettes contain toxic chemicals. These ingredients result in chronic health consequences including lung cancer, addiction, central nervous system damage, and delay of proper adolescent brain development.

808novape researchers have found that:

- 26% of Hawai'i high school students are using e-cigarettes
- 94% online purchases of e-cigarettes have been successful amongst teens
- 60% of teens believe occasional use of e-cigarettes does little to of harm
- 70% of middle and high schoolers have recently seen e-cigarette advertising

Four of five young people who use tobacco start with a flavored product. Tobacco is one of the leading causes of death and should not be accessible to Hawai'i's youth. Please ban the sale of flavored tobacco products.

Thank you for this opportunity to testify.

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large initial "J".

Judith F. Clark, MPH
Executive Director

HB-276-HD-1

Submitted on: 2/12/2019 2:41:18 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris C.K. Arakaki	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/12/2019 2:41:52 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carissa Holley	Individual	Support	No

Comments:

I support the ban of tobacco-flavored products.

HB-276-HD-1

Submitted on: 2/12/2019 3:59:38 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
taeleipu liliu	Individual	Oppose	No

Comments:

I am opposing hb276 because isn't asthma machine and aromatherapy the same as an END's product doing the same exact thing by producing a vapor. In example if I have asthma my child has asthma if he does the treatment am I getting treated by the vapor it's producing same as vaping someone who walks by my vapor product do they get second hand. No you won't that is exactly why I oppose all of these bills.

In Strong Support for HB 276

Aloha, my name is Alexis Cortes and I am currently a senior at Hawai'i Pacific University studying Public Health and a member of the Hawai'i Public Health Institute's Coalition for a Tobacco-Free Hawai'i's Youth Council. I am testifying in support of House Bill 276 to end the sale of flavored tobacco products in Hawai'i.

Our Youth Counsel's top priority this year is to end the sale and distribution of flavored tobacco, including menthol, in Hawai'i. Vaping is currently a common trend that I am witnessing in my community. In the US, 81% of youth have used some form of tobacco product and these flavors contribute to this rate. Flavors like cotton candy, iced gummy bear, Hawai'i sweet roll, and even POG are attracting our youth to try tobacco products. There are currently around 15,500 different flavors available for purchase. In addition, the packaging of flavored tobacco products is often mistaken as actual candy products. Tobacco industries are aware of how to market towards our youth with colorful and "cool" packaging and they are their current targets. When doing presentations with the Youth Council, our props are primarily donations of confiscated vaping products from schools. Our vaping rates are three times the national average for middle school students and twice the national average for high school students in Hawai'i.

As a public health major, I know that Hawai'i has made great efforts on tobacco preventative measures like increasing the age of purchasing tobacco products to 21 years old. However, the tobacco industry is using the flavored tobacco as a tactic to hook a new generation that lead to a lifetime nicotine addiction. Within the Hawai'i Youth Risk Behavior Survey, 25% of high school students choose to vape is because of the availability of the flavors. Although combustible cigarettes are at an all time low, e-cigarettes use has skyrocketed by 78% from 2017 to 2018. Flavored tobacco is clearly responsible for the high spike of e-cigarette use.

By ending the sale of flavored tobacco, we are considering the quality of life for our keiki here in Hawai'i. I strongly urge lawmakers to keep our generation tobacco-free by ending the sale of flavored tobacco.

HB-276-HD-1

Submitted on: 2/12/2019 4:40:04 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Doug Pyle	Individual	Support	No

Comments:

My name is Douglas Pyle and I am testifying as an individual in strong Support of HB 276 HD 1 to protect public health, especially youth, by prohibiting the sale of flavored tobacco products.

I testified in detail in support of this bill for the Health Committee earlier this month. I refer you to my comments in support of the original version, and continue to be in strong support of the HD1 version. Please move this important bill forward to help reduce the illness and deaths caused by tobacco use in Hawai'i that would result if this bill fails to become law, as youth and other new users are addicted to nicotine products due to the appeal of flavored tobacco products. It is clear that candy, clove and other flavors cynically target youth despite the dangers of tobacco products including ESDs to youth and public health. Thank you for this opportunity to support HB276 HD1, that will prohibit the sale of flavored tobacco products.

Douglas Pyle, Honolulu

HB-276-HD-1

Submitted on: 2/12/2019 7:38:35 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Chang	Individual	Oppose	No

Comments:

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

I am a pediatrician with more than 29 years of taking care of keiki in Hawaii.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Mahalo,
Cristeta Ancog
Aiea, HI 96701

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids. As a Hawaii mom who strives to raise four daughters who are healthy, I strongly support all legislation aimed at making our communities smoke and vape free!

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Mahalo,

Alana Busekrus

Kailua, HI 96734

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Protect our keiki!!!

Mahalo,

Suzanne Fields

Haiku, HI 96708

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

Chair Takumi and the Members of the House Committee on Consumer Protection and Commerce,

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

The US Surgeon General has declared that vaping by teen-agers has reached epidemic proportions. He has asked for the ban of several products, such as flavored tobacco products, in order to stop a new generation from becoming hooked on nicotine, having a lifetime of addiction. When I ask my young patients if they know the hazards or risks of vaping, they do not know. We need to protect our youth.

I strongly support HB276 HD1 and ask you to pass this out of committee.

Thank you for your kind attention to my testimony.

Sincerely,

Colleen F Inouye MD MMM CPE FACOG Jefferson Population of Health
Kahului, HI 96732

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. I see this as an educator on the campus of the University of Hawai'i, where the number of students walking the campus while vaping is still increasing rapidly (despite the campus permission having ended last year.)

While the circumstances on the campus may warrant attention otherwise, those circumstances are simply the downstream impacts of the youth vaping epidemic. And studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Mahalo,
Mark Levin
Honolulu, HI 96822

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

Dear HIPHI Testimony,

The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

Aloha Honorable Committee members:

I completely support HB276 HD1, which would END the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i has a big problem with youth vaping. Flavored tobacco product is misleading and luring for our kids.

It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Watermelon, Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Mahalo,
Mele Look
Waimanalo, HI 96795

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

As a registered nurse it is alarming to me that students in my elementary school are already experimenting with these devices/flavorings.

Mahalo,

Dayna Mersberg

Waianae, HI 96792

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Sincerely,

Marion Poirier, M.A., R.N.

Mililani, HI 96789

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276, which would end the sale of flavored tobacco products, including flavored liquids and menthol cigarettes.

As a parent of school-aged children and a healthcare provider working in the schools, I have personally seen and smelled young consumers using flavored electronic products. The packaging on these items are clearly geared towards looking like candies, treats, and gums.

We cannot allow Hawaii's children to be part of the unknown diseases and health effects of the future. We cannot allow Tobacco companies to continue using our kids as lab rats. We don't yet know how all the chemicals in the liquid and smoke, when inhaled, affect the different organs and tissues. But think about inhaling nicotine, gasoline, nail polish, toluene, benzene, varnish, cadmium, and formaldehyde! We already know that these exposure or contact to these chemicals cause harm. When the research catches up to show all the detrimental health effects, today's children will be turning into adults, plagued with chronic lung diseases - COPD, asthma, cancer, popcorn lung, etc.

These companies are targeting our youth, with more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups! Look at how long it took us to figure out the effects of traditional tobacco cigarettes and remember when they wanted to market fruity flavored cigarettes to teens. Look at the millions of people - current smokers, previous-smokers, and second-hand smokers, affected with high blood pressure, chronic lung conditions, cancer, and a multitude more of health effects. Do we want to allow our State's population health to suffer and become worse as years progress? Do we want our children and grandchildren to have shorter life expectancies, higher health premiums, and the like, due to increasing younger populations smoking.

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. I strongly support HB276 and ask you to pass this out of committee.

Mahalo,
Christine Prentice
Waianae, HI 96792

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I am a registered nurse specializing in pediatrics. I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. The industry is looking to make new vapers out of teens, with flavors like Fruit Hoops, Sour Straws, or Cookie Moneta. I have had a patient as young as 11 years old who vaped.

End the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. I strongly support HB276 HD1 and ask you to pass this out of committee.

Mahalo,

Lyn Pyle

Honolulu, HI 96813

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

My son was sufficiently enticed by the "coolness" of electronic cigarettes and the supposedly "safe" fruity flavors that he figured out how to get one and try it. He ended up getting kicked out of school because of it, yet still thinks it was cool. It is way too easy for kids to get the flavored liquids and the e-cigarettes themselves, and I support any attempts to restrict the sales of both.

Mahalo,

Scott Rowland

Waimanalo, HI 96795

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

I know kids as young as 6th grade that have begun vaping and it is very prevalent amongst our middle and high school age students. This bill is needed and no time to spare.

Mahalo,

Nathan Kanale Sadowski

Kaneohe, HI 96744

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

While Hawaii Public Health Institute supports ending the flavoring of menthol in e-cigs and vaping products, I don't. Ignorant adults should be able to choose menthol flavoring. I see targeting menthol as a race based target, pretty much. We cannot and should not outright ban e-cigs and vaping but I agree with making them very restrictive. By outlawing sweet flavors and keeping the flavors to traditional tobacco flavors (Licorice among others.) young people hopefully will be more aware of what they are ingesting.

Therefore, I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Mahalo,
Ellen Train
Mountain View, HI 96771

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

I have two elementary age boys; one will be moving up to middle school next year. We talk about drugs and tobacco use with our kids and they know the dangers. But more than once when they have caught the sweet, cotton-candy scent of a vaping product they have commented that it smells like the fair - which they associate with great memories and good clean fun. The flavored products are a psychological trick and the people I know who use it are puffing far more than they ever did with regular cigarettes because of the flavor - and yet the long term impacts of these products is still unknown.

I strongly support HB276 HD1 and ask you to pass this out of committee.

Mahalo,

Erin Wade

Wailuku, HI 96793

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Hawai'i is already experiencing a youth vaping epidemic. Our state has one of the highest per capita uses of flavored tobacco products among middle school and high school students in the US. After the tremendous success of the Tobacco Free Coalition, the legislature, and many others in drastically reducing teen tobacco use in Hawaii, tobacco use among teens has made a drastic U-turn with the introduction and promotion by tobacco companies of flavored, "cool," e-cigarettes. These products have deliberately targeted children by adding many, many flavors with candy names like "Fruit Hoops", using colorful candy-like packaging directed toward children, and advertising that stresses good taste and smell of these products. In fact, the taste and packaging of flavored tobacco products are so enticing that young children have ingested the flavored juice with tragic results.

These electronic products were originally marketed as a safe way to wean off cigarettes. This assertion has no scientific evidence to back it up and misleads our keiki who feel that using ESP's is not only cool, but also safe. Ironically, tobacco companies have cynically taken advantage of gullible consumers by significantly increasing the nicotine concentration in the flavored "juices" so that new users are instantly hooked on nicotine, which is one of the most addicting substances known to man. This means that our keiki are rapidly becoming addicted to nicotine, instantly creating a life-long market for tobacco companies.

Unfortunately, the FDA has been slow to recognize the harmful potential of vaping despite frantic warnings from the American Academy of Pediatrics. Finally the head of the FDA has suggested some control of flavored ESP's in gas stations and convenience stores, which doesn't at all cover on line or tobacco store purchases, and there is no review of sales to minors until 2022. Also, flavored smokeless tobacco and hookah are not addressed. This is reminiscent of the long and difficult push to control tobacco sales, which was violently opposed by tobacco companies and their lobbyists. I am sure we all remember the insistence by Big Tobacco that there was no health risk from tobacco products.

It's also critical to include menthol cigarettes in the flavored tobacco ban. Menthol cigarettes are a popular starter product, as it has cooling properties that mask the harshness of tobacco smoke and nicotine. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, such as the Native Hawaiian community, and has led to health disparities.

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. I strongly support HB276 and ask you to pass this out of committee.

Mahalo,

Linda Weiner MD

Kalaheo, HI 96741

2/13/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

Aloha.

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Not only are these "gateway" products, INTENDED to addict young people, the flavors are unnatural chemicals that are extremely toxic to human lungs, liver, and other parts of our amazing bodies.

Hawai'i is experiencing a youth vaping epidemic, and studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors (thousands). It is cruel to target children with flavors named Fruit Hoops, Sour Straws, and Cookie Monsta.

Stop the sale of candy-flavored tobacco, and protect our youth from a lifetime of addiction. Please, strongly support HB276 HD1 and pass this out of committee.

Mahalo,

Donna Worden

Kailua Kona, HI 96740

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support HB276 HD1 and ask you to pass this out of committee.

Mahalo,

Stephanie Austin

Haiku, HI 96708

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

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Mahalo,

Erin Bantum

Kaneohe, HI 96744

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

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Mahalo,

Helen Barrow

Makawao, HI 96768

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

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Mahalo,

Judy Beaver

Hilo, HI 96720

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

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Mahalo,

Patricia Blair

Kailua, HI 96734

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

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The Honorable Roy M. Takumi, Chair

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Mahalo,

Bev Brody

Kilauea, HI 96754

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

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Members of the House Committee on Consumer Protection and Commerce

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Mahalo,

Lee Buenconsejo-Lum

Kaneohe, HI 96744

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

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Mahalo,

Casey Carvalho

Paauilo, HI 96776

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

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The Honorable Roy M. Takumi, Chair

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Mahalo,

Elizabeth Castillo

Honolulu, HI 96819

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

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Mahalo,

Shay Chan Hodges

Haiku, HI 96708

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

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Mahalo,

Mio Chee

Honolulu, HI 96814

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

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The Honorable Roy M. Takumi, Chair

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Mahalo,

Cortney Crocker

Honolulu, HI 96825

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

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Mahalo,

Bridgitte Daniel

Kaneohe, HI 96744

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

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Mahalo,

Wilson Datario

Pepeekeo, HI 96783

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

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I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

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Mahalo,

Julie Dinius

Honolulu, HI 96822

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

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Mahalo,

Debbie Drummondo

Aiea, HI 96701

2/11/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

To the House Committee on Consumer Protection and Commerce

The Honorable Roy M. Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Hrg: February 13, 2019 at 2:00 PM at Capitol Room 329

I strongly support HB276 HD1, which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

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Mahalo,

Cherisse Fernandez

Kahului, HI 96732

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Mahalo,

Patricia Fleck

Kailua Kona, HI 96740

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Mahalo,

Shani Gacayan

Paauiilo, HI 96776

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Mahalo,

Marilyn Gagen

Kamuela, HI 96743

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Mahalo,

Jhoana Gonzales

Hilo, HI 96720

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Mahalo,

Rianne Graves-Grantham

Honolulu, HI 96825

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Mahalo,

Michelle Gray

Honolulu, HI 96825

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Mahalo,

Paul Ho

Honolulu, HI 96814

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Mahalo,

Kim Holokai

Wailuku, HI 96793

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Mahalo,

Kahala Howser

Kaneohe, HI 96744

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Mahalo,

John Ishoda

Honolulu, HI 96817

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Mahalo,

Tenaya Jackman

Honolulu, HI 96815

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Mahalo,

Joseph Keawe'aimoku Kaholokula

Honolulu, HI 96813

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Mahalo,

Michael Kellar

Honolulu, HI 96821

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Mahalo,

Hella Kihm

Honolulu, HI 96822

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Mahalo,

Ronald Kuriki

Honolulu, HI 96816

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Mahalo,

Mae Kyono

Honolulu, HI 96826

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Mahalo,
Christopher La Chica
Mililani, HI 96789

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Mahalo,

Selene Legare

Kahului, HI 96732

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Mahalo,

Elicia Lujan

Kaneohe, HI 96744

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Mahalo,

Shayda Marciel

Lihue, HI 96766

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Mahalo,

Howard Markowitz

Honolulu, HI 96822

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Mahalo,

Eileen McCool

Honolulu, HI 96825

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Mahalo,

Marion McHenry

Princeville, HI 96722

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Mahalo,

Angelina Mercado

Honolulu, HI 96819

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Mahalo,

Frances Miller

Wellesley, MA 2481

2/12/2019

Strong Support of HB276 HD1, Relating to Flavored Tobacco Products

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Mahalo,

MARIA MORENO-CHOW

Kailua, HI 96734

2/11/2019

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Mahalo,

Jean Morris

Lihue, HI 96766

2/12/2019

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Mahalo,

Sharon Mujtabaa

Mililani, HI 96789

2/11/2019

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Mahalo,

Diane Neubert

N San Juan, CA 95960

2/12/2019

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Mahalo,

Michele Nihipali

Hauula, HI 96717

2/11/2019

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Mahalo,

Barbara Nosaka

Honolulu, HI 96822

2/11/2019

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Mahalo,

Erick Ochola

Kapolei, HI 96707

2/11/2019

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Mahalo,

Shelly Ogata

Hilo, HI 96720

2/12/2019

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Mahalo,
Kerri Okamura
Hilo, HI 96720

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Mahalo,

Naomi Omizo

Kailua, HI 96734

2/12/2019

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Mahalo,

Valerie Poindexter

Ookala, HI 96774

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Mahalo,

Mealani Rahmer

Pahoa, HI 96778

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Mahalo,

Kirsten Ralston

Honolulu, HI 96816

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Mahalo,

Chloe Rista

Kapolei, HI 96707

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Mahalo,

Allison Rodden-Lee

Honolulu, HI 96816

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Ronald Sakamoto

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Mahalo,

Anne Scharnhorst

Wailuku, HI 96732

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Mahalo,

Michelle Schiff

Kailua, HI 96734

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Mahalo,

Holly Sereni

Kailua, HI 96734

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Mahalo,

Kim Swartz

Pearl City, HI 96782

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Mahalo,

Tracie Takeshita

Aiea, HI 96701



P: 808-446-0382

F: 808-876-0245

HANALIMAPT.COM

To the Honorable Members of the Committee:

From Dr. David Peterson, owner

Please note my strong support of HB701, which will allow me, as a Physical Therapist, to deliver the most advanced and effective treatment to my patients. I hold a Doctorate in Physical Therapy and have worked in several hospital systems, including Maui Memorial Hospital and Kula Hospital. As doctors, Physical Therapists are cognizant of patient safety and we are ethically and legally bound to ensure that safety. Dry Needling has been practiced safely and effectively for many years in most states, and I look forward to providing this service to patients in Hawaii. Thank you for your consideration of this bill.

Dr. David Peterson, PT

HB-276-HD-1

Submitted on: 2/13/2019 12:44:52 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Helene	Individual	Oppose	No

Comments:

HB-276-HD-1

Submitted on: 2/13/2019 4:32:43 PM

Testimony for CPC on 2/13/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jake J. Watkins	Individual	Oppose	No

Comments: