



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

LATE

**Testimony in SUPPORT of S.B. 1009, SD2
RELATING TO FLAVORED TOBACCO PRODUCTS**

REPRESENTATIVE JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: March 12, 2019

Room Number: 329

1 **Fiscal Implications:** Hawaii saved one billion dollars in total health care savings from 2000 to
2 2017 through tobacco use prevention with youth and pregnant women and adult cessation efforts.
3 Reducing the initiation of tobacco use and helping people to quit tobacco products will
4 ultimately reduce health care costs and improve health outcomes.

5 **Department Testimony:** The Department of Health (DOH) supports Senate Bill 1009, Senate
6 Draft 2 (S.B. 1009, SD2) which proposed to amend Chapter 712, Hawaii Revised Statutes (HRS)
7 by prohibiting the sale or distribution of all flavored tobacco products, including products with
8 menthol, and clarifying the penalties for unlawful sales of flavored tobacco products in the State
9 of Hawaii, effective January 1, 2020. The Department defers to the Department of the Attorney
10 General (AG) for enforceability.

11 The availability of flavors is the amongst the top reasons given by youth nationally, and
12 highest in Hawaii for the use of e-cigarettes, also called electronic smoking devices (ESDs).
13 Moreover, a higher rate of Hawaii high school students than their national peers, 28 percent
14 believe that ESDs are not dangerous. Peer influence is also a significant factor, with 44 percent
15 of youth reporting their four closest friends are ESD users.^{1,2}

16 Youth vaping is a serious public health issue. Only 4.7 percent of adults report current
17 use of electronic smoking devised (ESDs) as compared to 26 percent of Hawaii public high

¹ U.S. Federal Food & Drug Administration. Youth Tobacco Use: Results from the National Youth Tobacco Survey.

² Hawaii State Department of Health 2017 Hawaii Youth Tobacco Survey, Hawaii Health Data Warehouse.

1 school students.^{3,4} Nationally, youth vaping surged 78 percent in one year between 2017 and
2 2018.⁵ Flavors serve as the enticement factor to lure youth. Flavors are designed to be
3 appealing to youth through candy and fruit flavors along with cartoon characters.⁶ Many ESDs
4 and their refill liquids come in sweet flavors, such as mango, chocolate, gummi bear, and
5 strawberry. In 2017, researchers were able to identify more than 15,500 unique e-cigarette
6 flavors available online.⁷

7 While flavors attract youth to vaping, nicotine drives their addiction. Many youth are
8 unaware of the addictive properties of nicotine. The brain continues to develop to age 25 and is
9 the last organ to fully develop in the human body. Adolescence is a period of significant brain
10 development, and nicotine exposure can disrupt the growth of brain circuits that control
11 attention, learning, lead to increased impulsivity and mood disorders, and increase susceptibility
12 to addiction.⁸ Besides the impact to brain development, more youth who never tried cigarettes,
13 are now using ESDs, and research shows these youth are more likely to initiate cigarette use.
14 Smoking is still the leading cause of preventable deaths in Hawaii, and the nation.

15 In Hawaii, from 2011 to 2015, experimentation with vaping among middle school
16 students increased six-fold, and amongst high school youth the increase was four-fold.⁹
17 According to the Hawaii 2017 Youth Risk Behavior Survey (YRBS), 16 percent of middle
18 school and 26 percent of high school youth are current ESD users, and the rates are even higher
19 on the neighbor islands with Hawaii County at 34 percent, Maui County at 32 percent, and Kauai

³ Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Division of Population Health. BRFSS Prevalence & Trends Data [online]. 2015. [accessed Mar 08, 2019]. URL: <https://www.cdc.gov/brfss/brfssprevalence/>.

⁴ Hawaii State Department of Health 2017 Youth Risk Behavior Survey. Hawaii Health Data Warehouse

⁵ Cullen KA, Ambrose BK, Gentzke AS, Apelberg BJ, Jamal A, King BA. Notes from the Field: Increase in use of electronic cigarettes and any tobacco product among middle and high school students — United States, 2011–2018. *MMWR Morbid Mortal Wkly Rep.* 2018;67(45):1276–1277.

⁶ 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>

⁷ Zhu, S-H, et al., “Evolution of Electronic Cigarette Brands from 2013-2014 to 2016-2017: Analysis of Brand Websites,” *Journal of Medical Internet Research*, 20(3), published online March 12, 2018.

⁸ U.S. Department of Health and Human Services (USDHHS). *E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General.* Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

⁹ Hawaii State Department of Health 2017 Youth Risk Behavior Survey. Hawaii Health Data Warehouse

1 County at 31 percent.¹⁰ These percentages are over twice as high as the national average of 13
2 percent, and data show that Hawaii has been leading trend in ESD use by youth.¹¹ The National
3 Youth Tobacco Survey (NYTS) that reported the 78 percent increase from 2017 to 2018 was the
4 first national survey to reflect the impact of rising sales of JUUL and other USB-shaped ESDs
5 and the erosion of tobacco prevention progress.¹²

6 The tobacco industry has long used and adjusted the level of menthol to appeal to
7 younger smokers, and a 1986 R.J. Reynolds document observed “...once a smoker adapts to
8 smoking a menthol product, the desire for menthol increases over time.”¹³ Menthol is a
9 chemical compound used to mask the harshness of cigarette smoke due to its characteristic
10 cooling effects on the mouth and throat.^{14,15} Longitudinal studies show that the initiation with
11 menthol cigarettes facilitates progression to cigarette use among young smokers.^{16,17} Nationally,
12 the youngest cigarette smokers use menthol at the highest rates.^{18,19}

13 In Hawaii, menthol use is problematic. A 1983 document from R.J. Reynolds declared
14 that Hawaii was a “menthol market.”²⁰ According to the 2010 study, *Smoking and Tobacco Use*
15 *in Hawaii*, 78 percent of Native Hawaiian/Pacific Islander adult smokers and 42 percent of

¹⁰ Ibid

¹¹ 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

¹² Centers for Disease Control and Prevention. *Vital Signs: Tobacco product use among middle school and high school students – United States, 2011–2018*. Morbidity and Mortality Weekly Report, Early Release February 11, 2019.

¹³ Tobacco Products Scientific Advisory Committee (TPSAC), FDA, “Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations, 2011.

¹⁴ Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol Versus Nonmenthol Cigarettes. (n.d.), 153.

¹⁵ 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>

¹⁶ Nonnemaker J, Hersey J, Homsí G, Busey A, Allen J, Vallone D. Initiation with menthol cigarettes and youth smoking uptake. *Addiction*. 2013;108(1):171-178.

¹⁷ 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.

¹⁸ 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.

¹⁹ Caraballo RS, Asman K. Epidemiology of menthol cigarette use in the United States. *Tobacco induced diseases*. 2011;9 Suppl 1:S1

²⁰ Kennedy, J.C. “Marketing Research Report. Hawaii Regional Analysis Distribution”. 06 Jun 1983. R.J. Reynolds Records. <http://industrydocuments.library.ucsf.edu/tobacco/docs/rxpi0103>

1 Caucasian smokers consumed menthol cigarettes.²¹ 2017 data showed that 54 percent of Hawaii
2 high school students who smoke usually smoke menthol cigarettes.²²

3 The 2009 Federal Family Smoking and Prevention Act prohibited the sale of cigarettes
4 with characterizing flavors, other than menthol or tobacco, including candy and fruit flavors with
5 the purpose of deterring youth smoking. (Among cigarette flavors available was Camel's
6 "*Kauai Kolada*" described as, "Hawaiian hints of pineapple and coconut," in special edition
7 packaging featuring a recumbent dark-haired young woman wearing a lime-slice lei, bikini top,
8 and hula skirt.) This prohibition only extended to flavored cigarettes and their flavored cigarette
9 component parts, such as tobacco, filter, or paper.²³ It did not apply to non-cigarette tobacco
10 products, nor the flavors of menthol or tobacco. The absence of regulation has led to the
11 proliferation of flavored tobacco products in the marketplace, enticing new users, particularly
12 youth, to a lifetime of nicotine addiction. This growing market for flavored tobacco products is
13 undermining the nation's overall progress in reducing tobacco use.

14 The Department supports this legislation to ban flavored tobacco products and to clarify
15 the penalties for unlawful sales of flavored tobacco products in Hawaii. Ending the sale of
16 flavored tobacco products is an issue of both health and social justice. Candy and fruit flavored
17 tobacco products are marketed to youth intentionally as a way of replacing smokers of traditional
18 cigarettes.

19 The major tobacco companies continue to invest heavily in flavored products with their
20 own brands and are acquiring existing ESD companies. The global ESD industry has grown
21 dramatically and in 2017 was valued at 10.24 billion U.S. dollars. Altria, parent company of
22 Phillip Morris, invested 12.8 billion dollars for a 35 percent stake in JUUL, a product so popular

²¹ 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>

²² Hawaii State Department of Health 2017 Youth Tobacco Survey. Hawaii Health Data Warehouse

²³ 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 with youth that, “to JUUL” has become a synonym for vaping. A single flavored pod of JUUL
2 contains as much nicotine as 20 regular cigarettes.

3 On March 5, 2019, U.S. Food and Drug Administration (FDA) Commissioner Scott
4 Gottlieb resigned. He described teen vaping as an “epidemic” and was a harsh critic of ESD
5 companies and the proliferation of kid-friendly flavors. His departure can seriously interrupt
6 national momentum in tobacco control and makes state level policies and initiatives even more
7 urgent. The passage of S.B. 1009, SD1 would be a significant policy to close the market of
8 appealing products that are addiction our youth and young adults to nicotine.

9 Thank you for the opportunity to testify.

10 **Offered Amendments:** None



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

LATE

ON THE FOLLOWING MEASURE:

S.B. NO. 1009, S.D. 2, RELATING TO FLAVORED TOBACCO PRODUCTS.

BEFORE THE:

HOUSE COMMITTEE ON HEALTH

DATE: Tuesday, March 12, 2019

TIME: 9:00 a.m.

LOCATION: State Capitol, Room 329

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

Chair Mizuno and Members of the Committee:

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

The bill seeks to address the health dangers caused by the use of flavored tobacco products.¹ The bill creates a new criminal offense for retailers whose agents or employees sell a flavored tobacco product. In addition the bill defines “E-liquid” and “Flavored tobacco product.”

We note three legal inconsistencies in the bill that should be addressed. First, the bill makes it “unlawful for any retailer or any agents or employees of the retailer” to sell the flavored tobacco products. Page 5, lines 10 – 13. The penalty section, however, specifies that only “[a]ny retailer whose agents or employees violate this section may be sentenced to a fine not exceeding \$500. Any subsequent offenses shall subject the person to a fine of not less than \$500 nor more than \$2,000.” Page 6, lines 8 – 11. This wording would appear to make only the retailer and not its agents criminally liable. Because retailers selling tobacco products are often incorporated, and

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/ProductsIngredientsComponents/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.

to better align the wording of the penalty with the offense, we suggest that the penalty section be amended to read “any retailer, including a corporation, and any agents or employees of the retailer who violate this section may be sentenced to a fine not exceeding \$500. Any subsequent offenses shall subject the offender to a fine of not less than \$500 nor more than \$2,000.” These amendments will also bring the new offense in compliance with the requirements of section 702-227, Hawaii Revised Statutes (HRS) (requiring a clear indication of a legislative purpose to impose criminal liability on a corporation) and section 702-228, HRS (a person performing conduct on behalf of a corporation is legally accountable for that conduct “to the same extent as if it were performed in the person’s own name or behalf.”)

Second, the bill (page 6, lines 12 – 17) allows counties to “adopt a rule or ordinance that places greater restrictions on the access of tobacco products than provided for in this section,” with the more stringent restrictions prevailing in the case of a conflict. This wording conflicts with section 328J -11.5, HRS, which states in part that “[a]ll local ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices are preempted, and existing local laws and regulations conflicting with this chapter are null and void.” Although the intent of the legislature might be interpreted to give the newer law its intended effect,² we suggest that to make the legislature’s intent clearer, the phrase “Notwithstanding any other law to the contrary,” be inserted in the beginning of the subsection, before the phrase “[a]ny county” (page 6, line 12).

Third, the use of the phrase “tobacco products” (page 6, lines 13 and 16) is broader than the title of the bill, “Relating to Flavored Tobacco Products,” raising a concern about the single subject requirement of article III, section 14 of the state constitution. A suggested solution would be to add the word “flavored” before the phrase “tobacco products” in lines 13 and 16.

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

² In re Castro, 44 Haw. 455, 461 (1960)(where “later enactments and the earlier provision dealing with this same subject cannot be harmonized, the new provisions should prevail as the latest declaration of the legislative will.”)



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

Date: 03/12/2019
Time: 09:00 AM
Location: 329
Committee: House Health

Department: Education

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

Title of Bill: SB 1009, SD2 RELATING TO FLAVORED TOBACCO PRODUCTS.

Purpose of Bill: Bans the sale of flavored tobacco products. Effective 1/1/2020. (SD2)

Department's Position:

The Department of Education supports SB 1009, SD2, 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.

Flavored tobacco products are disproportionately used by youth, partially due the false perception that fruit- and menthol-flavored products are less harmful than those that are tobacco-flavored. A 2013 US 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.

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 e-cigarette 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.

The Department of Education is committed to supporting all students' well-being by providing a safe learning environment and helping them to develop health literacy skills

in order to help them reach optimal academic success.

Thank you for the opportunity to provide testimony.

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.



SB1009 SD2
RELATING TO FLAVORED TOBACCO PRODUCTS.
House Committee on Health

March 12, 2019

9:00 a.m.

Room 329

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB1009 SD2, which seeks to ban the sale of flavored tobacco products. This bill would help protect Native Hawaiian adults and youth—who already exhibit high rates of tobacco use and chronic diseases, including those associated with or exacerbated by tobacco use—from the cumulative and harmful health consequences of e-cigarettes and other tobacco products.

OHA has long advocated for meaningful policies which reduce health inequities faced by Native Hawaiians. Most recently, OHA spearheaded the State effort to codify “social determinants of health” through Act 155 (Reg. Sess. 2014) and require state agencies to take a holistic and systemic approach to addressing health disparities seen in Native Hawaiian and other communities. In furtherance with our strategic plan and advocacy efforts, we now seek to improve the conditions of Native Hawaiians by reducing substance abuse, including tobacco and nicotine products.

Smoking and tobacco use have had severe consequences for Native Hawaiians. For example, Native Hawaiian women have the highest rates of asthma in the State,¹ and exposure to tobacco smoke exacerbates such respiratory issues. Moreover, health data reveals that lung and bronchus cancers associated with tobacco use kill more kāne (31.3%) than any other form of cancer; this trend has remained steady since 1975.² Alarming, nearly one in five Native Hawaiians is a current smoker;³ and Native Hawaiian youth are more likely than any other ethnic youth group in Hawai‘i to use electronic vaping products, with adolescent Native Hawaiian females comprising one in three vaping product users.⁴

E-cigarette use in particular has become “a major health concern” among youth nationwide, according to the United States Surgeon General. To address the skyrocketing rates of vaping in high schools and middle schools, the FDA has recently moved toward a ban on flavored e-cigarettes, menthol cigarettes, and flavored cigars; national advocacy is

¹ OFFICE OF HAWAIIAN AFFAIRS, HAUMEA—TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN WOMEN AND EMPOWERING WĀHINE WELL-BEING (2018).

² OFFICE OF HAWAIIAN AFFAIRS, KĀNEHŌ‘ĀLANI – TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN MEN (2017).

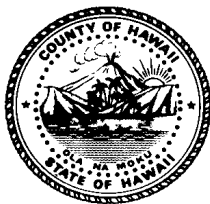
³ OFFICE OF HAWAIIAN AFFAIRS, HAUMEA—TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN WOMEN AND EMPOWERING WĀHINE WELL-BEING (2018).

⁴ OFFICE OF HAWAIIAN AFFAIRS, NATIVE HAWAIIAN DATA BOOK (2019).

also prompting efforts to ban flavored tobacco products that are clearly marketed toward and popular among youths. By prohibiting the sale of flavored tobacco products, including e-cigarette “juice,” **SB1009 SD2 will place Hawai‘i at the lead of such efforts to protect children and adults alike, while promoting the well-being of the Native Hawaiian community and a healthier Hawai‘i overall.**

Accordingly, OHA urges the Committee to **PASS** SB1009 SD2. Mahalo nui for the opportunity to testify on this measure.

From the office of -
Council Member
District 3



Office: (808) 961-8396
Fax: (808) 961-8912
Email: sue.leeloy@hawaiicounty.gov

SUSAN L.K. LEE LOY

25 Aupuni Street, Hilo, Hawai'i 96720

March 11, 2019

The Honorable Representative John Mizuno, Chair
The Honorable Representative Bertrand Kobayashi, Vice-Chair
Members of the House Committee on Health
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Strong Support of SB1009 SD2, relating to Flavored Tobacco Products

Dear Representative Mizuno and Members of the Committee on Health:

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.

Hawai'i County Is an Equal Opportunity Provider And Employer

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.

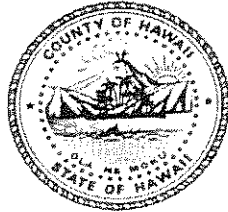
If Hawaii’s tobacco stores are truly supportive of keeping the community healthy, then they must be fine offering products for sale other than cotton candy or gummy worm-flavored e-juice. Our residents are proud to support local, but not when these products directly contribute to the youth vaping epidemic.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

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



655 KĪLAUEA AVENUE
HILO, HAWAII 96720
PH: (808) 961-0466
FAX: (808) 961-8908
(808) 934-3403
(808) 934-3503

WEST HAWAII UNIT
81-980 HALEKĪ'I ST, SUITE 150
KEALAKEKUA, HAWAII 96750
PH: (808) 322-2552
FAX: (808) 322-6584

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF SENATE BILL NO. 1009, SD 2

A BILL FOR AN ACT RELATING TO FLAVORED TOBACCO
PRODUCTS

COMMITTEE ON HEALTH

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

Tuesday, March 12, 2019, 9:00 a.m.
State Capitol, Conference Room 329

Honorable Chair Mizuno, Honorable Vice Chair Kobayashi and Members of the Committee on Health. The Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in SUPPORT of Senate Bill No. 1009, SD2.

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 Senate Bill No. 1009, SD2. Thank you for the opportunity to testify on this matter.

Council Chair
Kelly T. King

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Riki Hokama
Alice L. Lee
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Maria E. Zielinski

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

March 11, 2019

TO: Honorable John M. Mizuno, Chair
House Committee on Health

FROM: Yuki Lei Sugimura
Councilmember

DATE: March 12, 2019

SUBJECT: **SUPPORT OF SB 1009 S.D. 2, RELATING TO FLAVORED TOBACCO PRODUCTS**

Thank you for the opportunity to testify in SUPPORT this important measure. The purpose of this measure is to ban the sale of flavored tobacco products.

According to the Centers for Disease Control and Prevention, preventing tobacco product use among youth is critical to ending the tobacco epidemic in the United States.

Tobacco product use is started and established primarily during adolescence. Nearly 9 out of 10 cigarette smokers first try cigarette smoking by age 18, and 98% first try smoking by age 26. Each day in the U.S. about 2,000 youth under 18 years of age smoke their first cigarette and more than 300 youth under 18 years of age become daily cigarette smokers.

Flavorings in tobacco products can make them more appealing to youth. In 2014, 73% of high school students and 56% of middle school students who used tobacco products in the previous 30 days reported using a flavored tobacco product during that time.

Recent increases in the use of e-cigarettes is driving increases in tobacco product use among youth. The number of middle and high school students using e-cigarettes rose from 2.1 million in 2017 to 3.6 million in 2018—a difference of about 1.5 million youth.

For the foregoing reasons, I believe it is important to restrict the sale of kid-friendly flavored tobacco products that appeal to youth. I support this measure.

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 SB1009, 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 vapor products, 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



COMMITTEE ON HEALTH

Rep. John Mizuno, Chair
Rep. Bertrand Kobayashi, Vice Chair

Rep. Della Au Belatti Rep. Calvin K. Y. Say
Rep. Nadine K. Nakamura Rep. James Kunane Tokioka
Rep. Joy A. San Buenaventura Rep. Gene Ward

NOTICE OF HEARING

DATE: Tuesday, March 12, 2019
TIME: 9:00 am
PLACE: Conference Room 329
State Capitol
415 South Beretania Street

TESTIMONY IN SUPPORT OF SB 1009, SD2
RELATING TO FLAVORED TOBACCO PRODUCTS

Honorable Chair Mizuno, Vice-Chair Kobayashi, and members of the committee:

Waimānalo Health Center supports Senate Bill 1009, SD2 proposing to amend HRS Chapter 712 to make it “unlawful for any retailer or any agents or employees of the retailer to sell, offer for sale, or possess with the intent to sell or offer for sale, a flavored tobacco product.”

Waimānalo Health Center’s (WHC) mission is committed to providing the highest level of primary and preventive health services, with special attention to the needs of Native Hawaiians and the medically underserved, and improving the health and wellness of individuals and their ‘ohana regardless of their ability to pay. WHC recognizes the increase in the use of electronic smoking devices among youth. As a healthcare and mentoring provider of youth in the Waimānalo community, and as a non-smoking facility, we strongly support SB 1009, SD2.

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. We strongly encourage the State of Hawai‘i to take action in protecting youth from candy-flavored tobacco products and a lifetime of addiction.

Thank you for the opportunity to provide testimony.



March 9, 2019

Committee Members

Annaleah Atkinson
808 652-7743

Regina Floyd
702 292-2372

Doug Haigh
808 635-1120

Eve Hands
808 346-7799

Jonathan Lee
530 208-9738

Larry Lindsay
808 634-4559

Scott McCubbins
816 781-5883

Graeme Merrin
808 651-7211

Lelan Nishek
808 245-7747

Tommy Noyes
808 639-1018

Valerie Woods
808 822-2420

Elle Vitt
808 635-5221

Ron Wiley
808 245-9527

Health Committee

Hawaii State House of Representatives

Chair John M. Mizuno

Vice Chair Bertrand Kobayashi

Members Della Au Belatti, Calvin K.Y. Say, Nadine K. Nakamura, James Kunane Tokioka, Joy A. San Buenaventura, and Gene Ward

**STRONG SUPPORT FOR
SB 1009, SD2 RELATING TO FLAVORED TOBACCO PRODUCTS**

Aloha Chair Mizuno, Vice Chair Kobayashi and Committee Members,

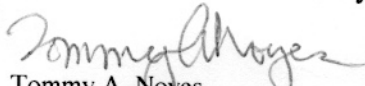
The undersigned are members of the Friends of Kamalani and Lydgate Park Beach Cleanup Team, and we would like to register our strong support for SB 1009.

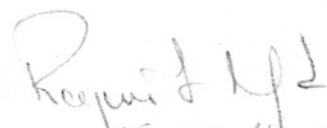
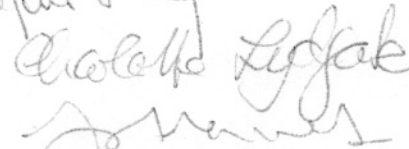
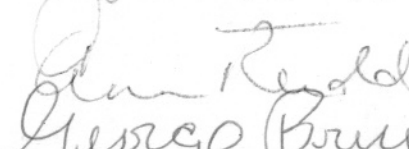
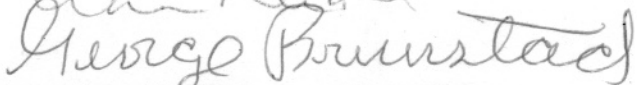
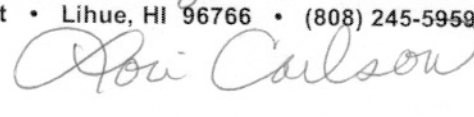
We collaborated with appointed and elected officials to designate portions of Lydgate Beach Park as the County of Kauai's first tobacco-free park, and we believe in advancing the health and wellness of our youth by protecting them from becoming tobacco product addicts.

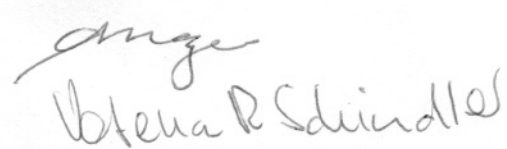
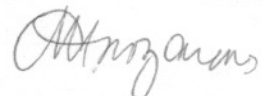
Flavoring tobacco products—especially but not limited to vaping compounds—is a pernicious practice clearly intended to assure tobacco industry profits by addicting children to nicotine. The detrimental long-term public health effects of tobacco use and nicotine addiction are established science.

As members of the Health Committee, please fulfill your allegiance to the people of Hawaii and advance SB 1009 as written and without dilution. It is your responsibility to protect our youths' health, not to assure the tobacco industry's and tobacco retailers' profits at the expense of assured life-long health degradation and quality of life impairments.

Sincerely,


Tommy A. Noyes
General Coordinator
The Friends of Kamalani and Lydgate Park

c/o YWCA of Kaua'i • 3094 Elua Street • Lihue, HI 96766 • (808) 245-5959



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

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 SB1009. I am testifying in STRONG, and UNYIELDING SUPPORT of SB1009.

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

BRIDGE CLUB HAWAII

March 9, 2019

RE: **SUPPORT for SB1009 SD2**

Aloha Chair Mizuno, Vice Chair Kobayashi, members of the House Committee on Health,

Thank you for this opportunity to testify in **SUPPORT** of SB1009 related a ban on the sale of tobacco products.

Bridge Club Hawaii is a youth-led community organization with ties to over 10,000 youth in Hawai'i and across the globe. Locally, our members attend over 30 different elementary, middle, and schools across the state, as well as the University of Hawai'i at Mānoa. Our mission is to empower other youth to become global leaders ready to tackle the problems of tomorrow and make the world a better place. With that goal in mind, we are strongly compelled to support SB1009 SD2.

Flavored tobacco products are a direct attack on our youth; 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 SB1009. Thank you for this opportunity to testify.

Sincerely,



Garrett Cho
President
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.

March 8, 2019

To: Chair Mizuno
Vice Chair Kobayashi
House Committee on Health

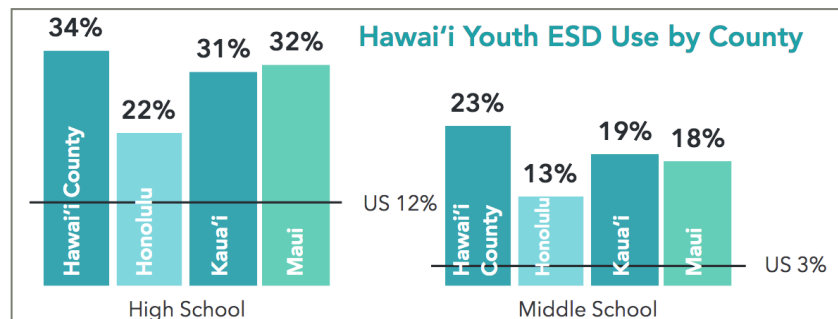
Re: **Support for SB1009 SD2**

Aloha Chair Mizuno, Vice Chair Kobayashi, members of the House Committee on Health:

Thank you for your dedication to our community and for this opportunity to provide testimony in strong **support** of **SB1009 SD2**.

Kaho'omiki, the Hawai'i Council on Physical Activity and Nutrition, is a local non-profit that supports and encourages lifelong healthy lifestyles and closely works with organizations across the state to better the lives of youth. It is clear that ESD use by youth is on an upward trend, and overwhelming data from local and national sources, including the Centers for Disease Control and Prevention (CDC), cite numerous safety and public health concerns with its use. The CDC notes that "young people who use e-cigarettes may be more likely to smoke cigarettes in the future."

We also know that flavored products target kids and lead to an increased use; in 2018, there was a 78% increase in youth vaping, a majority of which involved flavored products, and even higher increases in Hawai'i. Hawai'i must take a stand against this critical public health epidemic for the benefit of our most vulnerable populations.



CDC. Tobacco Use among Middle and High School Students - United States 2011-2017.
Hawai'i Youth Risk Behavior Survey 2017.

Thank you for this opportunity to testify in support of **SB1009 SD2**.

Sincerely,



Colby Takeda
President, Kaho'omiki

SB-1009-SD-2

Submitted on: 3/8/2019 6:37:00 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Anderson	Black Lava Vape	Oppose	Yes

Comments:

The FDA Commissioner, Scott Gottlieb recently released a statement on what they are doing to combat the epidemic that is teenage use of ENDS. 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, and or flavored e-liquid, to age restricted stores or areas. There is also talk of restricting online sales. Most vape shops In Hawaii do not do online sales, so they understand why this would help limit access to teens ability to gain access to ENDS. The majority of teens getting their hands on these products are not coming from Vape Shops (Mom & Pop's/Brick & Mortar). They are coming from Internet sales from retailers that do not have a robust age verification in place, or from stores that have no age restriction. All vape shops have a strict age verification(s) in place. Following what the FDA is suggesting/recommending is a much better solution. If all flavors are banned, it will create an increase in adult use of combustible tobacco, which would be a step backwards. If adults no longer have access to the flavor(s) they used to stop using combustible tobacco, they will ultimately go back to the use of combustible tobacco. We agree that teenage use of ENDS products is unacceptable, and Vape Shops throughout Hawaii have, and are taking steps towards stopping this. Almost all shops in Hawaii have stopped selling JUUL. The Vape community, as a whole, has a high distain for JUUL. They have solely created such a negative tone for the Vape community that most vape shops around the country, just as in Hawaii, have stopped selling their products. JUUL has always been a "Gas Station" product. As a community we can help put a stop to teens use of ENDS, without punishing responsible adults that have successfully stopped combustible tobacco by using flavored e-liquids. Just as with flavored alcohol, which there is no shortage of, teens should not be easily able to get their hands on any product deemed to be for adult use. If we work together, we can stop, and prevent this from happening without it being at the expense of responsible adults that have successfully quit smoking by using flavored e-liquid(s). Let's work together as a community, not against each other. We should all be able to work together. I can guarantee that vape shops don't want teenagers vaping more than anyone. The Vape community has always had one sole purpose. That's to get adults off combustible, and non-combustible (Chewing Tobacco) tobacco products. And it has done so with greater success than any other cessation device. The Vape community is ready to work closely with all parties to put an end to teenage use of ENDS.

Much Mahalos,

Sean Anderson

SB-1009-SD-2

Submitted on: 3/9/2019 10:50:37 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
dillon rellez	irie hawaii	Oppose	No

Comments:

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

March 10, 2019

To: Representative John Mizuno, Chair
And members of the Committee on Health

TESTIMONY IN SUPPORT OF SB 1009 SD 2 RELATING TO FLAVORED TOBACCO PRODUCTS

Hawaii Youth Network Services, a statewide coalition of youth-serving organizations, supports SB 1009 SD 2 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

HYSN page 2

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

SB-1009-SD-2

Submitted on: 3/9/2019 12:38:41 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacob Robinson	Irie Hawaii	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/9/2019 12:40:37 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Baker	Irie hawaii	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/9/2019 10:35:30 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

I strongly oppose SB1009. Adults ages 21 & over should not have their freedom to choose taken away from them. Also flavored vape is SAVING LIVES!

Just a few years ago the solution to curbing underage smoking was to raise the smoking age to 21. That did not work. All the age restriction did was take adults aged 18-20 rights away, take away access to a safer alternative to smoking, put lives in jeopardy, and hurt local business.

Now a ban on flavored tobacco products? How is hurting local businesses, forcing many businesses to close, forcing the employees of these businesses on hardship, forcing families on hardship, forcing local native HAWAIIAN owned businesses to close help underage smoking? The answer is IT WONT!

The availability of flavored tobacco products online is a problem. Parents who do not supervise their children is also a big part of the smoking problem!

We have the most strict smoking laws in the country already, If you people suspect stores of selling these products to underaged people, INVESTIGATE! Do not harm businesses and take the rights away of thousands of people!

How is it that flavored alcohol is fine but tobacco products are not? It is insane to think prohibition of flavored tobacco products will curb the underage smoking problem! Just like the prohibition of alcohol and FIREWORKS, PROHIBITION DOES NOT WORK!

I strongly oppose this bill which is takes away freedoms of Adults, will take away a safer alternative to smoking away from the people (an alternative that has been proven to work BETTER than BIG PHARMA poison do a search of how vaping works better than the patch or gum to STOP SMOING!! Also watch the documentry A BILLION LIVES), and will force many businesses including native HAWAIIAN woened businesses such as my own to CLOSE.

I ask all of you reading this to do PROPER RESEARCH before choosing to harm people using vape as a means to quit tobacco smoking, taking peoples freedoms away, and harming SMALL BUSINESS FAMILIES!

Call an expert like Dr Michael Wald on the Big Island a Toxicologist Doctor that will explain the pros and cons of vaping. A real professional scientific DR who specializes in SAFETY and biological effects of chemicals, drugs, agents and VAPING!

This bill is unfair and a BIG overreach of government! If passed this bill will claim lives, take away or freedom, and kill local businesses. Please do not support SB1009. Mahalo for your time.

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.

-Over budgeted rail funds which is going nowhere, while we're still being Taxed here and there for years.

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

Hawaii is slowly becoming an anti-local and anti-small business State. These bills only cater to the wealthy, deep pocket businessmen who can afford high tax and interest rates. With these bills you're only pushing local businesses away to the mainland where they can survive.

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

SB-1009-SD-2

Submitted on: 3/8/2019 4:44:14 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Tobacco flavor is made up of multiple singular flavors to give a tobacco "like" flavor. By banning flavors you will also ban tobacco.

We do not even carry tobacco flavor, as they do not sell. Because people want to get away from tobacco. which is why they switch to a 95% safer alternative.

even nicotine replacement gum comes in flavors. Otherwise, people would not use it.

When it comes to children. Vape shops do not want kids to use it. My shop would never sell to a kid. C-stores are the problem when it comes to underage sale.

Banning flavors will make a black market. So not only will dealers be slinging hard drugs. they gonna slang cigarettes and eliquid as well.

SB-1009-SD-2

Submitted on: 3/8/2019 4:45:13 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

I oppose this bill. Flavor's are what helps people quit cigarettes. If you take out that factor, it will lead the people back to cigarettes.

SB-1009-SD-2

Submitted on: 3/8/2019 4:49:21 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Members of the Committee,

Flavors are a very important part of the success story of vapor products in getting thousands of Hawaii residents off of cigarettes. Throughout my life I have never seen anything more effective at helping people stop smoking. Vaping is estimated to be at least 95% less risky than smoking, so this is a huge win for public health.

A recent study, attached, confirms what I have seen firsthand. Cigarettes are proven scientifically to be better than standard nicotine replacement therapy -- therapy which is supported by insurance companies and workplace policies across the state. Surveys of vapor product users confirms the near-universal importance of non-tobacco flavors in their replacement of combustible tobacco. People do not stop liking tasty flavors after age 18 -- ADULTS LIKE FLAVORS.

As a practical matter, flavor bans are unenforceable. Almost all eliquid is artificially flavored, including tobacco-flavor eliquids. Thus to define what a "tobacco flavor" is will have to identify specific chemical compounds that make up the flavor. Judging what those compounds are and measuring them will be effectively impossible and very expensive to even attempt.

The proposed legislation is misguided and misinformed, and should not be adopted.

P. Kuromoto

ORIGINAL ARTICLE

A Randomized Trial of E-Cigarettes versus Nicotine-Replacement Therapy

Peter Hajek, Ph.D., Anna Phillips-Waller, B.Sc., Dunja Przulj, Ph.D.,
 Francesca Pesola, Ph.D., Katie Myers Smith, D.Psych., Natalie Bisal, M.Sc.,
 Jinshuo Li, M.Phil., Steve Parrott, M.Sc., Peter Sasieni, Ph.D.,
 Lynne Dawkins, Ph.D., Louise Ross, Maciej Goniewicz, Ph.D., Pharm.D.,
 Qi Wu, M.Sc., and Hayden J. McRobbie, Ph.D.

ABSTRACT

BACKGROUND

E-cigarettes are commonly used in attempts to stop smoking, but evidence is limited regarding their effectiveness as compared with that of nicotine products approved as smoking-cessation treatments.

METHODS

We randomly assigned adults attending U.K. National Health Service stop-smoking services to either nicotine-replacement products of their choice, including product combinations, provided for up to 3 months, or an e-cigarette starter pack (a second-generation refillable e-cigarette with one bottle of nicotine e-liquid [18 mg per milliliter]), with a recommendation to purchase further e-liquids of the flavor and strength of their choice. Treatment included weekly behavioral support for at least 4 weeks. The primary outcome was sustained abstinence for 1 year, which was validated biochemically at the final visit. Participants who were lost to follow-up or did not provide biochemical validation were considered to not be abstinent. Secondary outcomes included participant-reported treatment usage and respiratory symptoms.

RESULTS

A total of 886 participants underwent randomization. The 1-year abstinence rate was 18.0% in the e-cigarette group, as compared with 9.9% in the nicotine-replacement group (relative risk, 1.83; 95% confidence interval [CI], 1.30 to 2.58; $P < 0.001$). Among participants with 1-year abstinence, those in the e-cigarette group were more likely than those in the nicotine-replacement group to use their assigned product at 52 weeks (80% [63 of 79 participants] vs. 9% [4 of 44 participants]). Overall, throat or mouth irritation was reported more frequently in the e-cigarette group (65.3%, vs. 51.2% in the nicotine-replacement group) and nausea more frequently in the nicotine-replacement group (37.9%, vs. 31.3% in the e-cigarette group). The e-cigarette group reported greater declines in the incidence of cough and phlegm production from baseline to 52 weeks than did the nicotine-replacement group (relative risk for cough, 0.8; 95% CI, 0.6 to 0.9; relative risk for phlegm, 0.7; 95% CI, 0.6 to 0.9). There were no significant between-group differences in the incidence of wheezing or shortness of breath.

CONCLUSIONS

E-cigarettes were more effective for smoking cessation than nicotine-replacement therapy, when both products were accompanied by behavioral support. (Funded by the National Institute for Health Research and Cancer Research UK; Current Controlled Trials number, ISRCTN60477608.)

From Queen Mary University of London (P.H., A.P.-W., D.P., K.M.S., N.B., H.J.M.), King's College London (F.P., P.S.), and London South Bank University (L.D.), London, the University of York, York (J.L., S.P., Q.W.), and Leicester City Council, Leicester (L.R.) — all in the United Kingdom; and Roswell Park Comprehensive Cancer Center, Buffalo, NY (M.G.). Address reprint requests to Dr. Przulj at Queen Mary University of London, Health and Lifestyle Research Unit, 2 Stayner's Rd., London E1 4AH, United Kingdom, or at d.przulj@qmul.ac.uk.

This article was published on January 30, 2019, at NEJM.org.

DOI: 10.1056/NEJMoa1808779

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SWITCHING COMPLETELY FROM CIGARETTE smoking to e-cigarette use would be expected to reduce risks to health.¹⁻³ There are questions about risks and benefits of use of e-cigarettes for different purposes, but an important clinical issue is whether e-cigarette use in a quit attempt facilitates success, particularly as compared with the use of nicotine-replacement therapy.

A Cochrane review showed that e-cigarettes with nicotine were more effective for smoking cessation than nicotine-free e-cigarettes.⁴ A trial that compared e-cigarettes with nicotine patches for smoking cessation used cartridge e-cigarettes with low nicotine delivery and no face-to-face contact. It showed similar low efficacy for both treatments.⁵ (For further details of previous trials, see the Supplementary Appendix, available with the full text of this article at NEJM.org.) Our trial evaluated the 1-year efficacy of refillable e-cigarettes as compared with nicotine replacement when provided to adults seeking help to quit smoking and combined with face-to-face behavioral support.

METHODS

DESIGN AND OVERSIGHT

We conducted a two-group, pragmatic, multicenter, individually randomized, controlled trial. National Health Service (NHS) stop-smoking services are available free across the United Kingdom.⁶ This trial was conducted in three service sites from May 2015 through February 2018. The Health and Lifestyle Research Unit that delivers the service for two London boroughs (Tower Hamlets and City of London), along with the Leicester and East Sussex services, recruited participants and delivered the interventions. Participating services included trial information in their advertising. Participants were also recruited through social media. Adult smokers were invited to participate if they were not pregnant or breast-feeding, had no strong preference to use or not to use nicotine replacement or e-cigarettes, and were currently not using either type of product.

The trial was approved by the National Research Ethics Service (reference number, 14/LO/2235). Collective unblinded data were seen only for the purposes of the meetings of the data

monitoring and ethics committee. Data analyses were conducted with blinding to treatment assignments. All the authors contributed to the trial design, participated in the interpretation of the data, vouch for their completeness and accuracy, and made the decision to submit the manuscript for publication. All the authors vouch for the fidelity of the trial to the protocol, available at NEJM.org.

PROCEDURES

Smokers were provided with trial information, prescreened for eligibility, and, if eligible, invited to a baseline session. There, eligibility was confirmed, written informed consent and baseline data were obtained, and participants set up their quit date (normally the following week).⁷

Randomization took place on the quit date to limit differential dropout. Randomization sequences (1:1 ratio in permuted blocks of 20, stratified according to trial site) were generated with the use of a pseudorandom number generator in Stata software and were embedded into an application that only revealed the next treatment assignment once a participant had been entered into the database.

Product use started immediately after randomization. All the participants received the same multisession behavioral support as per U.K. stop-smoking service practice.^{7,8} This support involved weekly one-on-one sessions with local clinicians, who also monitored expired carbon monoxide levels for at least 4 weeks after the quit date.

Participants were contacted by telephone at 26 and 52 weeks. Interviewers asked about product use and thus were aware of the treatment assignments. Participants who reported abstinence or a reduction in smoking of at least 50% at 52 weeks were invited back to provide a carbon monoxide reading. Participants were compensated £20 (\$26 U.S.) for their travel and time at the 52-week validation visit.

Nicotine-Replacement Group

Participants were informed about the range of nicotine-replacement products (patch, gum, lozenge, nasal spray, inhalator, mouth spray, mouth strip, and microtabs) and selected their preferred product. Use of combinations was encouraged, typically the patch and a faster-acting oral product. Participants were also free to switch

products. The way that nicotine replacement was provided differed slightly among trial sites (see the Supplementary Appendix). Supplies were provided for up to 3 months, as per standard practice. The cost to the NHS of a 3-month supply of a single nicotine-replacement product is currently approximately £120 (\$159 U.S.).

E-Cigarette Group

A starter pack, called One Kit (Aspire, U.K. Ecig Store), was provided to facilitate initial use and teach participants how to use refillable e-cigarette products, along with one 30-ml bottle of Tobacco Royale flavor e-liquid purchased from U.K. Ecig Store, containing nicotine at a concentration of 18 mg per milliliter. The kit had a 2.1-ohm atomizer and 650-mAh battery. During the trial, the company discontinued this kit, so One Kit 2016 (Innokin, U.K. Ecig Store), with a 1.5-ohm atomizer and 1000-mAh battery, was used for 42 participants. Participants were asked to purchase their future e-liquid online or from local vape shops and to buy a different e-cigarette device if the one supplied did not meet their needs. They were encouraged to experiment with e-liquids of different strengths and flavors. Those who were unable to obtain their own supply were provided with one further 10-ml bottle, but this was not offered proactively. Participants received oral and written information on how to operate the e-cigarette.

The original One Kit, including five atomizers, U.K. adapter, spare battery, and e-liquid, was purchased wholesale for £19.40 (\$26 U.S.). The cost of One Kit 2016, including the same extras, was £30.25 (\$40 U.S.).

Participants in the e-cigarette group and those in the nicotine-replacement group were asked to sign a commitment to not use the non-assigned treatment for at least 4 weeks after their quit date. This was to minimize contamination between the trial groups.

MEASURES

At trial visits, the following data were recorded: smoking status, expired carbon monoxide level (at baseline, 4 weeks, and 52 weeks), use and ratings of trial products, ratings of withdrawal symptoms (weeks 1 through 6), adverse reactions (presence or absence of nausea, sleep disturbance, and throat or mouth irritation), and

respiratory symptoms (presence or absence of shortness of breath, wheezing, cough, and phlegm). The Supplementary Appendix provides further details of trial measures.

The primary outcome was 1-year sustained abstinence, calculated in accordance with the Russell Standard⁹ as a self-report of smoking no more than five cigarettes from 2 weeks after the target quit date, validated biochemically by an expired carbon monoxide level of less than 8 ppm at 1-year follow-up and not contradicted by any previous self-report or validation result. Carbon monoxide validation is the standard measure in trials assessing nicotine-containing products (see the Supplementary Appendix). Participants who died (one in each group) were excluded. Participants who were lost to follow-up or did not provide biochemical validation were classified as not being abstinent in the primary analysis.

Secondary abstinence outcomes included sustained abstinence from 26 to 52 weeks, at 4 weeks, and at 26 weeks and the percentage of participants without sustained abstinence from 26 to 52 weeks who reduced their cigarette consumption by at least 50%. We also assessed 7-day abstinence at 4, 26, and 52 weeks. In addition, we compared the trial groups with respect to relapse rate and time to relapse and with respect to the measures listed above.

STATISTICAL ANALYSIS

We calculated that a sample of 886 participants would provide the trial with 95% power (at a two-sided alpha level of 0.05) if the true percentages of 1-year abstinence were 23.8% in the e-cigarette group and 14.0% in the nicotine-replacement group (relative risk, 1.7). Since trial setup, the abstinence rate in stop-smoking service clinics declined to 10%, but the sample of 886 participants would provide 85% power if the percentages were 17.0% and 10.0% in the respective groups.

The primary and secondary abstinence outcomes were analyzed by regression of smoking status at each time point onto trial group. Primary analyses were adjusted for trial center to account for the stratification factor. In sensitivity analyses, each model was further adjusted for baseline covariates selected with the use of stepwise regression. Binary regressions were conducted by means of the generalized linear model

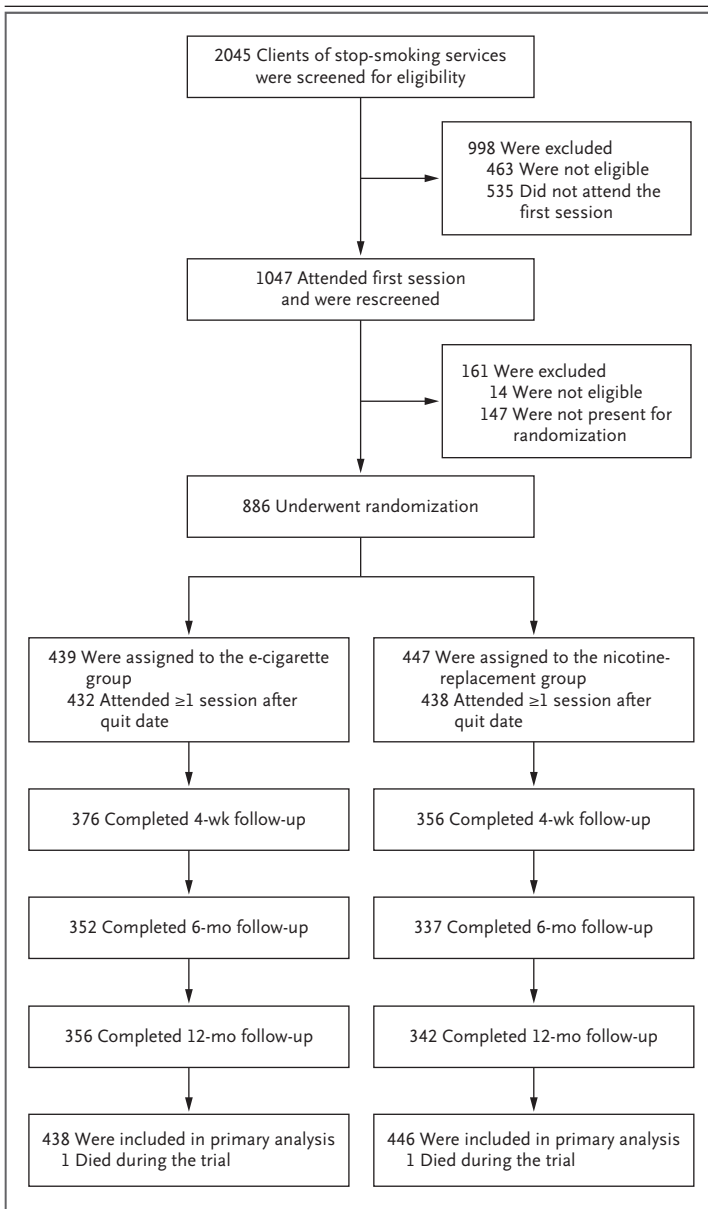


Figure 1. Screening, Randomization, and Follow-up.

Reasons for ineligibility in 463 of the 2045 persons screened are detailed in Table S11 in the Supplementary Appendix. Of the 438 participants in the e-cigarette group who were included in the primary analysis, 3 stopped treatment and declined follow-up and 13 stopped treatment and permitted follow-up. Of the 446 participants in the nicotine-replacement group who were included in the primary analysis, 5 stopped treatment and declined follow-up and 36 stopped treatment and permitted follow-up.

with binomial distribution and logarithmic link to estimate the relative risk for e-cigarettes as compared with nicotine-replacement therapy.

To assess the effect of missing data on the primary outcome, we conducted four prespecified

sensitivity analyses, which excluded participants who did not attend at least one behavioral-support session, excluded participants who used the nonassigned product for at least 5 consecutive days, excluded participants who did not complete the 52-week follow-up, and imputed missing information with the use of multiple imputation by chained equations.¹⁰ Missing data were imputed for 136 participants in each group, and 50 data sets were imputed.

We also estimated mean differences and 95% confidence intervals between trial groups in product ratings and in change scores between baseline and follow-up time points in withdrawal symptoms, as well as between-group differences in the percentage of participants who had adverse reactions or respiratory symptoms, using binomial regression with adjustment for trial center (see the statistical analysis plan, available with the protocol at NEJM.org). Analyses were conducted with the use of Stata software, version 15 (StataCorp).

RESULTS

PARTICIPANTS

A total of 2045 clients of stop-smoking services were screened, and 886 underwent randomization (439 to the e-cigarette group and 447 to the nicotine-replacement group). Of the randomly assigned participants, 78.8% completed the 52-week follow-up (Fig. 1). The sample was composed largely of middle-aged smokers, with 40.7% entitled to free prescriptions (a marker of social disadvantage or poor health) (Table 1, and Table S1 in the Supplementary Appendix).

EFFECTS OF TREATMENT ON ABSTINENCE

The rate of sustained 1-year abstinence was 18.0% in the e-cigarette group and 9.9% in the nicotine-replacement group (relative risk, 1.83; 95% confidence interval [CI], 1.30 to 2.58; $P < 0.001$) (Table 2). The absolute difference in the 1-year abstinence rate between the two groups was 8.1 percentage points, resulting in a number needed to treat for one additional person to have sustained abstinence of 12 (95% CI, 8 to 27). The result did not change substantially in the four sensitivity analyses (relative risk, 1.75 to 1.85; $P \leq 0.001$ for all comparisons) (Table S2 in the Supplementary Appendix). Abstinence rates were higher in the e-cigarette group than in the nico-

Table 1. Characteristics of the Participants at Baseline.*

Characteristic	E-Cigarettes (N=438)	Nicotine Replacement (N=446)	Total (N=884)
Median age (IQR) — yr	41 (33–53)	41 (33–51)	41 (33–52)
Female sex — no. (%)	211 (48.2)	213 (47.8)	424 (48.0)
Employed — no. (%)	299 (68.3)	316 (70.9)	615 (69.6)
Entitled to free prescriptions — no. (%)	181 (41.3)	179 (40.1)	360 (40.7)
Median no. of cigarettes per day (IQR)	15 (10–20)	15 (10–20)	15 (10–20)
Median expired carbon monoxide level (IQR) — ppm	20 (13–27)	21 (13–28)	20 (13–28)
Score on the Fagerström Test for Cigarette Dependence†	4.5±2.5	4.6±2.4	4.6±2.4
Past use of nicotine replacement — no. (%)	328 (74.9)	334 (74.9)	662 (74.9)
Past use of e-cigarettes — no. (%)	186 (42.5)	181 (40.6)	367 (41.5)

* Plus–minus values are means ±SD. There were no significant differences between the trial groups. IQR denotes interquartile range. Data on additional characteristics are provided in Table S1 in the Supplementary Appendix.

† Scores range from 1 to 10, with higher scores indicating greater dependence.

Table 2. Abstinence Rates at Different Time Points and Smoking Reduction at 52 Weeks.*

Outcome	E-Cigarettes (N=438)	Nicotine Replacement (N=446)	Primary Analysis: Relative Risk (95% CI)‡	Sensitivity Analysis: Adjusted Relative Risk (95% CI)
Primary outcome: abstinence at 52 wk — no. (%)	79 (18.0)	44 (9.9)	1.83 (1.30–2.58)	1.75 (1.24–2.46)‡
Secondary outcomes				
Abstinence between wk 26 and wk 52 — no. (%)	93 (21.2)	53 (11.9)	1.79 (1.32–2.44)	1.82 (1.34–2.47)§
Abstinence at 4 wk after target quit date — no. (%)	192 (43.8)	134 (30.0)	1.45 (1.22–1.74)	1.43 (1.20–1.71)¶
Abstinence at 26 wk after target quit date — no. (%)	155 (35.4)	112 (25.1)	1.40 (1.14–1.72)	1.36 (1.15–1.67)‡
Carbon monoxide–validated reduction in smoking of ≥50% in participants without abstinence between wk 26 and wk 52 — no./total no. (%)	44/345 (12.8)	29/393 (7.4)	1.75 (1.12–2.72)	1.73 (1.11–2.69)

* Abstinence at 52 weeks was defined as a self-report of smoking no more than five cigarettes from 2 weeks after the target quit date, validated biochemically by an expired carbon monoxide level of less than 8 ppm at 52 weeks. Abstinence between week 26 and week 52 was defined as a self-report of smoking no more than five cigarettes between week 26 and week 52, plus an expired carbon monoxide level of less than 8 ppm at 52 weeks. Abstinence at 4 weeks was defined as a self-report of no smoking from 2 weeks after the target quit date, plus an expired carbon monoxide level of less than 8 ppm at 4 weeks. Abstinence at 26 weeks was defined as a self-report of smoking no more than five cigarettes from 2 weeks after the target quit date to 26 weeks; there was no validation by expired carbon monoxide level.

† The analysis was adjusted for trial center only.

‡ The analysis was adjusted for trial center, marital status, age at smoking initiation, and score on the Fagerström Test for Cigarette Dependence.

§ The analysis was adjusted for trial center, age, score on the Fagerström Test for Cigarette Dependence, and age at smoking initiation.

¶ The analysis was adjusted for trial center, education level, partner who smokes (yes or no), and score on the Fagerström Test for Cigarette Dependence.

|| The analysis was adjusted for trial center, sex, age, and partner who smokes (yes or no).

tine-replacement group at all time points (Table 2, and Table S3 in the Supplementary Appendix).

We conducted a post hoc analysis, in which participants with 1-year abstinence who used nonassigned products (see the Supplementary Appendix) were removed from the sample (3% [2 of 79] in the e-cigarette group were using

nicotine replacement and 20% [9 of 44] in the nicotine-replacement group were using e-cigarettes). This resulted in a 1-year abstinence rate of 17.7% in the e-cigarette group, as compared with 8.0% in the nicotine-replacement group (relative risk, 2.21; 95% CI, 1.52 to 3.22).

Among participants in whom full abstinence

Table 3. Attendance and Treatment Adherence.

Variable	E-Cigarettes (N=438)	Nicotine Replacement (N=446)
Median no. of contacts completed (IQR)*	5 (4–5)	5 (4–5)
Maximum no. of contacts completed — no. of participants (%)		
1	8 (1.8)	10 (2.2)
2	25 (5.7)	40 (9.0)
3	38 (8.7)	45 (10.1)
4	86 (19.6)	106 (23.8)
5	281 (64.2)	245 (54.9)
Use of assigned products during the initial 4 wk†		
Median no. of days on which product was used (IQR)	28 (25–28)	24 (19–27)
Daily use during the entire 4 wk — no. (%)	232 (53.0)	46 (10.3)
Median no. of days on which product was used in past wk (IQR)‡	7 (7–7)	6.5 (3.5–7)
Use of assigned products at 26 wk — no. (%)	180 (41.1)	33 (7.4)
Use of assigned products at 52 wk — no. (%)	173 (39.5)	19 (4.3)

* The maximum number of contacts was five: at the target quit date, 1 week, 4 weeks, 26 weeks, and 52 months.

† For use of assigned products, missing information was imputed from the information from the next weekly behavioral-support consultation, if available (e.g., for missing information at consultation 3, information was taken from consultation 4).

‡ The results were similar for weeks 1 through 4.

was not achieved, more had a carbon monoxide–validated reduction of smoking by at least 50% in the e-cigarette group than in the nicotine-replacement group (Table 2). Time to relapse and relapse rates at 52 weeks among participants with sustained abstinence at 4 weeks did not differ substantially between the two trial groups (hazard ratio for time to relapse, 1.14; 95% CI, 0.96 to 1.34; relative risk of relapse at 52 weeks, 1.27; 95% CI, 0.93 to 1.73).

TREATMENT ADHERENCE AND RATINGS AND EFFECTS ON WITHDRAWAL SYMPTOMS

Overall adherence was similar in the two groups, but e-cigarettes were used more frequently and for longer than nicotine replacement (Table 3). In the nicotine-replacement group, 88.1% of participants used nicotine-replacement combinations. In the e-cigarette group, practically all participants used refillable e-cigarettes (Table S4 in the Supplementary Appendix).

Among participants with 1-year abstinence, 80% (63 of 79) were using e-cigarettes at 52 weeks in the e-cigarette group and 9% (4 of 44) were using nicotine replacement in the nicotine-

replacement group. Further details of product use (including the use of nonassigned products) are provided in the Supplementary Appendix, including Tables S4 and S5.

Both e-cigarettes and nicotine-replacement products were perceived to be less satisfying than cigarettes. However, e-cigarettes provided greater satisfaction and were rated as more helpful to refrain from smoking than nicotine-replacement products (Table S6 in the Supplementary Appendix).

Among participants with abstinence at 1 week after their quit date as well as participants with abstinence at 4 weeks, those in the e-cigarette group had less severe urges to smoke than did those in the nicotine-replacement group (Table 4). They also reported a smaller increase from baseline in irritability, restlessness, and inability to concentrate than those in the nicotine-replacement group during the first week of abstinence. Between-group differences in hunger and depression were in the same direction but less substantial. By week 4, participants in either group who were abstinent reported little withdrawal discomfort (Table S7 in the Supplementary Appendix).

Table 4. Urges to Smoke in Participants with Abstinence at 1 Week or 4 Weeks after Quit Date.*

Variable	1 Wk after Quit Date		Mean Difference (95% CI)	4 Wk after Quit Date		Mean Difference (95% CI)
	E-Cigarettes (N=158)	Nicotine Replacement (N=131)		E-Cigarettes (N=186)	Nicotine Replacement (N=132)	
Score for frequency of urge	2.5±1.1	2.8±0.9	-0.4 (-0.6 to -0.1)	1.9±0.9	2.2±0.8	-0.3 (-0.5 to -0.1)
Score for strength of urge	2.7±1.1	3.2±1.0	-0.5 (-0.7 to -0.2)	2.1±1.1	2.4±1.0	-0.3 (-0.6 to -0.1)
Composite urge score	2.6±1.0	3.0±0.9	-0.4 (-0.6 to -0.2)	2.0±1.0	2.3±0.9	-0.3 (-0.5 to -0.1)

* Plus-minus values are means ±SD. Scores for frequency of urge ranged from 1 (not at all) to 6 (all the time). Scores for strength of urge ranged from 1 (no urges) to 6 (extremely strong). The composite score (range, 1 to 6, with higher scores indicating more severe urges) is an average of the frequency and strength scores.

Table 5. Respiratory Symptoms at Baseline and at 52 Weeks.*

Symptom	E-Cigarettes (N=315)		Nicotine Replacement (N=279)		Relative Risk (95% CI)†
	Baseline	52 Weeks	Baseline	52 Weeks	
	<i>number (percent)</i>				
Shortness of breath	120 (38.1)	66 (21.0)	92 (33.0)	64 (22.9)	0.9 (0.7–1.1)
Wheezing	102 (32.4)	74 (23.5)	86 (30.8)	59 (21.1)	1.1 (0.8–1.4)
Cough	173 (54.9)	97 (30.8)	144 (51.6)	111 (39.8)	0.8 (0.6–0.9)
Phlegm	137 (43.5)	79 (25.1)	121 (43.4)	103 (36.9)	0.7 (0.6–0.9)

* Symptoms were assessed by asking whether participants had the symptom (yes or no).

† Relative risk was calculated by means of logistic regression. Symptoms at 52 weeks were regressed onto trial group, with adjustment for baseline symptoms and trial center.

SAFETY EVALUATION

Two participants died during the trial. One died from ischemic heart disease in the e-cigarette group and one from traumatic spine injury in the nicotine-replacement group.

There were 27 serious adverse events in the e-cigarette group and 22 in the nicotine-replacement group (Table S8 in the Supplementary Appendix). No serious adverse event in either group was classified by the trial clinician as being related to product use, but we noted 1 respiratory event in the nicotine-replacement group and 5 in the e-cigarette group (2 in participants who were smoking and not vaping, 2 in participants who were smoking and vaping, and 1 in a participant whose status with respect to smoking and vaping was not known) (see the Supplementary Appendix).

Of the prespecified adverse reactions of interest, nausea was reported more frequently in the nicotine-replacement group (37.9%, vs. 31.3% in

the e-cigarette group) and throat or mouth irritation more frequently in the e-cigarette group (65.3%, vs. 51.2% in the nicotine-replacement group). There was little difference between the two groups in the percentage of participants reporting severe nausea (6.6% in the e-cigarette group and 6.5% in the nicotine-replacement group) or severe throat or mouth irritation (5.9% and 3.9%, respectively) (Tables S9 and S10 in the Supplementary Appendix).

Regarding the prespecified respiratory symptoms of interest, the incidence of cough and phlegm production declined in both trial groups from baseline to 52 weeks. However, among participants who reported cough or phlegm at baseline, significantly more were symptom-free at the 52-week follow-up in the e-cigarette group than in the nicotine-replacement group (Table 5). To determine whether this was due to the higher abstinence rate in the e-cigarette group, we ran an exploratory analysis that controlled for

abstinence status at 52 weeks. This did not change the results (relative risk for cough, 0.8; 95% CI, 0.6 to 0.9; relative risk for phlegm, 0.7; 95% CI, 0.6 to 0.9).

DISCUSSION

E-cigarettes were more effective for smoking cessation than nicotine-replacement therapy in this randomized trial. This is particularly noteworthy given that nicotine replacement was used under expert guidance, with access to the full range of nicotine-replacement products and with 88.1% of participants using combination treatments.¹¹

Our trial showed a stronger effect of e-cigarettes than previous trials.^{5,12,13} This could be due to the inclusion of smokers seeking help in quitting, the provision of face-to-face support, and the use of refillable e-cigarettes with free choice of e-liquids. Previous trials provided limited or no face-to-face support and used first-generation cartridge products. Refillable devices are generally more efficient at nicotine delivery.¹⁴

The trial provides some indications of why e-cigarettes had better results than nicotine-replacement treatments. As in previous studies,^{5,15} e-cigarettes were more effective in alleviating tobacco withdrawal symptoms and received better ratings than nicotine-replacement therapy. They may also have allowed better tailoring of nicotine dose to individual needs.

The rate of continuing e-cigarette use was fairly high. This can be seen as problematic if e-cigarette use for a year signals ongoing long-term use, which may pose as-yet-unknown health risks. On the positive side, ongoing e-cigarette use may ameliorate withdrawal symptoms, such as constipation,¹⁶ mouth ulcers,¹⁷ and weight gain,¹⁸ and continue to provide some of the positive subjective effects previously derived from smoking.¹⁹ Provided that ongoing e-cigarette use has similar effects to long-term nicotine-replacement use, for heavy smokers with a high risk of relapse, long-term e-cigarette use may also assist with preventing relapse.²⁰ Among participants in our trial in whom full abstinence was not achieved, those in the e-cigarette group were more likely to reduce their smoke intake than those in the nicotine-replacement group, but it is unclear whether this affects future abstinence.

E-cigarettes caused more throat or mouth irritation, and nicotine replacement caused more nausea; these effects were mostly mild. There were mixed signals regarding the effects of e-cigarettes on the respiratory system. More participants in the e-cigarette group than in the nicotine-replacement group reported respiratory serious adverse events, although the difference was not significant and some of the affected participants were not vaping. Meanwhile, we detected positive effects of e-cigarette use on some respiratory outcomes. Similar positive effects were reported previously. A switch to e-cigarettes was accompanied by a reduction in respiratory infections in an online survey,²¹ and two case studies described nonsmokers with chronic throat and nose infections that resolved after they started to vape. Antibacterial effects of propylene glycol and glycerin were suggested as possible explanations.^{22,23} (For more on e-cigarettes and the respiratory system, see the Supplementary Appendix.)

The trial had several limitations. Product assignments could not be blinded. Positive expectations have limited effects on long-term abstinence, but if nicotine replacement was seen as an inferior option, participants in the nicotine-replacement group could have put less effort into their quit attempt than those in the e-cigarette group. We tried to limit expectation effects by recruiting only participants with no strong product preference. Abstinence rates in the nicotine-replacement group were also at least as high as in usual practice²⁴ (see the Supplementary Appendix). Nevertheless, lack of blinding could affect the results. Carbon monoxide validation detects smoking only over the past 24 hours, so there may have been some false negative results. Several participants in the nicotine-replacement group used e-cigarettes during the trial, but this would dilute rather than amplify any effects of e-cigarettes. The 1-year follow-up rate of 79% was similar to the rates of 78%,¹⁹ 79%,⁵ and 75%²⁰ observed in other studies involving the same general population and setting. Achieving higher follow-up rates among smokers engaged in face-to-face treatment is difficult, because they tend to feel embarrassed if they do not quit, and some avoid further contact. Multiple imputation showed consistent results; nevertheless, incomplete follow-up represents another limitation of the trial.

The findings are likely to be valid for depen-

dent smokers who seek help but may not be generalizable to smokers who are less dependent or who try e-cigarettes for reasons other than quitting smoking. In addition, they may not be generalizable to less effective first-generation e-cigarettes. Moreover, not all service clients want e-cigarettes. In a previous study, 69% accepted the offer of an e-cigarette starter pack.²⁵ (For comparison, 57% of service clients opt for nicotine replacement and 25% for varenicline.²⁶)

Further trials are needed to determine whether our results generalize outside the U.K. services. In addition, e-cigarette studies are needed that compare different levels of support. This is important for focusing public health messages on either encouraging smokers to switch to e-cigarette use within support services or recommending use with less intensive or no support.

In our trial, refillable e-cigarettes had greater efficacy than nicotine-replacement therapy, even though nicotine replacement was provided in combinations and under expert guidance.

A data sharing statement provided by the authors is available with the full text of this article at NEJM.org.

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SB-1009-SD-2

Submitted on: 3/8/2019 6:20:37 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Punahele Victorino	Individual	Oppose	No

Comments:

I have improved my health, my households health by using flavored eliquid. I no longer have my clothes smelling of toradirional tobacco, or harming others with second hand. I use my vape everyday, and would revert back to traditional cigarettes without flavored e liquids being available

SB-1009-SD-2

Submitted on: 3/8/2019 6:33:33 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Weiner	Individual	Support	No

Comments:

I am writing to express my strong support for SB1009.

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 SB 1009 and ask you to pass this out of committee.

Linda Weiner, MD

Pediatrics, Kauai

SB-1009-SD-2

Submitted on: 3/8/2019 6:47:47 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katelyn Kapua	Individual	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/8/2019 6:48:27 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Santiago	Individual	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/8/2019 6:50:31 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Keanu Esser	Irie Hawaii	Oppose	No

Comments:

I oppose this bill.

SB-1009-SD-2

Submitted on: 3/8/2019 7:55:37 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
naomi muronaka	Individual	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/8/2019 8:03:21 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
austin carvalho	Individual	Oppose	No

Comments:

The ban on flavored tobacco will actually end up hurting Hawaii's state income grime tourism. Because we have 49 other states that allow adults that are at least 18 years of age to get tobacco but forbids them from doing so in Hawaii. And as for the flavor tobacco appealing to kids is also something that just by banning it here in Hawaii will not fix the problem because they could visit another state and legally buy it for themselves.

SB-1009-SD-2

Submitted on: 3/8/2019 8:17:01 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jericho Tobin	Individual	Oppose	No

Comments:

I oppose this bill because I have never heard or seen of flavored tobacco products ever targeting children!! I'm an adult 21+ years of age and I have the right to choose a flavored tobacco product if I choose!

SB-1009-SD-2

Submitted on: 3/8/2019 8:17:18 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

This bill is vastly unfair. Let the people choose the flavors for themselves.

SB-1009-SD-2

Submitted on: 3/9/2019 2:51:00 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Heaukulani	Individual	Oppose	No

Comments:

Aloha,

My name is Eric Heaukulani and I oppose this bill. I smoked 2 packs of cigarettes for 22 years. It was an unhealthy and disgusting addiction I couldn't quit. On July 4th, 2013, I bought myself an Electronic Smoking device and promised myself that I would never smoke cigarettes again. At the time, I didn't want to taste the tobacco flavor or any tobacco/menthol flavor because I was afraid the smell and taste would trigger me to want to smoke a nasty cigarette again. Therefore, I purchased a gummy bear flavor that I immediately enjoyed. The first first two weeks, the flavor allowed me to overcome my addiction to cigarettes which I have tried for over a decade to quit. If it wasn't for the introduction of an electronic smoking device with that candy flavor that I purchased on July 4th, 2013, I would still be fighting the addiction of smoking cigarettes. Up until now, at the time of this testimony, I continue to use my electronic smoking device while switching between fruit and candy flavors. I have never smoked a cigarette since the day I started using my electronic device with a candy flavor. I do not enjoy the smell nor the taste of cigarettes or any tobacco flavored vape juice.

Banning flavored vape juice would deny every responsible adult, over the legal age limit who use fruit and/or candy flavors for their own personal reasons, the freedom of choice to do so. Excessive alcohol drinking is responsible for more than 4,300 deaths among underage youth each year. Alcohol is the third leading preventable cause of death but is also promoted in a variety of fruit flavors enticing to kids. There has never been a report of somebody dying from vaping flavored electronic cigarettes.

I support the the legal age law of 21 at which you are allowed to purchase any tobacco or electronic cigarette. I am against any business that sells any tobacco or electronic smoking device related products to any persons under the legal age limit if 21 years old. As opposed to eliminating the choice to use flavored vape juice, we need to take measures to prevent teens from acquiring electronic smoking devices. Implementing heavy fines to local retailers and online retailers who sell illegally to minors could be one of the many solutions. School's and it's administrated staff's should be more educated and pro active in preventing teen smoking/vaping. Suspending students for an ESD neglects the importance of education. Implement stiff penalties to students/minors age 17 or younger in possession of an electronic smoking device or caught in possession while using an electronic smoking device. Students in on or

around the vicinity of another student should receive the same consequences. The parents/guardians of all those involved should also receive a fine. To add to that, we could propose stiff penalties to young adults under the legal age of 21, but not younger than 18. Banning ESD flavors lowers teen smoking minimally while effecting those responsible adults drastically.

Thank You,

I oppose!

SB-1009-SD-2

Submitted on: 3/9/2019 9:38:42 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christine Davis	Individual	Support	No

Comments:

Aloha, I am Christine Davis from Kihei. As a 12th grade student from Kihei Charter School and an active member of the Maui Nui Youth Council and Coalition for a Tobacco-Free Hawaii, I am testifying in support of SB1009.

Smoking is harmful to people, the environment, and the economy. Not only does smoking cost the state lots of money, \$526 million every year to be exact, it also harms the consumer's body. Kids my age don't realize how harmful smoking and vaping is. With 81% of youth who ever tried tobacco products started with a flavored product, it is evident that flavors are a big lure to get youth using vapes and other smoking devices, leading to a lifetime of addiction and health problems.

Please protect the youth in Hawaii from becoming addicted and harmed by tobacco. SB1009 is a step in the right direction, and I strongly support it as a high school student.

SB-1009-SD-2

Submitted on: 3/9/2019 11:20:18 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Cabral	Individual	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/9/2019 11:30:39 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andy Takaaze	Individual	Oppose	No

Comments:

Electronic Cigarettes helped me quit cigarettes by allowing me to ween myself of nicotine slowly. The multiple flavors that were available also helped me get away from the taste of the menthol cigarettes which I was accustomed to. By allowing me to get my nicotine and separate it from the taste of tobacco was key to me never lighting up again. When I smell cigarette smoke or think about the taste now I get sick. I've been cigarette free for 10 years, banning the flavors would essentially take away the one option that actually works to quit smoking from me and the many others who were addicted to nicotine . The harmful effects of E Cigs on the user is argumentative but the fact is there is ZERO effects of second hand vaper to the public. Stop trying to take away the most effective cure to Big Tobacco Dependence. Any one trying to ban E Cigs /Flavored juices is pushing people back to cigarettes. Stop this nonsense.

SB-1009-SD-2

Submitted on: 3/9/2019 12:17:43 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
stacia deonte	Individual	Oppose	No

Comments:

I feel flavored nicotine had help me and many of my family members to quit smoking cigarettes

SB-1009-SD-2

Submitted on: 3/9/2019 1:06:46 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

SB-1009-SD-2

Submitted on: 3/9/2019 1:11:49 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Chung	Individual	Oppose	No

Comments:

Thank you for the opportunity to testify.

I humbly ask you to consider creating a WORKING GROUP including LOCAL small businesses that are impacted by this and other legislation regarding e-cigarette usage to come up with appropriate policies to ensure that our keiki are not going to use e-cigarettes. Speaking with many local small mom & pop vape shops, it is clear that NO ONE wants our under-age youth to vape and they are eager to work with organizations like the DOE to address youth vaping. Banning electronic devices and e-liquids will NOT solve the problem. Kids will still be able to access these through the internet because most of the small businesses do not sell on the internet. Banning e-cigarettes/e-liquid will only hurt our local small businesses.

This bill, 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.

SB-1009-SD-2

Submitted on: 3/9/2019 1:14:53 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Flavored nicotine juice helped me to stop smoking cigarettes. I've been smoking since elementary school and kicking the habit started with weening myself off of nicotine by going down levels from 50 mg of nicotine all the way to 0 nicotine and now i don't smoke at all. As adults we have to right to judge what we should and shouldn't smoke, taking away our freedom of flavors can really upset everyone who has had success with vaping. It would also hurt small businesses and the people that work for them. please don't pass this bill.

SB-1009-SD-2

Submitted on: 3/9/2019 1:22:21 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

SB-1009-SD-2

Submitted on: 3/9/2019 2:39:09 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
HANALEI BENN	Individual	Oppose	No

Comments:

I highly oppose this bill. I smoked cigarettes for 8 years and after being intruded to vaping and vape juice I haven't touched a cigarette since. It's Has been a wonder adjustment for me and my surrounding. I no longer have to worry about smelling like a cigarette butt or making the people around me uncomfortable, instead I get the response like " it smells so good" "oh what's that it smells yummy. If I no longer had that choice it would be very defastaning, not saying it's the best habit, but then again we should have the choice or choosing how we deal with that. Not out of a few years of it being a product on the market to being taken thy choice away from us. I hope you all change your mind cause it doesn't only affect you.

Thank you for your time

SB-1009-SD-2

Submitted on: 3/9/2019 3:26:36 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Theresa Revell	Individual	Oppose	No

Comments:

Aloha Senators,

I humbly ask for you to please oppose this proposed bill as it will virtually kill many local businesses and take away people's freedoms.

Respectfully,

Theresa Revell

SB-1009-SD-2

Submitted on: 3/9/2019 4:37:31 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

I SMOKED CIGARETTES FOR 9 YEAR AND QUIT USING LAVA FLOW VAPE JUICE.

SB-1009-SD-2

Submitted on: 3/9/2019 4:50:50 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

I SMOKED FOR 20 YEARS AND QUIT USING SOUR WORMS FLAVORED VAPE JUICE

SB-1009-SD-2

Submitted on: 3/9/2019 5:12:52 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

I SMOKED FOR 18 YEARS AND QUIT USING SOUR WORMS VAPE JUICE

SB-1009-SD-2

Submitted on: 3/9/2019 5:15:45 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph dowell	Individual	Oppose	No

Comments:

I SMOKED FOR 8 YEARS AND QUIT USING BANANA OATMEAL COOKIE
FLAVORED VAPE JUICE

SB-1009-SD-2

Submitted on: 3/9/2019 7:20:12 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dale Matsumoto-Oi	Individual	Support	No

Comments:

I am in support of SB1009 SD2, which would ban the sale or distribution of all flavored tobacco products and electronic smoking device products, except menthol or mentholated tobacco products.

As a parent of two children, I am alarmed by the statistics that show vaping by Hawaii youth at epidemic levels. Children are attracted to electronic smoking devices (ESDs) through flavors and catchy packaging that mimic popular food and candy. This gives the false appearance that ESDs are harmless, when in fact they contain harmful chemicals such as arsenic, benzene, and lead. Children quickly become addicted to the nicotine in ESDs which can harm brain development.

SB-1009-SD-2

Submitted on: 3/9/2019 7:29:33 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Wells	Individual	Oppose	No

Comments:

Banning the flavors hurts peoples efforts to vape as a safe alternative to smoking.

SB-1009-SD-2

Submitted on: 3/9/2019 8:50:17 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alistair Taylor	Individual	Support	No

Comments:

"I am a doctoral clinical psychology student in the final year of my program, and work with many kids with ADHD. One aspect to the debate around vaping that is often ignored is that of addiction in general. By definition, anything, whether chemical or behavioral, that exerts a psychoactive effect on the brain, is a drug or addiction, and operates on the same pathway in the brain. This would include drugs, gambling or excess screen time. This dopaminergic pathway is also critical to attention, learning and sense of reward, but is depleted via chronic addictive behaviors. Kids today already struggle with short attention spans due to the prevalence of smart phones/internet connectivity. Other addictions such as vaping, combined with neurotoxic effects, are likely to add to the ADHD problem, which has implications for further stimulant use (e.g. Ritalin) with their own set of health risks. Furthermore, unchecked ADHD is a risk factor (not a guarantee of) later life antisocial personality traits. The connection on these points may seem tenuous, but it is real nonetheless, and significantly compounded by other environmental factors (e.g. stress, inadequate quality of nutrition) that conspire to weaken the health of the developing brain in childhood."

Date: March 9, 2019

To: The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Re: **Strong Support of SB1009 SD2**, Relating to Flavored Tobacco Products

Hrg: March 12, 2019 at 9:00 AM in Capitol Room 329

Aloha House Committee on Health,

As a father, community member and health professional, I am writing in **strong support of SB1009 SD2**, which bans the sale of flavored tobacco products in Hawai'i.

Hawai'i is in the midst of a youth vaping epidemic, with 25.5 percent of high school and 15.7 percent of middle school students vaping regularly. To put this into perspective, less than 5 percent of adults in Hawaii vape.

Flavors attract kids. More than 80 percent of youth who vape say that they started because of the flavors and continue because of the flavors. 75 percent say that if flavored vape was not available they would quit. The reality is that youth who start vaping don't seek nicotine – many don't even know that most vape products contain nicotine, which is derived from tobacco plants.

Menthol is a particularly insidious flavor in tobacco and vape products. Its cooling properties mask the harshness of tobacco smoke and nicotine, making it the starter product of choice for new tobacco users. The tobacco industry's long history of marketing menthol cigarettes to vulnerable populations has led to higher tobacco use and higher rates of lung cancer among Native Hawaiians and Filipinos.

Although many teenagers may vape with what manufacturers claim is "just flavored fluid," the crux of the issue is the exposure of youth to the highly-addictive drug, nicotine, which is as addictive as heroin and cocaine. Nicotine doesn't just interfere with brain development into the mid-20s, it permanently changes kids' brains who are exposed to it. Kids who use nicotine products will experience impaired behavior and learning, reduced development impulse control, as well as increased anxiety and depression. Once nicotine changes their brains, kids are at higher risk for other addictions in their youth and in adulthood.

Because advertising of vape products targets them, kids think vaping is harmless. If it is legal to sell it must be safe, right? What kids don't appreciate is that vape products are not regulated. Federal rules to regulate vaping products that were set to start in 2018 were pushed back to 2022. To this day, no vape product has been reviewed by FDA for safety or quality. We see this in the regular reports of

exploding e-cigarettes, including 133 documented injuries between 2009 and 2016, and a recently reported death.

After more than 20 years of consistent reductions in youth tobacco use, from 36 percent of high school seniors smoking in 1997 to 8 percent in 2018, the fast-growing youth vaping epidemic is threatening public health. With the confluence of thousands of fun-sounding flavors and new generation, sleek, easily-concealable devices, kids are vaping in unprecedented numbers in school and at home. Considering that vaping was essentially a non-existent habit in 2011, the best indicator that we are not doing enough is that U.S. high school student use of e-cigarettes jumped 78 percent in just one year, from 2017 to 2018.

Proponents of vaping will argue that using e-cigarettes has helped them to quit smoking tobacco cigarettes. For long-time established adult smokers, e-cigarettes may lower health risks for the individual user compared with the risk of smoking cigarettes or using other forms of tobacco. However, while any health benefits of switching have yet to be proven, this should not outweigh the overwhelming evidence that e-cigarettes are addicting kids who have never smoked to nicotine in record numbers.

Given the rapid escalation of youth vaping in Hawai'i, SB1009 SD2 is our best chance to reverse this disturbing and harmful trend. SB1009 SD2 does not ban vaping for adults – it will significantly reduce the appeal and attraction of vaping to young people. Adults will continue to have access to tobacco-flavored and unflavored products if they choose. We need this bold policy action to protect current youth from a lifetime of addiction and harm.

Think of your kids or kids you know and love. Think of how bright their future could and should be. Hawai'i has a long history of putting the well-being of our keiki first.

Arguments against the flavor ban are distractions from the real issue. The sad reality is that youth who vape may never reach their full potential and the long-term health consequences of vaping will not be known for many years. It is time to end the sale of all flavored tobacco products throughout Hawai'i for the sake of our kids and future generations.

I **strongly support SB1009 SD26** and respectfully ask you to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Keaau, HI

SB-1009-SD-2

Submitted on: 3/9/2019 11:01:23 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Shishido	Individual	Support	No

Comments:

SB-1009-SD-2

Submitted on: 3/9/2019 11:26:38 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Orozco	Individual	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/8/2019 4:41:15 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Garett Uyesugi	Individual	Oppose	No

Comments:

Dear our elected officials. I am a adult ecig user and because of it i can keep off of tobacco which is by far a lot worse then ecigs. I agree that underage should not be using it. But the proposed ban on flavoring would essentially kill the ecig industry. Its like saying how would you like anything else you consume be either flavorless or restricted to 1 flavor. Of course it would not work out well. instead of these kinds of proposals why not attack the problem at its core. everyone knows the juul or like products sold in convinience stores is the problem. the specialized ecig stores are the best way of deterring the youth problem because the youth cannot get into the store. The FDA has also said the vape store possesses the best way of preventing youth access. you cannot get in without providing a valid id. ecigs saves lives. its a tool to get off of tobacco and the idea is to wean off of the ecigs eventually so you are not doing both tobacco or ecigs. it has been proven to be the best way of transitioning off of cigarettes/tobacco with the least amount of health impact. please dont kill the industry. Its core principal is to provide help of getting off of tobacco while employing our hawaii residents.

SB-1009-SD-2

Submitted on: 3/10/2019 9:53:39 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ellen benton	Individual	Oppose	No

Comments:

To whom this may concern,

I oppose this bill because as an adult over 21, I have the right to choose fruity flavored vape juices for my vaping needs.

Ellen Benton

SB-1009-SD-2

Submitted on: 3/10/2019 10:01:50 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ERIN YOKOTE	MCH LEND	Support	No

Comments:

Aloha Chair Mizuno and respected members of the Committee on Health:

I am writing on behalf of the Hawaii Maternal and Child Health Leadership and Education in Neurodevelopmental Disabilities (MCH LEND) program. I am expressing my support for SB1009, which would ban the sale of flavored tobacco products in Hawaii. I humbly ask if you could consider the other testimonies in support of this bill, as they have provided clear evidence that vaping, like traditional smoking, is an epidemic. Although vaping has already caused many problems for our youth, right now is the best time to prevent this epidemic from becoming worse. It is hard to imagine how the harmful chemicals inside of E-liquids will benefit nicotine users in the future-it is just going to fuel their addiction and not help them quit. Thank you for your time.

SB-1009-SD-2

Submitted on: 3/10/2019 10:10:53 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kimo Cruz	Individual	Oppose	No

Comments:



**Testimony to the House Committee on Health
Tuesday, March 12, 2019 2019; 9:00 a.m.
State Capitol, Conference Room 329**

RE: SUPPORTING SENATE BILL NO. 1009, SENATE DRAFT 2, RELATING TO FLAVORED TOBACCO PRODUCTS.

Chair Mizuno, Vice Chair Kobayashi, 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** Senate Bill No. 1009, Senate Draft 2, 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 a flavored tobacco product;
- (2) Clarify that a statement or claim is made to the consumer or public that the product has or produces a characterizing flavor be prima facie evidence that the tobacco product is a flavored tobacco product;
- (3) 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;
- (4) Authorize the levying of civil fines not to exceed \$500 for the first offense, and not less than \$500 but not more than \$2,000 for any subsequent offense;
- (5) Allow any county to adopt rules or ordinances that place greater restrictions on the access of tobacco products and provide that the more stringent restriction prevail;
- (6) Include both savings and severability clauses ; and

(7) Take effect on January 1, 2020.

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.

Alexander Academy of Performing Arts

P.O. Box 1291 • Kula, HI 96790 • 808-878-8970

dance@alexanderacademy.info • www.alexanderacademy.info

March 10, 2019

My name is Danelle Watson, I am the director of Alexander Academy of Performing Arts. I am testifying on SB1009-flavored tobacco ban. I am testifying in strong support of a ban to prevent sale of flavored tobacco products including menthol. The use of candy flavors in tobacco products are advertising and marketing directly to our keiki.

8 in 10 youth who use tobacco product started with a flavored product. 95% of smokers started before they were 21, most with flavored tobacco product. Youth who vape are 10 times more likely to start smoking. 25.5 % of Hawaii high schoolers vape, this is more than 2X national average. 15.7% of Hawaii middle schoolers vape, this is more than 3x national average.

Ending the sale of all flavored tobacco products including menthol will help protect our youth from a lifetime of tobacco addiction.

I am in strong favor of a ban on flavored tobacco products.

Danelle Watson

Director, Alexander Academy of Performing Arts

SB-1009-SD-2

Submitted on: 3/10/2019 5:16:49 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ariel zaminasli	irie smoke shop	Oppose	No

Comments:

I believe that banning the selling of flavored tobacco products will shut many businesses down. I believe that if the reasoning behind this is because of underage children getting ahold of the products, then maybe there is another way to prevent these products getting in the hands of minors, other than shutting business down for many companies.



Testimony in Support of RE: SB 1009 SD2 Relating to Flavored Tobacco Products

Ellie Kelley-Miyashiro, RDH, BS

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

March 10, 2019

Dear Chair Mizuno and respected members of the Committee On HEALTH:

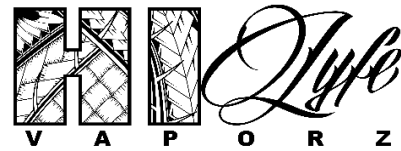
The Hawaii Dental Hygienists' Association (HDHA) strongly **supports Senate Bill 1009 SD2** which proposes to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawaii effective January 1, 5 2020.

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 SB 1009 SD2** 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.



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

3/10/2019

Dear Chair and Members,

Aloha,

My name is Jostin and I Strongly oppose the Senate Bill 1405 (SB 1405). 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 or taxes, 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 SB 1405 for the simple fact that this bill is unfair 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 charging our industry unfair taxes and high percentages, this will not help the teenage vape epidemic, it will hurt businesses and adults who found a better alternative from combustible cigarettes. Also vaping has made a huge impact by lessening the amount of Traditional tobacco cigarette use state and nationwide.

If we are to be taxed please have reasonable rates, percentages and tax products that actually have "TOBACCO DERIVED NICOTINE". If not this bill 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

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



85-993 Farrington Hwy
Suite 204
Waianae, Hi 96792
808-200-4798

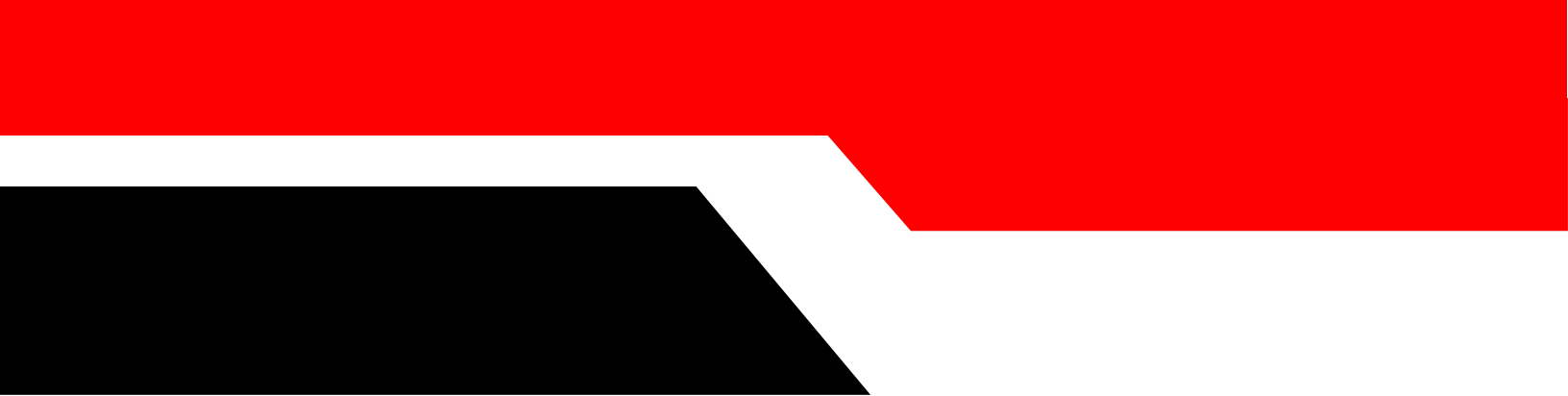
wholesale@hilyfevaporz.com

3/10/2019

Dear Chair and Members,

Aloha,

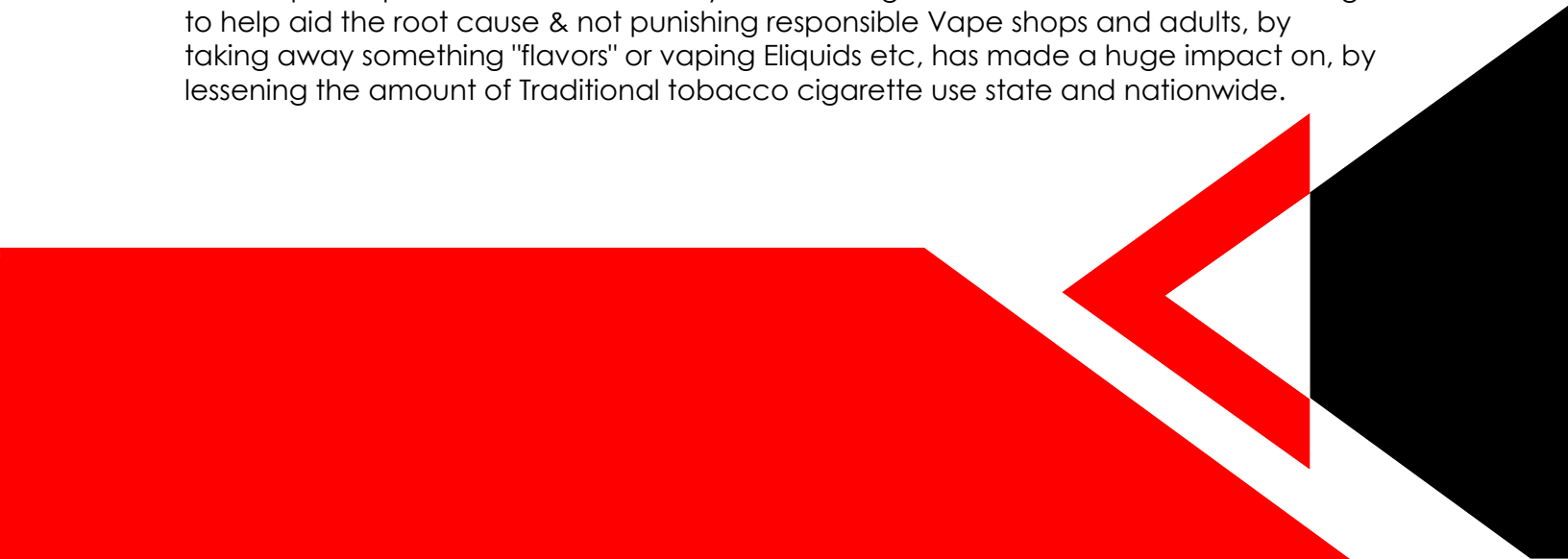
My name is Jostin and We Strongly oppose Senate Bill (SB 1009). As a REGISTERED Manufacturer with the U.S Food and Drug Administration and active member in the Vape community, I have no doubt that a bill of this magnitude will affect thousands of people in the state of Hawaii that have nothing short 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 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 SB 1009 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.

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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.

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



**American
Heart
Association.**

**American Heart Association Testimony Supporting the INTENT
of SB 1009, SD2, “Relating to Flavored Tobacco Products,”**

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:
Served by the Oahu
office

The American Heart Association supports SB 1009, SD2 “Relating to Flavored Tobacco Products.”

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 e-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.

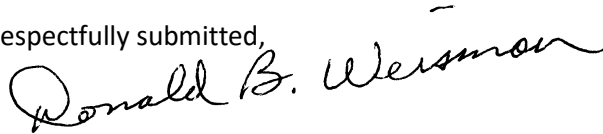
In Hawaii alone, tobacco use claims 1,400 lives each year and creates \$526 million in annual health care costs directly caused by smoking (\$141.7 million of that is covered by the state Medicaid program). Hawaii residents' state & federal tax burden from smoking-caused government expenditures is \$836 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 SB 1009, SD2.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive style with a horizontal line above the name.

Don Weisman
Hawaii Government Relations/Communications Director

SB-1009-SD-2

Submitted on: 3/10/2019 9:16:21 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Agnes Brown	Coalition for Tobacco Free Hawaii's Youth Council	Support	No

Comments:

In strong support of SB 1009, Relating to Flavored Tobacco

Aloha kākou, My name is Agnes Brown and I am a student at Sacred Hearts Academy. I am testifying on behalf of the Hawaii Pacific Health Institute's Coalition for a Tobacco Free Hawaii's Youth Council in support of bill SB1009. Vaping in our community has become an epidemic in young people. As a soon to be graduating senior, I am fearful of the future because of the effects of vaping has on our keiki.

Vaping has become a trend among teenagers, and in result, an addiction. It has been falsely advertised as a "safe" product and many vulnerable teenagers have fell victim. In actuality, vaping is an addictive product due to the amount of nicotine put into the vape liquid. Although combustible cigarette use has declined dramatically in recent years, tobacco companies have created new strategies to target different communities in an effort to continue and grow their businesses. Their main target: the youth. They have created candy flavored vape to attract interest of young people to mask the taste of tobacco or nicotine. We are even targeted here in Hawaii with the creation of flavors such as Li Hing, Molokai Sweet Bread, and more. Not only do flavors mask harsh tastes, it is marketed as being a fun, and "cool" activity. It has become more popular in schools and within my peers. I want to see a change in our community. Our children need to be protected from this epidemic. We can be that change, and start with banning the sale of flavored tobacco. This will not only make it easier to enforced laws and restrictions of sale to underage users, but also lessen the effect the flavors have. Less people will want to vape without the variety and diversity of flavors. I want to thank you for taking the time to consider passing this bill. I urge you to be a part of making this difference for the keiki of Hawaii. Please, join me in supporting bill SB1009 against the sale of candy flavored tobacco products. Thank you!



HIPHI Board

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

En Young, MBA
Sansei, Lanai

Date: March 10, 2019

To: Representative John Mizuno, Chair
Representative Bert Kobayashi, Vice Chair
Members of the Health Committee

Re: Strong Support for SB1009 SD2, Relating to Flavored Tobacco
Products

Hrg: March 12, 2019 at 9:00am at Conference Room 329

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Instituteⁱ is in **Strong Support of SB 1009** which would end the sale of all menthol and 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. Tobacco products with menthol, sweet flavors, and colorful packaging are designed to attract teens and young adults. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product. A report by the U.S. Food and Drug Administration, issued in 2013, found that menthol cigarettes led to 1) increased smoking initiation among youth and young adults; 2) greater addiction; and 3) decreased success in quitting smoking.

In addition, candy flavors such as Fruit Hoops, Sour Straws, Gummy Bears, and Cookie Monsta are designed to appeal to kids, and make nicotine go down easier. With 81% of youth starting with a flavored 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.

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 in 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	WAIPAHAU	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	WAIPAHAU	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 Suoprin 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 \$38 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 menthol and other 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 SB1009 SD2.**

Attachment: List of 120 organizations and leaders supporting the #FlavorsHooksKidsHI campaign

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 Primary Care Association
Hawaii Public Health Association
Hawai'i Public Health Institute
Hui Malama Ola Na Oiw

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
Oahu Kidney Care LLC
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

Ahuimanu Elementary's School Community Council
Alexander Academy of Performing Art
American Youth Soccer Organization (AYSO)
Baldwin HS Peer Education
Bridge Club Hawaii
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
Hawaii Youth Services Network
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 Food Basket, Hawaii Island's Food Bank
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
Pearl City Neighborhood Board #21
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
Michelle Ching, 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 Man Cave
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>



Testimony in SUPPORT of SB1009 SD2

To: Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

Re: Testimony in SUPPORT of SB 1009 SD2: Relating to Flavored Tobacco Products

Keiki Injury Prevention Coalition (KIPC) supports SB 1009 SD2 which bans the sale of flavored tobacco products.

My name is Lisa Dau, RN, Injury Prevention Coordinator, and I represent KIPC.

E-cigarettes, particularly JUUL products that come with appealing flavors are very popular with tweens and teens. Marketing and peer pressure have led to this popularity. Flavoring and the sweet odors of these products mask the dangers of using JUUL and other products that contain flavored tobacco.

Consuming these potent addicting products can lead to live-long illnesses. Vaping entrepreneurs have been using strategies from tobacco companies to market their products directly to children. Add-on products like flavored tobacco make the product very appealing to tweens and teenagers. Friends and younger siblings are eager to try a new cool activity, this increases peer pressure of being a part of the “in group” which might lead a teen’s decision to use tobacco products.

There is significant dangers associated with nicotine. According to JUUL (e-cigarette product), a single pod (flavored tobacco) contains the same amount of nicotine as a pack of cigarettes. The *American Journal of Medicine* linked teen e-cigarette use with future cigarette use. There is a perception that vaping is unoffending, and even a healthy way to wean off of cigarettes, however it has been reported that 63% of young adults who use JUUL products with flavored nicotine did not know the substance contains nicotine (Safe Kids Worldwide).

If this bill passes, Hawai’i will lead the nation in showing how we value our keiki health and safety by banning flavored tobacco products. Please pass this bill, SB 1009 SD2.

Mahalo,

Lisa Dau, RN
Injury Prevention Coordinator
Keiki Injury Prevention Coalition

March 12, 2019

RE: SUPPORT SB1009 SD2 Relating to Flavored Tobacco Products

Dear Chair Mizuno, Vice Chair Kobayahsi, and Members of the Committee:

At Blue Zones Projects we are working to make Hawaii a happier, healthier place to live, work and play. We support SB1009 SD2, 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.

“Each day more than 2800 adolescents aged 12-17 try smoking with 10.9% of students trying before the age 13. Roughly 700 adolescents transition to daily smoking each day and more than 60% of teen smokers still smoke 5 years later.”¹ The fruity flavors are favored by teens because they mask the taste of the bitter nicotine. Children are the target consumer with these flavors that is shown by the increase in products by young people. Our children are becoming addicts, and although the schools have been given the ability to take ESDs away from students and turn the devices over to the police, it is impossible to stop addiction by simply removing the device. We need to target the source of the adolescent addiction.

The fact that young people are the target of the industry through flavored tobaccos to get them hooked, makes sense. “Preventing youth from smoking is important because 90% of smokers start before the age of 18, and very few adults will begin to smoke or use smokeless tobacco products after age 26. An estimated 5.6 million youth <18 will die prematurely from a smoking-related illness; these deaths can be averted through concerted public health measures and regulatory measures.”² We cannot address this epidemic nationally, but we can address it here for our Hawaii youth, and be an example for others.

¹ Textbook of Pediatric Care 2nd Ed. (2017) Chapter 338, 2017.

² Merck Manual Professional Version, 2018.



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This situation is a public health crisis that costs our state. The trajectory of teen vaping rates will surpass those of teen smoking rates at their peak. The levels of nicotine in one JUUL are making kids addicts immediately. It is not smoking, coughing and gagging on a combustible cigarette. It is enjoying the flavor of something that has the nicotine equivalent of 20 cigarettes. And most teens think they are only vaping flavors, not nicotine.³

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 that the industry has been 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 SB1009 SD2 and hope that you will consider passing this bill.

Sincerely,

Peggy Mierzwa

Peggy Mierzwa
Blue Zones Project—Hawaii

³ Truth Initiative <https://truthinitiative.org/news/6-important-facts-about-juul>

Brought to
Hawaii by



An Independent Licensee of the Blue Cross and Blue Shield Association



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

March 11, 2019

Honorable Chair Representative John Mizuno
Honorable Vice-Chair Representative Bertrand Kobayashi
Members of the Committee on Health

RE: **Strong Support** of SB1009, SD2, banning sale of flavored tobacco products in Hawaii

Dear Representative Mizuno, Representative Kobayashi, and members of the Health 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 SB1009, SD2 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, like gummy bears, jolly ranchers, and more!

We already have over 46,000 Hawaii adults with COPD. The study showing that e-cigarettes cause respiratory disorders shows why it is imperative that this bill be passed NOW, to prevent our state from having ever more young and older people with COPD and the accompanying reduced quality of life.

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 SB1009, SD2 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

Tuesday, March 12, 2019 at 9:00 AM
Conference Room 329

House Committee on Health

To: Representative John Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair

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

Re: **Testimony in Support of SB 1009, SD2
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 SB 1009, SD2 which would ban the sale of flavored tobacco products effective as of January 1, 2020.

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.

Date: March 11, 2019

To: The Honorable John Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

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

Re: Strong Support for SB1009, Relating to Flavored Tobacco Products

Htg: Tuesday, March 12, 2019 at 9:00am at Capitol Room 329

Thank you for the opportunity to submit testimony in **SUPPORT** of SB1009, 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 damages 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 SB1009.

March 11, 2019

TO: Chair John M. Mizuno
Vice Chair Bertrand Kobayashi
Members of the House Committee on Health

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

RE: **SB 1009, SD2** - Relating to Flavored Tobacco Products
Hearing Date: March 12, 2019
Time: 9:00 am

CAA **opposes SB 1009, SD2** 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.

SB-1009-SD-2

Submitted on: 3/11/2019 8:03:45 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonah K Manuel	Irie Hawaii	Oppose	No

Comments:

My name is Jonah Manuel and i oppose SB1009, because it effects alot of people who quit smoking with these products. Also it would effect my place of employment, so i oppose this bill.Mahalo

January 30, 2019

Relating to SB1009 SD2

The Coalition for a Drug-Free Hawaii Supports SB1009 SD2

We strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids.

With 8 in every 10 kids starting with a flavored tobacco product, and 42% of Hawaii high schools students trying e-cigarettes, we have 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.

At the top of demand for information, brochures, etc. from our Prevention Resource Center is for information on Vaping. These requests come from kids, teachers, parents, etc. The trend of youth use of vaping/e-cigarette products is very troubling. You have an opportunity to make a positive difference on this serious and costly public health concern.

Please pass SB1009 SD2

With aloha,



Greg Tjapkes
Executive Director
Coalition for a Drug-Free Hawaii



1050 Bishop St. PMB 235 | Honolulu, HI 96813
P: 808-533-1292 | e: info@hawaiiifood.com

Executive Officers

Toby Taniguchi, KTA Superstores, *Chair*
Joe Carter, Coca-Cola Bottling of Hawaii, *Vice Chair*
Charlie Gustafson, Tamura Super Market, *Secretary/Treas.*
Lauren Zirbel, HFIA, *Executive Director*
Beau Oshiro, C&S Wholesale Grocers, *Past Chair*
Stan Brown, Acosta Sales & Marketing, *Advisor*
Paul Kosasa, ABC Stores, *Advisor*
Barry Taniguchi, KTA Superstores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*

TO:
Committee on Health
Rep. John M. Mizuno, Chair
Rep. Bertrand Kobayashi, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: March 12, 2019
TIME: 9am
PLACE: Conference Room 329

RE: SB1009 SD2 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.



March 10, 2019

To: Rep. John M. Mizuno, Chair
Rep. Bertrand Kobayashi, Vice Chair
House Committee on Health

From: Laura Nevitt, Director of Public Policy
Hawaii Children's Action Network

Re: **S.B 1009– Relating to Flavored Tobacco Products**
Hawaii State Capitol, Room 329, March 12 2019, 9:00 AM

On behalf of Hawaii Children's Action Network (HCAN), I am writing in SUPPORT of S.B. 1009, which bans the sale of flavored tobacco products. Effective 1/1/2020.

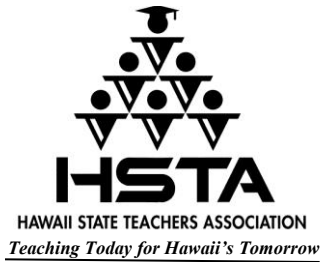
Tobacco use remains a serious threat to public health. Each year, Hawaii spends \$526 million in health care costs and \$141.7 million in Medicaid costs due to smoking. Tobacco products with menthol, sweet flavors, and colorful packaging are designed to attract teens and young adults. With 81% of youth starting with a flavored product, 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" in 2017.

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.

For these reasons, HCAN respectfully requests that the committee pass this bill.

HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education.



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
HEALTH

RE: SB 1009, SD2 - RELATING TO FLAVORED TOBACCO PRODUCTS

TUESDAY, MARCH 12, 2019

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Mizuno, and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 1009, SD2** banning the sale of flavored tobacco products.

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.

This data is clear and the reason the Hawaii State Teachers Association asks your committee to **support** SB 1009, SD2. We need to protect our youth.



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

House Committee on Health
Representative John Mizuno, Chair
Representative Bert Kobayashi, Vice Chair

SB 1009, SD2 – RELATING TO FLAVORED TOBACCO PRODUCTS

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

Thank you for the opportunity to provide testimony in support of SB 1009, SD2, which prohibits the sale of flavored tobacco products beginning January 1, 2020.

Every year in Hawaii over 6,700 people are diagnosed with cancer. Despite the fact that US cancer death rates have decreased by 26 percent from 1991 to 2015, not all have benefited equally from the advances in prevention early detection, and treatments that have helped achieve these lower rates. Significant differences persist in cancer incidence, survival, morbidity, and mortality among specific populations. Lung cancer remains the leading cause of cancer deaths in Hawaii.

Smoking not only causes cancer, it can damage nearly every organ in the body, including the lungs, heart, blood vessels, reproductive organs, mouth, skin, eyes, and bones. Smoking accounts for about 30 percent of all cancer deaths in the United States, including about 80 percent of all lung and bronchus cancer deaths. The impact of tobacco use goes beyond health. The annual health care costs in Hawaii directly caused by smoking are over \$500 million.

Flavored Tobacco Products

The 2009 Family Smoking Prevention and Tobacco Control Act implemented a federal prohibition of characterizing flavors other than tobacco or menthol in cigarettes. The prohibition included candy-and fruit-flavors. However, the federal law exempts “tobacco, menthol, mint or wintergreen flavors” and flavored electronic cigarettes.

While cigarette smoking rates have declined significantly in recent years, the use of electronic cigarettes has been skyrocketing, especially among youth. During the one-year period between 2017 and 2018, among high school students who currently used e-cigarettes, use of flavored e-cigarettes increased as well. Use of any flavored e-cigarette went up among current users from 60.9 percent to 67.8 percent, and menthol use increased from 42.3 percent to 51.2 percent among all current e-cigarettes users –

including those using multiple products – and from 21.4 percent to 38.1 percent among exclusive e-cigarette users. Flavors in tobacco products are frequently listed as on the top three reasons youth use e-cigarettes. Additionally, kids whose first tobacco product was flavored are more likely to become current tobacco users than those whose first product was tobacco flavored. Furthermore, evidence indicates that many young people who use e-cigarettes also smoke cigarettes. There is some evidence that young people who use e-cigarettes may be more likely to smoke cigarettes in the future. Using nicotine in adolescence may also increase risk for future addiction to other drugs.

Recent spikes in the use of e-cigarettes makes clear that more must be done to regulate tobacco products and the industry's deceptive marketing practices.

Menthol use in tobacco products

Menthol is a chemical compound that creates a cooling effect, reduces the harshness of cigarette smoke and suppresses coughing. Those effects may make menthol cigarettes more appealing to young, inexperienced smokers. Research shows that they are more likely to addict youth and more difficult to quit than regular cigarettes. Many people who smoke think menthol cigarettes are less harmful. In fact, there is no evidence that cigarettes, cigars, or smokeless tobacco products that have menthol are safer than other cigarettes. This myth has been perpetuated via a decades long campaign by the tobacco industry.

The disparities in flavored tobacco products use in the state are contributing to the negative health disparities that exists and must be addressed. ACS CAN strongly recommends implementing evidence-based policies to prevent the initiation and use of all tobacco products. The use of products containing nicotine in any form among youth is unsafe and can harm brain development.

Thank you for the opportunity to provide testimony on this important matter.

SB-1009-SD-2

Submitted on: 3/11/2019 11:17:53 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
PHC HNL	Pioneering Healthier Communities of Honolulu	Support	No

Comments:

March 11, 2019

RE: SB 1009 SD2

The Pioneering Healthier Communities Initiative brings together local, diverse leaders to discuss and support strategies, policies and programs that we can accomplish together to build healthier communities in our island home. The members of PHC are involved in helping children and families to become healthier through schools, afterschool programs, healthcare and more.

E-cigarette use, especially among today's youth, has skyrocketed. Drive by any local Hawaii middle or high school before or after school and you will witness the large number of youth using these devices. But e-cigarettes are far from healthy. They contain chemicals, such as nicotine and diacetyl, that are known to have serious health consequences. Research has shown that most kids start their e-cigarette, and nicotine addiction, with flavored products such as bubble gum, fruity pebbles and cotton candy. Menthol cigarettes are also a popular starter product. E-cigarette manufacturers are aggressively marketing their products to kids, teens, and young adults.

E-cigarette manufacturers are aggressively, and successfully, marketing their products to kids, teens, and young adults.

We strongly support of SB 1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and method cigarettes. As such, we urge you to pass this Bill.

Thank you very much for allowing us to testify:

Michael Broderick

May Okihiro

Daniel Leung

Stacy Evensen

Tina Tamai

Diane Tabangay

Paula Adams

Daniela Kittinger

John Mai

SB-1009-SD-2

Submitted on: 3/10/2019 2:46:22 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

I'm a senior at Waiakea HS. Many of my friends in high school and my younger cousins in intermediate school are vaping. They started by trying the many flavors targeting kids and became addicted quite fast due to the high nicotine levels. They can't seem to put their e cigarettes down even in school. Some of them talk about how they buy e juice from local stores. This has been a problem for a while now and many kids in my school want to quit but can't. The short-term effects of nicotine on kids developing brains are bad enough and new studies seem to come out regularly about the possible long-term effects of vaping. If we stop the sale of flavors most teens and kids would never start, and many would stop vaping because they wouldn't like that gross taste that is masked by the fruity flavors. Rysa Lee Dela Cruz

SB-1009-SD-2

Submitted on: 3/10/2019 2:02:47 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Darrel Goo	Individual	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/10/2019 2:08:50 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

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.

SB-1009-SD-2

Submitted on: 3/10/2019 2:36:42 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

I strongly support this Bill. Much needed. Let's stop this epidemic. Thanks so much.

Carol R Ignacio

District 1 resident

SB-1009-SD-2

Submitted on: 3/10/2019 2:48:55 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Strongly opposed to the flavor ban.

SB-1009-SD-2

Submitted on: 3/11/2019 5:43:50 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

SB-1009-SD-2

Submitted on: 3/10/2019 12:16:54 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Hi,

I am a concerned parent as well as a pediatrician. Vaping in general is an epidemic among our youth and is not only a health hazard but leads to an introduction to drug use. Companies need to stop flavored tobacco since this is appealing to the youth. It should not be sold to our youth at all. Thank you

SB-1009-SD-2

Submitted on: 3/10/2019 4:02:03 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Dear Chair & Members

Aloha,

My name is Jostin I am a former smoker of 20 year's, I strongly oppose Senate SB1009, 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 from 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 "Juil" 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 places 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. It 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.

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
Mahalo Nui Loa for your time & consideration

SB-1009-SD-2

Submitted on: 3/10/2019 4:03:55 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ricky Alaniz	Individual	Oppose	No

Comments:

I quit smoking after many years using Flavor Tobacco Products. Its an awesome alternative when wanting to quit smoking and it also eliminates tobacco oder.

SB-1009-SD-2

Submitted on: 3/10/2019 3:05:51 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Aloha

my name is Puna, I am opposing to bill #SB1009 due to the fact that desert flavored and fruit flavored eliquids have helped me quit smoking cigarettes. I was a smoker of 5 years and since finding e-cigarettes it has helped me in quitting traditional combustible cigarettes. I know many of my family members who have been smoking cigarettes of over 20 plus years now use e cigarettes because they know the positive benefits of not smoking traditional cigarettes. They now live a healthier alternative. I myself can breathe better also i can actually taste my food more believe it or not. As a shop employee a bill of this multitude will have a great impact on my livelihood. We all have bills to pay and food to put on our tables, this is a job I enjoy and this is not just a healthy habit but a hobby for me also. In approving this bill it will cause many of shop members to lose everything they worked for. It is highly unfair for people like us who put so much work into this industry and who have been following FDA and state laws. With this being said I personally feel it is highly unfair if we as adults have a right to pick out what flavor alcohol we would like to drink mind you alcohol has cause hundreds to thousands of deaths per year compared to vaping. We as adults should have a right to pick what flavors we should be able to vape to keep a healthier lifestyle for ourselves.

Mahalo Nui loa for your time

SB-1009-SD-2

Submitted on: 3/10/2019 4:43:25 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Clayton Silva	Individual	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/10/2019 7:26:49 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Aloha,

My name is Daniel Drapesa. I am writing you today to express my opposition to Senate Bill 1009.

I am an employee of a brick and mortar Vape shop that produces our own brand of Eliquid . We proudly make our product right here in Hawaii Nei, following all FDA regulations and procedures. This being said, I fear the repercussions of this bill passing into law. My Livelihood and the means by which I support my family could be compromised and even taken away completely.

On a daily basis I meet of aged individuals who's lives have been changed for the better

because of harm reduction/smoking cessation products such as "ENDS" (electronic nicotine delivery systems) and Eliquid .

You say smoking traditional combustable cigarettes is at an all time low for Hawaii's youth, well this is true for adults as well. Smoking, drinking, and drug use is declining at the exact and opposite rate to the rise in Vaping in america.

The fact that children are able to get a hold of these products is the main problem. As a Vaper who checks out many shops and ad a vape shop employee I can

tell you the main reasons Youth have ENDS and Eliquid. Retailers such as gas stations,

convenience stores, and even some vape shops neglect to idcustomers. The easy fix:

Increase penalties for said retailers and more enforcement. Family

and friends also buy these items for youth. I've seen parents come in to shops and turn to their children and ask "what did you want to get again ?" Parents need to be accountable also. Make stricter punishment for the parents when youth get caught vaping or with parafanalia. That way parents do what they are supposed to and teach their children to abide by the laws!

Mahalo for considering my testimony

SB-1009-SD-2

Submitted on: 3/10/2019 7:43:16 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
devan ferreira	Individual	Oppose	No

Comments:

Aloha, my name is Devan Ferreira and for the past four years I've been smoking cigarettes. Trying to quit various times on my own was hard and every attempt was unsuccessful. However with vaping and being able to choose the flavor of my liking I was able to quit the harsh dangers of cigarettes. I strongly oppose S.B. 1009 for the simple fact that this bill is unfair in the statement that flavor e-liquid is reason of our Underage vaping epidemic. Vaping and being able To choose flavored e-liquid has not only improved the health of my family, my close friends but also my own health as well. Taking away the right of legal aged adults to choose the flavored e-liquid is a right that shouldn't be taken away from law abiding citizens that are trying to achieve a healthier life style away from traditional cigarettes. The underage vaping epidemic is being caused by certain vaping devices such as "juul" and other devices like them that are easily purchased in convenient stores, gas stations etc, roughly 90% of vape shops have followed the age laws with no sales to minors. With the legal age to smoke at 18 or 21 in other states such as Hawai'i, These manufactures and shops will be getting punished for something completely out of their control. With the reason of the epidemic staring in easy accessible stores such as gas stations or your local convince store where they don't take asking for an I.D. Seriously. With that being said I strongly oppose bill S.B. 1009

SB-1009-SD-2

Submitted on: 3/10/2019 7:47:59 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

My wife smoked cigarettes for more than fifteen years. She would constantly get sick and 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 E Liquids this all would not be possible and she would most likely got back to traditional cigarettes.

Aside from my wife's story, I myself work at a Vape shop. My coworkers and I would have our careers threatened by this bill passing and becoming law. That would take away our livelihood and the means that we provide for our families

On a daily basis at work I meet adults who are of age who tell me how vaping has helped them quit and stay off smoking for a month, a year, five years or more They tell me that vaping was the only way that truly worked for them. Studies show its 95% less harmful. Studies also show vaping gives smokers twice the likelihood of quitting over other methods (le patches, gum, etc)

VAPING IS NOT SMOKING! Alot of your supporting details bundle the two together and they are not the same thing.

A more effective path you could presue would be stricter punishments for retailers that sell to underage and for parents of kids caught vaping. Parents need to be accountable for their children. Often times they are the ones buying it for the kids. In closing I wish to express opposition to SB 1009 and any other flavor ban. Thank you for your time and consideration.

Thank you for your consideration

SB-1009-SD-2

Submitted on: 3/10/2019 8:16:43 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Craig Petty	Individual	Support	No

Comments:

Flavored tobacco products are a major reason why kids begin using tobacco products. The flavors don't bring the smell of typical tobacco which makes users believe they are harmless. These products still contain significant levels of nicotine resulting in addiction.

Not banning these products puts our keiki at risk and lead to increased medical costs that can be prevented.

Banning these products will protect our keiki and demonstrate the commitment Hawaii has to icreating a healthy place to live, work and play.

SB-1009-SD-2

Submitted on: 3/10/2019 8:22:37 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Aloha, my name is Austin Keliinoi-Westbrook and I respectfully oppose SB1009. Here's why, the flavor ban will drastically affect not only me as an adult but also family and friends that I have known for a long while that use creamy, fruity, candy flavors as an alternative for cigarettes, or even drugs. I've been vaping for a year now and I never turned my mind towards tobacco. I have encountered many family and/or friends trying to do something about their Addictions, and/or Habits. When coming across vaping these different types of flavors, it gives them a variety of choices and makes a big change in their life. I fully understand the situation with the underaged use. Teens are getting ahold of these products but the one to blame in my eyes are the parents of these teens. This isn't fair for the individuals (adults) following the rules and laws. The local shops that I have been to follow FDA regulations and even our state laws, not only explaining the health safety of these products but they also heavily ID customers. The real problem is purchase and transition between the parent and the teen. Our rights as adult to choose flavored nicotine shouldn't be taken away because of a handful of parents negative actions, there should be a consequence to prevent this kind of things from happening besides banning flavors. Thank you for your time and considering my opposal.

SB-1009-SD-2

Submitted on: 3/10/2019 8:36:44 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Alana-Duones	Individual	Oppose	No

Comments:

Aloha, I oppose bill number SB1009. I am a worker for a new vape shop on the Big Island of Hawaii. It's will be a hard time for me and my family if this bill go through. It's going to put me out of a job and food on the table for my kids and a roof over there Head. Vaping help me quit smoking. I was smoking for 15+ year and all the flavor help me quit.

SB-1009-SD-2

Submitted on: 3/10/2019 5:55:15 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Aloha,

I strongly OPPOSE sb1009. This proposed flavor ban will take away our RIGHTS to choose products we like as adults. I work at Hilyfe Vaporz in Waianae. We have stringent protocol for our website and we ID everyone that purchases in store. We do our part as a company and individuals that work in the vaping industry to stay current on laws,bills and changes in our industry. We educate beginner vapers that are transitioning from traditional combustible cigarettes and avid regular vapers as well. We educate our clients on safety , proper handling of their products and a huge array of ethical practices while vaping in public. The flavor ban will interrupt a business with such a positive spin to its customers and community. The flavor ban has the potential to shut down a business that does an annual christmas food and gift drive for our community. We have organized food and clothe drive for the big island when Pele was reclaiming her aina not that long ago. The problem is children who gain access to vaping products through shady means. Some parents are to blame as well. Kids are kids and will always try to beat the system. Though for us at Hilyfevaporz we continue to not serve minors. Like I mentioned above we ID all customers. No one under the age of 21 is allowed to purchase from our store. I strongly do not believe that flavored tobacco products are to blame. I as an adult love cereals, candy,creamy,desserts, coffee flavors. I believe the solution resides in making all vape stores or lounges to be 21 to even enter. Although we do sell products like hats and t-shirts that does not have a age limit to purchase. I believe if you must be 21 to enter a vape store it will cut down the access of such products to underage persons. Vape stores should be an adult content retail location. No kiosks or express accessible types of business. Contain vaping products to just that a vaping store/lounge. No electronic nicotine delivery system should be sold at convenient stores / gas stations/ liquor stores. Make them ONLY accessible at a VALID ACCREDITED LICENSED vape shop.

SB-1009-SD-2

Submitted on: 3/10/2019 10:49:27 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

Aloha my Name is Isaiah Keahemakani Fernandez and I'm Opposing Bill SB 1009 I've been vaping for more then 2 years now and by this taking away our flavor tobacco for vaping will hurt not just me but a lot of adults that really love flavor tobacco. I don't work at a vape shop or anything like that but there is this vape shop Called Hi lyfe Vaporz they have 2 locations one in Waianae Oahu and another in Hilo Big Island these two shops is the shops I go to, the employees there always follow the FDA rules and make sure they card every person who purchase any of there eliquids or any Mod or ecig device. A lot of young teenagers that are still in high school I see are vaping and that they are not the legal age of smoking I feel that if any one under the age of 21 should NOT have the permission to Purchase any eliquids or Ecigs device. If this bill does pass it will hurt a lot of the vape shops here in Hawaii, employees that work in the shop will lose there jobs plus the Adults that Love Flavor tobacco like candy, Cereal, Cream coffee etc will not be able to buy, this will hurt the vaping industry here in Hawaii and the ADULTS that Love flavor Tobacco.

SB-1009-SD-2

Submitted on: 3/10/2019 11:10:47 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cori Takesue	Individual	Support	No

Comments:

Aloha,

My name is Cori Takesue and I am a member of the Coalition for Tobacco-Free Hawai'i as well as a Behavioral Health Specialist and Tobacco cessation treatment provider at Lana'i Community Health Center. I'm writing today to request your support of our 2019 legislative priority to ban flavored tobacco, including e-cigarette products in Hawai'i.

Our Coalition supports the Coalition for a Tobacco-Free Hawaii Youth Council, which is made up of high school and college students from across the state. This year our Youth Council and the Coalition have selected this as our policy priority because we believe something must be done to stop the epidemic of vaping amongst youth. Hawai'i has some of the highest rates of vaping in the country, with 25% of high school students and 15% of middle school students reporting they vaped in the past 30 days. 81% of kids nationwide use a flavored tobacco product as their introduction to tobacco, including vaping. 30% of vapers start using combustible tobacco within 60 days of starting to vape and 95% of current smokers started before the age of 21. It's clear to the members of our Youth Council and our Coalition that banning flavored tobacco is key to breaking this cycle. Flavored tobacco has no place in Hawai'i and we hope you feel the same. We don't need candy flavored tobacco to entice youth into starting a potentially life-long addiction to nicotine. Thank you for helping to keep Hawaii's keiki safe.

Sincerely,

Cori Takesue, PsyD

Post-Doctoral Psychology Fellow, Behavioral

Health Specialist

Lanai Community Health Center

SB-1009-SD-2

Submitted on: 3/10/2019 9:26:56 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kirstin Kahaloa	Individual	Support	No

Comments:

SB-1009-SD-2

Submitted on: 3/11/2019 7:05:51 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Colleen Inouye	Individual	Support	No

Comments:

Chair Mizuno, Vice-Chair Kobayashi, and the Members of the Health Committee,

I strongly support SB1009, SD2. SB1009, SD2 would ban the sale of flavored tobacco products.

The US Surgeon General has declared youth e-cigarette use/vaping a national epidemic. He is emphasizing the importance of protecting our children from a lifetime of nicotine addiction and associated health risks by immediately addressing the epidemic of youth e-cigarette use. Current e-cigarette use has increased nationally to 78% among high school students during the past year. In Hawaii County, 49% of our kids are trying e-cigarettes at the high school level and about 35% of middle school students. There is a daily use rate of 34% amongst high school students. At the state level, about 27% of high school students are trying these devices. E-cigarette aerosol is not harmless. Most e-cigarettes contain nicotine—the addictive drug in regular cigarettes, cigars, and other tobacco products. A typical JUUL cartridge or pod contains about as much nicotine as a pack of 20 regular cigarettes. Nicotine exposure during adolescence can harm the developing brain –which continues to develop until about age 25. Nicotine exposure during adolescence can impact learning, memory, and attention. Now the e-cigarettes industry has produced kid-friendly flavors. In addition to making e-cigarettes more appealing to young people and addicting them, some of the chemicals used to make certain flavors may also have health risks.

Please support SB1009, SD2. As the Surgeon General stated earlier this year we need to protect the health of our nation’s young people. We can stop addiction that is promoted through flavored tobacco products now or pay for the healthcare costs later.

Sincerely,

Colleen F Inouye MD MMM CPE FAAPL FACOG Jefferson Univ Population Health

SB-1009-SD-2

Submitted on: 3/11/2019 7:51:08 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

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

Comments:

SB-1009-SD-2

Submitted on: 3/11/2019 8:41:39 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
VALENTINO MIRANDA-KEPA	Individual	Oppose	No

Comments:

Aloha Board,

I strongly oppose bill SB1009. This bill is written to protect under age vaping but hurt all the people that vape helped quit traditional cigarette. It's a move in the wrong direction I've tried quitting cigarette's a few time's with your traditional gum, patches, pills and even hypnotism and only thing work for me is VAPE. After smoking for 15 years I am now free of cigarette PLEASE DON'T TAKE THIS AWAY FROM ME. And under age vaping could be controlled with a possession law like alcohol.

With Aloha, Valentino Miranda-Kepa

SB-1009-SD-2

Submitted on: 3/11/2019 9:02:13 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Randi Derego	Individual	Oppose	No

Comments:

To the House Committee on Health
The Honorable Representative John Mizuno, Chair

Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

As a public health advocate, I cannot agree more with the Youth Council on this subject of banning 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.

Sincerely,

Shelly Ogata, RN, MPH

SB-1009-SD-2

Submitted on: 3/11/2019 9:08:24 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin Mills	Individual	Support	No

Comments:

Selling flavored tobacco to youth is another way for the tobacco industry to attract youth and make them addicted to nicotine. It is wrong and we need to protect our children from such dangerous and unhealthy behaviors. Already, tobacco and nicotine use in middle school and high school students is drastically higher to epidemic proportions, mostly due to the use of ESDs.

SB-1009-SD-2

Submitted on: 3/11/2019 10:24:39 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kauanoë Batangan	Individual	Support	No

Comments:

Hawaii's Youth Risk Behavior Survey found that 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 reported even higher numbers with over 31% of Kauai students, over 32% of Maui students, and over 34% of Hawaii county students said to be regular users. With a majority of kids starting with a flavored tobacco product, restricting the sale of kid-friendly flavors will help to protect them from a lifetime of nicotine addiction.

In Strong Support for SB 1009

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 Senate Bill 1009 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.

Date: March 11, 2019

To: The Honorable John Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

From: Members of the Mid-Pacific Institute Do What You Love Service Club

Re: Strong Support for SB1009, Relating to Flavored Tobacco Products

Htg: Tuesday, March 12, 2019 at 9:00am at Capitol Room 329

Thank you for the opportunity to submit testimony in **SUPPORT** of SB1009, which bans the sale of flavored tobacco products, effective 1/1/2020.

The Mid-Pacific Institute Do What You Love Service Club is committed to reducing the rates of e-cigarettes and vape product use amongst teenagers. This year, we are supporting an e-cigarette educational campaign on the Mid-Pacific Institute and UH Manoa campuses in hopes to heighten the awareness of the harmful effects of these products.

At Mid-Pac, we see our peers becoming dependent on e-cigarettes, mostly because of the flavored products. Teenagers think that e-cigarettes and vape products are harmless because they are candy flavored and they taste good. The truth is that once teenagers start using products like Juul, it is not long before they become addicted to these products and cannot stop. Not only is this bad for their health, but this can lead to a decrease in their grades and getting in trouble with the school and the law. Some students started using vapes because they tasted good, and now they are using regular cigarettes too.

On behalf of the Mid-Pacific Do What You Love Service Club, we urge you to protect the youth of Hawai`i and pass SB1009 into law.

SB-1009-SD-2

Submitted on: 3/11/2019 8:43:25 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Molliane Gotter	Individual	Support	No

Comments:

Hello, my name is Dylan Catian, I am a senior at Kalani High School and currently live in Palolo Valley. I am testifying in strong support of measure SB1009.

Starting back in middle school I began to notice my peers using these eccentric devices known as e-cigarettes, not knowing exactly what they were. Throughout my time as a 13-year old middle school student, up to today, e-cigarettes have evolved and grown exponentially. New incognito devices such as the juul and suorin have become the norm, making vaping a casual task among my peers at Kalani, and the entirety of Hawaii's students. During school, it is almost assured that the bathrooms will smell like a newly opened candy shop. Also Whenever there are no teachers around, there are most likely to be kids vaping. These candy-like flavors are the things attracting kids to vaping. The flavors entice kids, making it easier to get addicted. However, they do not know that with the e-liquid they are inhaling things like: nickel, tin, diacetyl, a chemical linked to lung cancer, and nicotine.

Personally, I know a number of students who vape, say their going to quit, but cant beat the addiction. One of my fellow teammates on my high school soccer team would come to practice and say he quit. However, by next week, he would say it was too hard and began to vape again. This sequence of events happened more than once for this boy throughout this past winter season.

As a member of the Coalition for a Tobacco-Free Hawaii's Youth Council I'm trying to make a difference with my friends, but we are no match for the tobacco industry. But that didn't stop us. We have made presentations to organizations across the state, and now have over 100 organizations and community leaders endorsing a call to end flavored tobacco in Hawaii. Some

notable organizations being: American heart association, American lung association, Hawaii Pacific health, and Hawai'i high school athletics association.

I am in strong support of measure SB1009 because we cannot let these candy flavored tobacco products continue to addict my friends and peers any longer.

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 Association of Independent Schools (HAIS)

Hawaii Children’s Action Network

Hawaii High School Athletic Association (HHSAA)

Hui Ola Pono (UH Public Health’s Student Organization)

Kauai Path Inc.

Kiwanis Club of the Valley Island

Konawaena HS Wellness Committee

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

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

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

HEALTH & COMMUNITY LEADERS

Tina Alcain

Frank R. Baum, M.D.

Danielle Bergan

Janet Berreman, M.D.

Gregg Brenes, pastor

Clifford Chang, MPH

Valerie Chang, JD

Jeffrey H. Chester, DO

Carmen Cook, LMFT

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.

Cassiopia Yamashita

SCHOOLS

Chiefess Kamakahelei Middle School

Maui Preparatory Academy

Mid Pacific Institute

Sacred Hearts Academy

Saint Louis Schools

Waiakea High School

BUSINESSES

Emma Whitney Photography

Ganesha Body Piercing

Heartlight Montessori Homeschool

Home Remedies Interior Design

Paia Tattoo Parlor

The Root Cellar Studio Maui

I am in strong support of measure HB276 because we cannot let these candy flavored tobacco products continue to addict my friends and peers any longer.

SB-1009-SD-2

Submitted on: 3/11/2019 10:43:40 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Teshima	Individual	Support	No

Comments:

SB-1009-SD-2

Submitted on: 3/11/2019 12:44:10 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jeffrey alameida	Community Program Manager, Blue Zones Project Wahiawa	Support	No

Comments:

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Ernesto Alcones and I am in the 9th grade at Kauai High School and I also play volleyball.

Flavored tobacco products make innocent kids enjoy devious products because of the flavor. Plus I am getting pissed at my younger friends vaping flavored e-juice around me. It is just an annoyance. I get tired of people vaping cotton candy around here.

Mahalo,
Ernesto Jr. Alcones III
Lihue, HI 96766

3/9/2019

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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?

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 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 SB1009 SD2 and ask you to pass this out of committee. Please! This is so important for the health of our children!!

Mahalo,
Stephanie Austin
Haiku, HI 96708-5555

3/11/2019

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The Honorable John M. Mizuno, Chair
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Members of the House Committee on Health

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha, my name is Amber Baxter and I am in the 9th grade at Kauai High School. I also am a part of the Keala Foundation.

I have seen how tobacco has ruined peoples lives. KIDS are getting addicted to nicotine because of the flavors.

Please help me change Hawaii.

Mahalo,
Amber Baxter
Kalaheo, HI 96741

3/10/2019

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The Honorable John M. Mizuno, Chair
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Members of the House Committee on Health

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As a Pediatrician and a parent I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

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Mahalo,
Kerry Biggs
Kailua, HI 96734-3719

3/11/2019

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

I've walked into bathrooms with the smell of cotton candy in the air. It was obvious that the students were vaping. These students were hooked. They started because of the enticing flavors, then got hooked on the nicotine. Now addicted to these flavored e-liquids, these students need their daily fix. The flavors introduced them to a life of addiction. Ending the sale of flavor tobacco products helps kids to not get hooked.

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,
Faith Bonacorsi
Makawao, HI 96768-8808

3/11/2019

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha, my name is Kaylee Branco-Iwase and I am in the 9th grade at Kauai High School.

The reason why I think that you should pass this law is because I've seen how tobacco products ruin peoples lives.

Mahalo,
Kaylee Branco-Iwase
Lawai, HI 96765

3/11/2019

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The Honorable John M. Mizuno, Chair
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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Zoe Carvalho and I am in the 9th grade at Kauai High School and I also play volleyball and track for Kauai High School, I also support March of Dimes every year.

If there was no flavored vape it would stop younger kids from vaping thinking its just candy but they don't know there are serious consequences. Kids don't know the difference and might think the flavors are healthier than regular tobacco products.

Mahalo,
Zoe Carvalho
Lihue, HI 96766-1234

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
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Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Andrew Chidester and I am in the 9th grade at Kauai High School. I also run track for the Kauai High team.

The flavored tobacco products aren't targeting adults, but kids. If they aren't flavored, then many people might realize they are more dangerous than they first thought.

Mahalo,
Andrew Chidester
Koloa, HI 96756

3/10/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
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I have been practicing general pediatrics in Honolulu for the past 12 years and have seen the unfortunate increase in Vaping and the health problems that come along with it.

I strongly support SB1009 SD2, 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. 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?

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 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 SB1009 SD2 and ask you to pass this out of committee.

Mahalo,
Derek Ching
Honolulu, HI 96821-1724

3/11/2019

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Calvin and I am in the 9th grade at Kauai High School. I also am a football player for Kauai High School.

I feel like if there wasn't flavored tobacco products that less people will vape and it will be safer because it is the main reason why kids vape.

Mahalo,
Calvin Corpuz
Lihue, HI 96766-1118

3/11/2019

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Mareyon and I am in the 9th grade at Kauai High School. I also play basketball for Kauai High School.

I and other kids will get into less trouble with less worry about tobacco products. I dont have to worry about getting secondhand smoke/vape and get sick.

Mahalo,
Mareyon Cromartre
Kalaheo, HI 96741-9614

3/11/2019

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha, my name is MeKayla Finch and I am a 9th grader at Kauai High School. I also paddle for Kauai High and Niumalu Canoe Club.

We should ban flavored tobacco products because most high school students start smoking with flavored products. High School students are more likely to use tobacco flavored products if there are candy flavors. Speaking from experience, I have friends that use products just because they like the flavors.

Mahalo,
MeKayla Finch
Koloa, HI 96756

3/9/2019

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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 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 SB1009 SD2 and ask you to pass this out of committee.

Respectfully Submitted,
Patricia Fleck
Kailua Kona, HI 96740-4449

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

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 SB1009 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 highschool. 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.

I strongly support SB1009 SD2, 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. 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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Sincerely,
Kyli Kaleo
Hilo, HI 96720-5343

3/11/2019

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Aloha my name is Amy and I am in the 9th grade at Kauai High School. I also am in Leo Club which is a community service club.

I think that flavored tobacco products should be banned because they design the products that make it seem that they target kids and teens. Many kids and teens have brains that are still developing and having flavored products can boost the need to want to vape or smoke because it is flavored in fun flavors.

Mahalo,
Amy Khoang
Lihue, HI 96766-9161

3/11/2019

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As the APRN I at the Hale Ho'omaluu Juvenile Detention Center, I have read the literature on nicotine use among youth and have attended a day long work shop on the issue. Nicotine use among youth is particularly harmful! The literature shows that adults DON'T LIKE FLAVORS. They prefer nicotine flavor or if they were menthol cigarette users they may prefer a mint flavor. Flavors, brightly colored nicotine pods, vaping devices that look like school supplies are all geared toward children. OUR children!! Our keiki deserve better. Deserve our protection from nicotine addiction. I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

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Mahalo,
Linda Kim
Honolulu, HI 96817-2532

3/10/2019

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We must end the sale of 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 SB1009 SD2 and ask you to pass this out of committee.

There is no rational reason to pollute our bodies or our environment, or destroy ecosystems.
www.WeAreOne.cc

Mahalo,
Joseph Kohn MD
Wailuku, HI 96793-2641

3/10/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I am a pediatrician and I strongly support SB1009 SD2, 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. 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,
Mae Kyono
Honolulu, HI 96826-1001

3/11/2019

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Members of the House Committee on Health

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha, my name is Jennifer and I am in the 9th grade at Kauai High School and I am in the student council for the 9th grade as secretary.

Because of flavored tobacco, kids get more addicted to it. 81% of kids who first vape use flavors. Propylene glycol, vegetable glycerine, both of these products are dangerous to the human body. Kids who vape are inhaling this which can cause disease.

Mahalo,
Jennifer Le
Lihue, HI 96766-1453

3/11/2019

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Hawaii's vaping epidemic is growing rapidly and the tobacco companies will stop at nothing. The flavors are really what attract the teens. We need to be the change that will help the next generation. Studies have shown that Hawaii's youth vaping rates are higher than the mainland. It's time to take a stand and bring these clouds and flavors down.

Menthol cigarettes are a popular starter product, as it has cooling properties that mask the harshness of tobacco smoke and nicotine. The tobacco companies will stop at nothing to make sure that they don't go out of business. Children are very vulnerable right now and we need to help them out by ending this terrible epidemic.

It's time to end the sale of flavored tobacco products. To put an end to this we need to come together as one and we need to bring these clouds down. I strongly support SB1009 SD2 and ask you to pass this out of committee.

Mahalo,
Kaydence Lilio
Kahului, HI 96732-3617

3/11/2019

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IN THE PUBLIC SCHOOLS, IT IS A HUGE EPIDEMIC as students are readily influenced to experiment/use vaping to fit in socially which leads to SUSPENSIONS FROM SCHOOL, LOWERED ACADEMICS, THEFT FROM EACH OTHER, HEALTH CONCERNS.

Mahalo,

Nelson Maeda
Senior Class Counselor / Football Coach
Castle HS
Kaneohe, HI 96744-2248

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Mason and I am a 9th grader at Kauai High School and I like to surf every day.

Flavored tobacco products are more attractive to everyone making them want to start. It looks like candy to little kids and makes people want to smell it.

Mahalo,
Mason Mcloughlin
Koloa, HI 96756

3/10/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
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Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

As a pediatrician and medical director of the Kapi'olani Smokefree Families Program, I strongly support SB1009, which prohibits the sale or distribution of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

The American Academy of Pediatrics has strongly supported elimination of flavored tobacco products, including menthol. These products have been shown to be disproportionately used by young people, especially teenagers, as the menthol and other flavors make it easier to start using tobacco and nicotine.

These products are targeted towards our keiki with flavors such as cherry, raspberry, citrus, vanilla, chocolate, mint, and pineapple. The tobacco corporations have intentionally included menthol, which provides a soothing, cooling effect and is often seen in cough drops. Low doses of menthol in tobacco can reduce the painful and irritating effects on the lining of the nose, mouth, and airways, which allows smokers to inhale more easily. This makes it much easier for young people to initiate tobacco use.

Once young people are addicted to nicotine, it is extremely difficult to quit. By eliminating these products from Hawaii, we have the chance to improve the health of many, especially of our keiki.

On behalf of the keiki and young people of Hawaii, I urge you to pass SB1009 SD2.

Mahalo for your consideration and support of this important measure.

Sincerely,

Bryan Mih, MD, MPH, FAAP
Pediatrician
Honolulu, HI 96822-1758

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Jellymae and I am in the 9th grade at Kauai High School and I am also n the Filipino Club.

Vaping is affecting students studies and vaping leads to bad influences.

Mahalo,
Jellymae Ofrecio
Lihue, HI 96766-9039

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

My name is Diane Omura and I am a Peer Education Coordinator at Baldwin High School on the island of Maui. I have been a health educator for 39 years who focused on reducing teen risks while promoting safety and wellness. From the beginning of my career I have fought hard in preventing tobacco use among youth. Through continued spread of education and awareness, teen smoking rates has declined since peaking in 1997. However, it is disheartening to see how the advent of vapes has reversed twenty years of smoking decline in such a short time. This is due to the 15,500 unique and popular flavorings that has lured teens into this deadly habit. We are reliving history by hooking teens and it is estimated that 21,000 vapers under 18 years will die prematurely from smoking. Marketers know of teens' needs to enhance their social image and are taking advantage of this vulnerability by advertising vaping as a cool past time.

Please do what is right for our future! We must end the sale of flavored tobacco and support SB1009 SD2.

Sincerely,
Diane Omura
Baldwin High Peer Educator
Kula, HI 96790-8767

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Pepper Page and I am in the 9th grade at Kauai High School. I also am a part of the Gay-Straight Alliance (GSA) and dance at KUGA and started to help suicide prevention in Kauai.

Candy-flavored tobacco products TARGET TEENS. These teens brains are still developing and becoming addicted at this age can do serious damage and harm not only to your brain but the rest of your body. All teenagers that vape have 3x the chance of smoking when they're older. Teens of all ages have been known to overdose on these products and stopping the sale of candy-flavored products will make it more likely to avoid/quit vaping.

Please help me and my peers' future in mind.

Mahalo,
Pepper Page
Hanapepe, HI 96716

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
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Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Gian and I am in the 9th grade at Kauai High School. I also am a member of the Kauai High School Key Club.

In flavorings there are two chemicals, diacetyl and pentanedone which are proven by science that can deteriorate lung tissue.

I urge the committee to pass SB 1009.

Thank you for this opportunity to testify,
Gian-Carlo Panoy
Lihue, HI 96766-8968

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
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Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Andrew Passi and I am a 9th grader at Kauai High School. I also play sports for Kauai High School.

Flavored tobacco products should be banned because it kills a lot of people but it also is not cool. Tobacco kills 1,300 people per day which is 480,000 people per year in the US. It causes lung cancer and this is dangerous because lung cancer is the #1 preventable illness.

Mahalo,
Andrew Passi
Lihue, HI 96766-9631

3/11/2019

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Jeighlee and I am in the 9th grade at Kauai High School and I am also on the JV softball team for Kauai High School.

People get nauseous from the sweet flavors and throw up. Flavored tobacco products hook kids from the sweet taste and get them addicted. people are overdosing but keep going because it "tastes good."

Mahalo,
Jeighlee Perreira
Koloa, HI 96756

3/11/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Makalea and I am in the 9th grade at Kauai High School, I also play girls volleyball and paddle for KHS.

Teens are being targeted with this flavorful tobacco in vaping. people are overdosing on the liquids. Flavored tobacco is very addictive.

Mahalo,
Makalea Porongao
Kalaheo, HI 96741-9715

3/11/2019

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I strongly support SB1009 SD2, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Aloha my name is Jayden Sudaria and I am in the 9th grade at Kauai High School. I also play baseball for Kauai High School.

Flavored tobacco products can be addictive to youth. 81% of youth who ever used tobacco products started with a flavored tobacco product. people are going to keep using it and overdose.

Mahalo,
Jayden Sundaria
Lihue, HI 96766-9626

3/10/2019

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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 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 SB1009 SD2 and ask you to pass this out of committee.

Please help us protect our youth from businesses that make a profit from targeting our children who will have to struggle with nicotine addiction and other emotional, physical, and mental consequences.

Mahalo,
Michael Treece
Pahoa, HI 96778-7720

3/10/2019

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Mahalo,
martha yamada
Hilo, HI 96720-6213

3/9/2019

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Mahalo,
Jessica Adkins
Kahului, HI 96732-2530

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Mahalo,
Cherie Andrade
Kailua, HI 96734-3507

3/9/2019

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Mahalo,
Jinan Banna
Honolulu, HI 96822-1800

3/11/2019

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Mahalo,
Helen Barrow
Makawao, HI 96768-0822

3/9/2019

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Mahalo,
Patricia Blair
Kailua, HI 96734-2746

3/9/2019

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Mahalo,
Bev Brody
Kilauea, HI 96754-5542

3/9/2019

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Mahalo,
Camille Chong
Honolulu, HI 96826-2044

3/11/2019

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Mahalo,
Cortney Crocker
Honolulu, HI 96825-1440

3/9/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

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Mahalo,
Wilson Datario
Pepeekeo, HI 96783-0623

3/10/2019

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Mahalo,
Normand Dufresne
Pahoa, HI 96778-0587

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Mahalo,
Marissa Fakaosita
Honolulu, HI 96826-1001

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Mahalo,
Cherisse Fernandez
Kahului, HI 96733-1245

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Mahalo,
Clint Gima
Paia, HI 96779-0505

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Mahalo,
Michelle Gray
Honolulu, HI 96825-1700

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Mahalo,
Paul Ho
Honolulu, HI 96814-4284

3/11/2019

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Mahalo,
John Ishoda
Honolulu, HI 96817-2115

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Mahalo,
Michael Kellar
Honolulu, HI 96821-2251

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Mahalo,
Ronald Kuriki
Honolulu, HI 96816-2586

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Mahalo,
Michelle Kwock
Honolulu, HI 96813-2527

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Mahalo,
Christopher La Chica
Mililani, HI 96789-2452

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Honolulu, HI 96826-1001

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Mahalo,
Mark Levin
Honolulu, HI 96822-2350

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Mahalo,
Julia Lim
Kealakekua, HI 96750-1799

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Honokaa, HI 96727

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Mahalo,
Shayda Marciel
Lihue, HI 96766-9520

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Mahalo,
Javier Mendez
Honolulu, HI 96817-1200

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Mahalo,
Erica Meyer-Agonoy
Wailuku, HI 96793-9453

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Mahalo,
Fran Miller
Honolulu, HI 96815-3979

3/9/2019

RE: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

I strongly support SB1009 SD2, 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. 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?

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 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 SB1009 SD2 and ask you to pass this out of committee.

Mahalo,
Michele Nihipali
Hauula, HI 96717-9647

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Mahalo,
Barbara Nosaka
Honolulu, HI 96822-2427

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Mahalo,
Shelly Ogata
Kurtistown, HI 96760

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Mahalo,
Christian Palea
Kailua Kona, HI 96740-1510

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Mahalo,
Keilyn Paleracio
Kapaa, HI 96746-9405

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Mahalo,
Marion Paul
Kilauea, HI 96754-5584

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Mahalo,
Mealani Rahmer
Pahoa, HI 96778-1251

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Mahalo,
KirstenK Ralston
Honolulu, HI 96816

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Mahalo,
Allison Seales
Honolulu, HI 96814-4408

3/10/2019

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Mahalo,
Jill Stensrud
Kapolei, HI 96707-2923

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Mahalo,
Kim Swartz
Pearl City, HI 96782-3027

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Mahalo,
Alan Trinh
Hilo, HI 96720-5476

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Mahalo,
Leila Ventar
Lihue, HI 96766-9412

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Jenny Welham
Honolulu, HI 96816-2995

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Mahalo,
Elizabeth Winternitz
Honolulu, HI 96817-4039

End the Sale of Candy Flavored Tobacco

Youth and young adults are using candy-flavored tobacco at alarming levels. Why we need a candy-flavored tobacco ban:

- ❖ 42% of high school students in Hawai'i reported ever vaping
- ❖ There are over 15,000 flavors on the market, including cotton candy and gummy bear
- ❖ 80% of youth that currently vape are using flavored liquids
- ❖ 90% of current smokers started prior to the age of 18



I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

Should not flavored tobacco because it can kill you when your young. I want to live life cannot free. so no vape and no flavored tobacco plz coz i don't want my brother to do this

Name (first & last): *Wijah Munden* Town/zipcode: *96727*

School: *Honokaa High* Age: *17*



By submitting this form, I consent to have this petition shared with lawmakers on bills that affect ending the sale of flavored tobacco in Hawai'i

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I believe that flavored tobacco should not be sold in Hawai'i because:

It's causing teens to become persuaded into using something that is so dangerous. I know so much people who vape and it's super sad.

Name (first & last): Marlito Tarrano Jr Town/zipcode: 96727

School: Honokala High School Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

I don't want to see the young people get hook on something that will speed up the death process.

Name (first & last): Zavier Ugaldé Town/zipcode: 96727

School: Honoka'a High School Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

It seems that they are marketing these
-ed for teen's even though they claim
It's for adults

Name (first & last): Trey James Town/zipcode: Honolulu 96727

School: Honolulu High School Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

Many of my friends are getting addicted, and so are kids even younger than us.

Name (first & last): Travannah Giltner Town/zipcode: 96727 Honokaa

School: Honokaa high and inter. sch 001 Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

If you take it away kids my age
won't want to buy it because ~~it's~~
~~it's~~ of the nasty flavor.

Name (first & last): Elayah Coofey Town/zipcode: 96743

School: Honokaa High School Age: 16



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I STRONGLY SUPPORT ENDING THE SALE OF
FLAVORED TOBACCO FOR ONLY ADULT PURPOSES.
I WOULD ALSO LIKE TO SEE CHANGES IN
YOUTH USE OF ESD'S

Name (first & last): KAHIAU KANIHO Town/zipcode: 96727

School: HONOKA'A HIGH SCHOOL Age: 16



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Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

I have a lot of younger siblings and friends who rather vape these ~~juice~~ candy flavored or just vape in general rather than to play ball or do something productive. I believe if these shop would stop selling candy flavored juice/liquid then it'll stop them to vape.

Name (first & last): Jermon Thomas Town/zipcode: 96743

School: Honolua High Age: 17



By submitting this form, I consent to have this petition shared with lawmakers on bills that affect ending the sale of flavored tobacco in Hawai'i

End the Sale of Candy Flavored Tobacco

Youth and young adults are using candy-flavored tobacco at alarming levels. Why we need a candy-flavored tobacco ban:

- ❖ 42% of high school students in Hawai'i reported ever vaping
- ❖ There are over 15,000 flavors on the market, including cotton candy and gummy bear
- ❖ 80% of youth that currently vape are using flavored liquids
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I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

Smoking/vaping in general is a bad thing. Being 16 and all my peers vaping makes me think about my brothers and their safety. If they keep selling to people my age, people younger than me are gonna want to vape too. #AOLEIKAVAPEKEIA!

Name (first & last): Keahiwa'i Lindsey Town/zipcode: 90743

School: Honoka'o'a High Age: 16

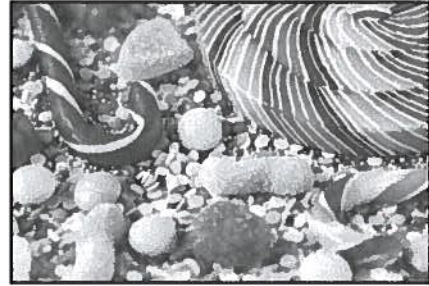


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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

It is killing our youth. I want our youth to have a healthy future free from vape induced chemicals. Our youth deserve freedom to Live Lives of TOBACCO freedom!

We don't want them to have popcorn lungs cancer, or to carry around oxygen tanks to breathe.

Name (first & last): Melanie J. Mamhot Town/zipcode: Honokala, 96721

School: Honokala High & Intermediate Age: 39



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I believe that flavored tobacco should not be sold in Hawai'i because:

It only influences the younger aged kids to vape and get addicted faster and at such a young age and why let that happen? Banning flavored juices is just one step closer to stopping or declining the amount of vape being used for under aged students/kids. The amount of children it influences is crazy and scary. Would you want to see your children risking their lives and money on something so worthless and dumb?

Name (first & last): Cecilyn Gali-Luvero Town/zipcode: 96727 96743
School: Honoka'a High School Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

Flavored e-liquid is easier for today's generation to handle or vape. And taking away flavored e-liquid will lower the amount of teens that want to smoke if there's no flavored e-liquid.

Name (first & last): Zavior Collo Town/zipcode: 96743

School: Honokaa High School Age: 18



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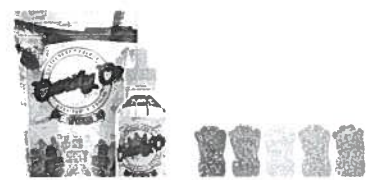
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Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

I care about the younger generation that have a brighter future.

Name (first & last): Vetea Anderson Town/zipcode: 96727
School: Honopuu Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

it's bad for kids

Name (first & last): Chandler Horn Town/zipcode: Kamuela 96743

School: Honoka'a high Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

electronic Smoking is not right
PEOPLE want to get people
hooked just so they can have
money and we can be broke
and addicted to the Vaping

Name (first & last): Chandon Pacheco Town/zipcode: 96727

School: Honolulu Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I care about my future, and I wouldn't want my little brother vaping and come up with the, because, I wouldn't want my brother to be using things like me and wouldn't want him to get popcorn lungs

Name (first & last): Amud Greener Town/zipcode: 96727
School: Wanokai High Age: 17



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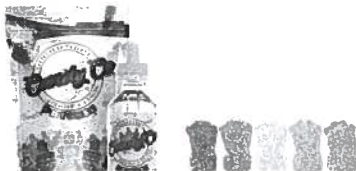
I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

I care about my future, I care about my health as well as my family's health. Please stop selling this in the USA. We want to protect our keiks, this harming so much people. I don't even want to see me or my family smoking. I care too much, please stop!!!

Name (first & last): Taliyah Makio Town/zipcode: 96727
School: Honokala Medeiros Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I care about my future and my lungs. I don't want my siblings to vape or smoke and to put them in the position of having a high risk of cancer or health problems. Vaping is a serious problem that can hurt not only teens but little children and adults.

Name (first & last): Diamond Gragas Town/zipcode: Honoka'a / 96727
School: Honoka'a high & Inter. Age: 14



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I strongly support ending the sale of flavored tobacco

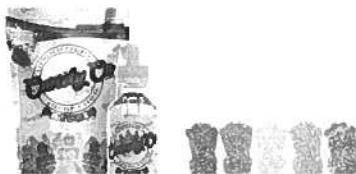
Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

~~People under 18~~ I believe that flavored tobacco should not be sold in Hawai'i because most under age people are getting addicted and there are many consequences.

Name (first & last): Bernabe Abrigo Town/zipcode: 96727

School: Honokaa High school Age: 17



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I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

I believe that flavored tobacco should not be sold in Hawaii because I don't want my younger family members to get caught with vaping and ruin their future. Most of my family's are athletes so doing things like vaping are ruining their chances to play sports.

Name (first & last): Yo Bostwick Town/zipcode: 96727
School: Honokaa High School Age: 16



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I strongly support ending the sale of flavored tobacco

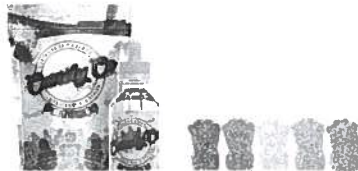
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I believe that flavored tobacco should not be sold in Hawai'i because:

I care for my sister and for the next generation, my family in the future.

Name (first & last): Waimea Ramos Town/zipcode: 96743

School: Honokaa'i Hi Age: 16



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End the Sale of Candy Flavored Tobacco

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I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

Its ruining our lungs and we could die.

Name (first & last): Andrey Town/zipcode: 96727
School: Honokaa Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I strongly support ending the sale of flavored tobacco because many teens and children are in the possession of a vape and are breaking the law

Name (first & last): Caden Pereira Town/zipcode: 96727

School: Honokua High and Intermediate Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I Support this

Name (first & last): Kalanyah S Town/zipcode: 96743

School: Honokala High Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I support for ending the sales of flavored tobacco

Name (first & last): Anonymous Town/zipcode: 96727
School: Honolulu High and middle school Age: 17



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I don't want my siblings to go down the same path I did.

Name (first & last): Anonymous Town/zipcode: 96743

School: Honokaa HI Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

it affects us and our loved ones.

Name (first & last): Anonymous Town/zipcode: 96727

School: Honokaa High & Inter School Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I want let my younger siblings get
ahold of a nicotine product and
potentially die.

Name (first & last): ~~Anonymous~~ ^{Anonymous} Town/zipcode: 96743

School: Hanokai'a Highschool Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

I believe vaping should be stopped

Name (first & last): Anonymous Town/zipcode: ~~96227~~ 96227

School: Honokaa High and Int. Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

I believe that flavored tobacco should not be sold in Hawai'i because the kids are the future. Without the kids there will be no future.

Name (first & last): Shaemayah Sacayanan Town/zipcode: 96727
School: Honoka'a High School Age: 16



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I believe that flavored tobacco should not be sold in Hawaii because it can affect someones life drastically.

Name (first & last): Zariah Rivera Town/zipcode: 96727

School: Honokaa High School Age: 16



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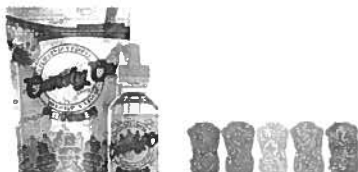
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I believe that flavored tobacco should not be sold in Hawai'i because:

little kids is starting to smoke.

Name (first & last): Richard Reinbolt Town/zipcode: 96727

School: Hono Kua High School Age: 17



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I believe that flavored tobacco should not be sold in Hawai'i because:

I want to be able to have a long life. And I don't want to be suffering from the things it can cause, like popcorn lungs, hard to breath and coughing my lungs out. I also don't want my siblings to do these things.

Name (first & last): Kainani b.b Town/zipcode: 96776

School: Pa'auilo school Age: 12



By submitting this form, I consent to have this petition shared with lawmakers on bills that affect ending the sale of flavored tobacco in Hawai'i

End the Sale of Candy Flavored Tobacco

Youth and young adults are using candy-flavored tobacco at alarming levels. Why we need a candy-flavored tobacco ban:

- ❖ 42% of high school students in Hawai'i reported ever vaping
- ❖ There are over 15,000 flavors on the market, including cotton candy and gummy bear
- ❖ 80% of youth that currently vape are using flavored liquids
- ❖ 90% of current smokers started prior to the age of 18



I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

I don't want popcorn lung. Also I don't want to have black lungs. I think that once you tried it most people are going to get addicted. I want people to have long lives

Name (first & last): Tucker Gomes Town/zipcode: 96743
School: Paaville School Age: 12



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I believe that flavored tobacco should not be sold in Hawai'i because:

I think it would be better to stop vaping b/c if you do it, or if anyone vapes you will not know if the small ones will go and follow along.

Name (first & last): Zaedyn Gines Town/zipcode: 96776

School: Pae'ani School Age: 11



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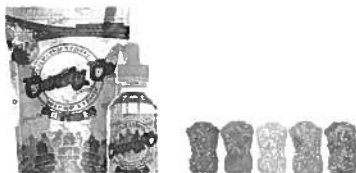
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I believe that flavored tobacco should not be sold in Hawai'i because:

I think flavored tobacco should not be sold in hawaii because the different flavors make younger kids think its OK because of the scents and how it looks.

Name (first & last): Gracie Waahila Town/zipcode: 96776

School: Peaville Elementary and intermediate Age: 11



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I believe that flavored tobacco should not be sold in Hawai'i because:

I don't want to have a short life, and have to go to the hospital like every day, I want to have a long life, and be happy

Name (first & last): Kyston Martinez Town/zipcode: 96776
School: Papaikou School Age: 11



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I believe that flavored tobacco should not be sold in Hawai'i because:

I don't want to have bad lungs. I want to play sports without having breathing issues. Also, I want other people to have a happy life.

Name (first & last): Kyle Ignacio Town/zipcode: 96776
School: Paahilow elem and inter Age: 11



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I believe that flavored tobacco should not be sold in Hawai'i because:

I don't want to have a older or younger family member suffer because of this. Also, seeing or knowing someone who does vape, I know that they are suffering because of this. I want to live a healthy, clean life. I don't want anyone to suffer because of this.

Name (first & last): Dakota L. Tavares-Vargas Town/zipcode: 96776
School: Pa'awilo Elementary and Intermediate Age: 11



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I believe that flavored tobacco should not be sold in Hawai'i because:

IT COULD BE VERY BAD AND IT COULD NOT
EXIST TO HAWAII AND VAPES AND TOBACCO
AND CAN CAUSE COPD AND LUNGS. IF THIS STOPS
NO ONE WOULD DIE IN 2 YEARS. THIS COULD
HELP FOR ANYONE. I GOT TO DO IT A Q NO IT
COULD BE BAD. =

Name (first & last): HADEN WORTH Town/zipcode: 96776

School: PAA LIO Age: 17



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

lot of people at a young age start vaping because high school students are starting to cough up pieces of lungs

Name (first & last): Clay Chang Town/zipcode: 96776

School: Pasawio Age: 11

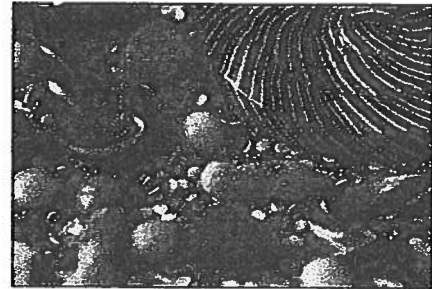


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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

I want to have good lungs
and to have a long and
happy life, I wish my
patients would stop smoking
to because I want them
to live a long life and
to be able to watch
me grow up.

Name (first & last): KATHAN GOMES Town/zipcode: 96727

School: Paqulo Age: 11



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I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

People life is getting taken because if they are smoking Juuls and vapes and all that Nication is going to their lungs and i feel bad because I really wanted to do it but now i don't if this didn't get in to my lives I would be doing it and my siblings would want to do it so i say it should not be sold because kids probly go to store like 76 and the child ask for it buys it and the people don't even sdo nothing to stop this.

Name (first & last):

Aluka Rogi Brance

Town/zipcode:

96776

School:

Pacumilo

Age:

12



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I believe that flavored tobacco should not be sold in Hawai'i because:

it can cause lung cancer and that can kill people. It's very very bad for kids or 9th - 12th they can die and not live a happy life with their friends and family. They can have fun with the school.

Name (first & last): maverick miranda Town/zipcode: 96776

School: Paauilo school Age: 11



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I believe that flavored tobacco should not be sold in Hawai'i because:

I don't want to be using a inhaler to play sports because I play a lot of sports. I also don't want to be stuck in a hospital because I'm coughing out my lungs. I don't want younger siblings to try it.

Name (first & last): Brandi Hoopai Town/zipcode: 96776
School: Paavilo Age: 11



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I believe that flavored tobacco should not be sold in Hawai'i because:

I don't want to have popcorn lungs and I want to live a long life and I don't want bad lungs and be able to play sport without using a inhaler

Name (first & last): Shaunacey pacheco Town/zipcode: 96776

School: Paavilo School elementary and inter Age: 11



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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

If kids see Cotten Candy flavor and yummy flavors there will be more kids vaping. Then if there were tobacco flavor, kids would not want to vape as much as they would with yummy flavoring.

Name (first & last): Madison Davids Town/zipcode: 96727

School: Paqalo School Age: 11



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I believe that flavored tobacco should not be sold in Hawai'i because:

I want to live long, and keep us and the future generations healthy and happy.

Name (first & last): Zoie Marie Tsubamoto Town/zipcode: 96776

School: Pāhūlo elementary and middle school Age: 12



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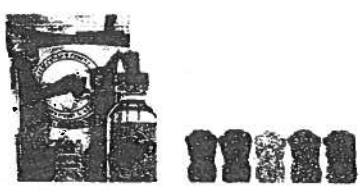
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I believe that flavored tobacco should not be sold in Hawai'i because:

It is bad for your lungs. The kid will want to try it
Just because of its flavor. Vaping is bad and it keeps
to stop.

Name (first & last): Benjamin Drummond Town/zipcode: 96776

School: Puuhihi School Age: 11



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I believe that flavored tobacco should not be sold in Hawai'i because:

Its bad for our lungs (popcorn lung). Also if you start it, will be hard for you to quit. If you start there is also a 4x's the chance of you to start smoking cigarettes.

Name (first & last): Carm Corvalho Town/zipcode: 96776

School: Palauiho School Age: 11



HAWAII
PUBLIC
HEALTH
INSTITUTE

COALITION
for a
TOBACCO-FREE
HAWAII

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SB-1009-SD-2

Submitted on: 3/11/2019 8:54:12 AM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Ching, MD, MPH	Individual	Support	No

Comments:

Aloha!

I have been fortunate to meet, work and guide thousands of children, parents and co-workers for four decades in various roles in the private and public sectors.

Through these experiences, I have seen the devastating effects of tobacco use on health, family life, academics, hygiene and interpersonal relationships. Because of this, I will do my part to prevent the onset or addiction of children or adults towards a career in tobacco use.

Please consider a ban on candy flavored tobacco products.

TOBACCO TESTIMONY

Work Performance = as a supervisor in the service and transportation industries, I have seen employees terminated for continuing to smoke in restricted areas or regularly calling in sick due to respiratory illness, causing financial hardship for their families.

Non-attendance = as a teacher, I have seen the symptoms of asthmatic and/or sick children worsened by second smoke leading to absenteeism and educational implications when coupled with rising academic standards.

Reckless Behavior = as a high school counselor, I know of minors who chose to run or find other places to stay because they realized the hazards of second hand smoke or could not tolerate the overwhelming stench of their home. In other situations, minors avoided going inside their homes until very late and loitered outside which led to reckless behaviors and tragic events.

Meltdowns = as a middle school counselor, I guided students through emotional episodes and mediated family relationships because children do not fully grasp the addictive nature of tobacco and felt they were being poisoned at home and in their cars.

Athletics = as an athlete, Assistant Athletic Director and coach, I have seen participation and performance of student-athletes diminished by tobacco use or the effects of regular exposure to second hand smoke in family settings.

Cultural Implications = as an urban garden and foodie, it is disheartening when children cannot enjoy the natural fragrances of native and other flora and cuisine because their senses have been compromised.

Mahalo for your consideration!

Sam Kakazu Jr.

Educator and School Counselor, Department of Education (retired)

Assistant Athletic Director, J.B. Castle High School

Service Committee Chair, UH Letterwinners Club

Blue Zones Project, Schools Committee, Tobacco Policy

Supervisor, HawkTree International/Island Movers (retired)

Field Agent, USDA/NASDA (retired)



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

**IN OPPOSITION TO SENATE BILL 1009, SENATE DRAFT 2,
RELATING TO FLAVORED TOBACCO PRODUCTS
AND OFFERING AMENDMENTS**

House Committee on Health
The Honorable John Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair

Tuesday, March 12, 2019 at 9:00 a.m.
Hawaii State Capitol, Conference Room 329

Chair Mizuno, Vice Chair Kobayashi and members of the Committee,

Thank you for this opportunity to submit written testimony on Senate Bill 1009, Senate Draft 2, Relating to Flavored Tobacco Products. 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.

Senate Bill 1009, as worded, would ban the sale of all flavored tobacco products, effective January 1, 2020.

HPMA is opposed to SB 1009 in its current form. We support further restrictions on tobacco product sales to under aged users and ask for the Committee’s consideration on the following suggested amendments:

- Exempt menthol and mentholated tobacco products from the ban, as offered in H.B. 276, H.D. 2.
- In addition, exempt all smokeless tobacco products from the ban such as snuff and chewing tobacco, as these products are clearly marketed to adult consumers.
- Delete provision §712-___, (5), as it could lead to disparate laws among county ordinances regulating access to tobacco products that would complicate compliance.

Members of HPMA understand the gravity of the situation and offer the following perspectives:

- Hawaii has already enacted strict laws for the legal age of sale of tobacco products, as encouraged by the federal Food & Drug Administration. HPMA member companies that sell tobacco products, along with many other responsible retailers in Hawaii, do so in compliance with the law. By eliminating flavored tobacco products for sale, this proposed bill would deprive adult users of acquiring these products while unintentionally leading to predatory online/Internet sales and, even more concerning, the potential proliferation of black market products that are fully unregulated.
- HPMA does not argue against banning sales of candy flavored tobacco products such as “Bubble Gum” and “Cotton Candy” e-liquids for electronic smoking devices (ESDs), the marketing of which can easily be construed as targeting young users. Rather, HPMA is primarily concerned that menthol-flavored tobacco products are included in the vast array of flavored products being banned in this bill. Menthol cigarettes, for example, account for more than half of the tobacco sales for HPMA retailers, and conceivably more for some other businesses.
- With Hawaii’s strict age restrictions against accessing tobacco products, combined with locations where people are prohibited from smoking or vaping, the State has done much to safeguard our youth from using these products. Still, HPMA is aware that usage is high—and growing—among young people. We feel it is a call for stricter enforcement of sellers who violate Hawaii’s laws and increased consumer education, more so than prohibiting access to consumer products that are intended for adults.
- Should the State proceed with enacting a ban on flavored tobacco products, HPMA respectfully requests that menthol flavoring in cigarettes and ESD liquids remain available for sale through local retail outlets, along with all flavored smokeless tobacco products such as snuff and chewing tobacco that are aimed at adult users. HPMA notes that sales conducted through locally established retail locations enable the seller to more accurately ascertain a purchaser’s age.
- In addition, SB 1009 would allow any county to adopt a rule or ordinance that places greater restrictions on the access of tobacco products than State law, and the more stringent restrictions shall prevail in the event of a conflict. HMPA understands and supports the need for strict enforcement of this statute. We believe, however, that having a uniform State law would better-enable retailers to comply, rather than allowing a mixture of laws to emerge from county to county.

Therefore, HPMa respectfully requests including the following amendments in the bill:

§ 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.]~~

(6) For the purpose of this section:

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

“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.

With these amendments, and together with diligent enforcement of existing tobacco sales laws, HMPA is able to support restrictions on tobacco products aimed at Hawaii’s youth. Thank you for considering the HPMa’s suggested amendments and for providing this opportunity to submit written testimony.



March 10, 2019

To: To the House Committee on Health
The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Hrg: March 12, 2019 at 9:00 AM at Capitol Room 329

Re: Strong Support of SB1009 SD2, Relating to Flavored Tobacco Products

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 SB1009 SD1, 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. 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?

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. 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. HPHA strongly supports SB1009 SD1 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". The signature is written in a cursive, flowing style.

Holly Kessler
Executive Director
Hawaii Public Health Association

SB-1009-SD-2

Submitted on: 3/11/2019 1:50:50 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
thomas wills	Individual	Support	Yes

Comments:

Testimony:

Date: March 11, 2019

To: Rep. John M. Mizuno, Chair

Rep. Bertrand Kobayashi, Vice Chair

Members of the House Committee on Health

Re: Strong support of SB 1009-SD2, Relating to Flavored Tobacco Products

Hrg: March 12, 2019 at 9:00 AM at Capitol Conference Room 329

I strongly support SB 1009-SD2, which would ban the sale of flavored tobacco products.

I support this bill because previous research has shown that flavorings make tobacco products, particularly e-cigarettes, attractive to adolescents. Recent data from Hawaii and other states have shown that e-cigarette use is quite prevalent among school students, even among middle school students who are 12-14 years of age. This is resulting in a high rate of addiction to nicotine, which was previously not known in Hawaii because rates of cigarette smoking were relatively low and the high taxes on cigarettes in Hawaii result in less frequent smoking among students who do smoke. It looks like e-cigarettes are changing this situation and that a number of students may graduate from school being addicted to nicotine.

In addition to showing that e-cigarette use is prevalent among Hawaii school students, our studies have shown that e-cigarette use is linked to several adverse outcomes. Using e-cigarettes is related to initiation of cigarette smoking among previous nonsmokers, hence is contributing to nicotine addiction through another mechanism. It is also related to asthma and bronchitis.

Recent authoritative articles by physicians and pharmacologists in the New England Journal of Medicine have emphasized that nicotine is as addictive as heroin, that flavored tobacco products increase the likelihood of adolescents becoming addicted, and that there is increasing evidence of harmful respiratory effects from e-cigarette vapor. (See, for example, "The Dangerous Flavors of E-Cigarettes," New England Journal, January 30, 2019.) Many public health experts have noted that the current epidemic of e-cigarette use among adolescents is creating risk for public health and that steps should be taken to reduce use among teenagers. All the research I have seen indicates that eliminating flavorings would be a large and effective step toward this goal.

I have heard some people argue that the FDA is going to take action against flavorings soon.

I don't believe it. I have heard similar arguments for years about tobacco policy. The tobacco companies agreed in 2006 to run ads about the risks of cigarette smoking and nicotine addiction, but IT TOOK 12 YEARS before they finally agreed to do this. (You are just seeing the se ads in the newspapers now.) The FDA tried to use its legal authority to put graphic warning labels on cigarette packages beginning in 2010, but THIS NEVER HAPPENED because the tobacco companies kept filing lawsuits against it. The writing on the wall is that if FDA tries to take action against flavored tobacco products, the tobacco companies will just do the same thing all over again and delay action for 10 or 20 years. Meanwhile a new generation of teenagers will become addicted to nicotine.

For the reasons given above, I strongly support SB 1009-SD2 and ask you to pass this out of committee.

Yours sincerely,

Thomas A. Wills, Ph.D.

Director, Cancer Prevention in the Pacific Program

University of Hawaii Cancer Center



March 11, 2019

To: The Honorable Representative John M. Mizuno, Chair
The Honorable Representative Bertrand Kobayashi, Vice Chair
Members, House Committee on Health

LATE

From: Cory Smith, VOLCANO Fine Electronic Cigarettes®
CEO and Owner

RE: SB 1009 SD2 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes® is the largest retailer & wholesaler of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 15 locations statewide and employ over 110 full-time workers to support sales of our products not only here in Hawaii, but to all 50 states as well as over 30 International countries. We stand in opposition to SB 1009 SD2 for the following:

- **SB 1009 SD2 would decimate the Hawaiian vapor industry by banning the sale of all electronic cigarette liquids and cartridges. Every electronic cigarette available on the worldwide market is “flavored.” Because they do not contain tobacco, electronic cigarettes have no “natural tobacco” taste, or any taste for that matter, without the addition of flavorings. Even electronic cigarettes advertised as coming in “tobacco flavor” are actually just the result of the blending of several different flavorings such as caramel and nut flavors in an attempt to mimic the flavor of tobacco.** To use the language of the proposed statute, every electronic cigarette imparts to the user a “distinguishable or distinctive” aroma, or taste other than tobacco. As a result, SB 1009 SD2 will act as a de facto ban of the manufacture and sale of all electronic cigarettes.
- Even if SB 1009 SD2 permitted the sale of electronic cigarettes flavored to taste like tobacco, its enactment would still ban the manufacture and sale of the vast majority of our products. **This bill would present more than just a competitive disadvantage for local suppliers and retailers. It would be a death knell for vapor industry in Hawaii.** Local consumers will either flavor liquids themselves or purchase from out of state, causing a loss of jobs and tax revenues for the state. Similarly, we will be forced to close our stores and move all or most of our business and operations to the mainland, taking with us jobs and tax revenue that has grown every year since our founding.
- Enactment of SB 1009 SD2 will deal a similar fate to our competitors in the electronic cigarette industry. Between them these businesses have likely created 1000 jobs in Hawaii. All or more of these jobs will be lost as a result of this legislation. Additionally, convenience



stores and other businesses that sell vapor products will feel the impact of consumers purchasing products from the mainland.

- **The baseless claims that electronic cigarettes flavors are made to attract children must be weighed against the significant evidence that electronic cigarette flavors are very popular with adult users.** The International Journal of Environmental Research and Public Research recently published the most expansive survey performed on the subject. We urge you to read the full text of this study, which we have attached to our testimony. Below are some highlights:
 - Researchers conducted an Internet survey of over 4,500 adult electronic cigarette consumers. The participants' average age was 40 years old. The vast majority (90%) of those surveyed were ex-smokers, with the average respondent having been cigarette-free for approximately one year.
 - Among the survey respondents, the most commonly used flavors were fruits, followed by sweets and tobacco.
 - Those electronic cigarette users who were still smoking ("dual users") were actually more likely to use tobacco flavors than those vapers who had quit smoking.
 - On a scale of 1-5, the average score given by the respondents for the importance of flavor variability in reducing or quitting smoking was 4 ("very important").
 - **Almost 50% of the respondents answered that a lack of flavor availability would increase their cravings for tobacco cigarettes and would decrease their chances of remaining abstinent from smoking.**
 - <https://www.mdpi.com/1660-4601/10/12/7272>

- **The use of flavorings in electronic cigarette liquids is one of the driving factors in helping prevent adult former smokers who switch to e-cigarettes from going back to traditional cigarettes.** Most users report that after switching to electronic cigarettes and experiencing the pleasant tastes one can enjoy with an electronic cigarette, they no longer find the taste of traditional tobacco cigarettes appealing.

- **Enactment of this bill will actually benefit Big Tobacco by stifling their competition.** Analysts credit electronic cigarettes, not government intervention, nor traditional nicotine replacement therapy products, with causing cigarette sales to experience larger than forecasted declines in the U.S. and Europe. Regardless of the good intentions involved, every step taken to reduce adult access to electronic cigarettes is really a step towards protecting cigarette markets.

- SB 1009 SD2 exempts traditional Nicotine Replacement Therapy (NRT) products that contain nicotine even though electronic cigarettes have been shown to be a much more effective tool for helping people quit smoking and have been demonstrated to have a similar risk profile as NRT's.
 - <http://onlinelibrary.wiley.com/doi/10.1111/add.12623/abstract>
 - http://m.circ.ahajournals.org/content/130/Suppl_2/A14945.short

- The most Recent CDC report has shown e-cigarettes have supplanted all other traditional nicotine replacement therapies and are now the most commonly used product by consumers to quit using traditional tobacco cigarettes
 - http://www.journalnow.com/business/business_news/local/cdc-report-shows-more-



[smokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html](https://www.volcano.com/smokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html)

- A recent study published by the New England Journal of Medicine concluded that E-Cigarettes are twice as effective for smoking cessation than traditional nicotine replacement therapy products which are not taxed or controlled the same way this bill proposes to tax and control E-Cigarettes. The state should be creating easier access for adult smokers to these products, not tighter regulations that steers current vapers back to tobacco cigarettes
 - <https://www.nejm.org/doi/full/10.1056/NEJMoa1808779>
- If flavors are not important in helping adult smokers switch from, or quit traditional cigarettes, why is GlaxoSmithKline's nicotine gum exempt from this bill and sold in flavors?



- SB 1009 SD2 would not successfully remove all flavored e-liquid products from the market. It would simply force local customers to go online and purchase them from vendors across the 49 other states who would not be subject to this ban. It would severely impact local based businesses from competing with businesses from the 49 other states who would not be subjected to this law further lowering jobs and revenues already being created in the state.

While we agree that curbing youth usage and enforcing our current laws prohibiting the sale and use of vapor products is of utmost importance, doing so at the detriment to adults who use these products every day as an alternative to traditional tobacco is not the right way to do it. This bill is not in the best interests of the State of Hawaii. Thank you for your time and consideration. If you have any questions, please feel free to contact me directly.



VOLCANO®

Sincerely,
Cory N. Smith
CEO & Owner
VOLCANO Fine Electronic Cigarettes®
1003 Bishop Street #1260, Honolulu, HI 96813
cory@volcanoecigs.com

LATE

SB-1009-SD-2

Submitted on: 3/11/2019 3:53:08 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Abe	Individual	Oppose	No

Comments:

I'm Alex and I oppose this bill.



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
March 12, 2019**

Re: SB 1009 SD2 Relating to Flavored Tobacco Products

Good morning Chairperson Mizuno and members of the House Committee on Health. 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 SB 1009 SD2 Relating to Flavored Tobacco Products. This measure would ban the sale of flavored tobacco products effective 1/1/2020.

This bill would essentially ban all menthol cigarettes, electronic vapor products and e-liquids. As a result, people would be compelled to purchase these goods online, on the black market, trying to mix flavored e-liquids themselves and 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.

Menthol cigarettes makes up 66% of the retail market in Hawaii. Banning this flavor of cigarette alone would take away \$76 million in tax revenue to the state.

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 their menthol cigarettes or electronic vaping device with their favorite flavored e-liquid.

Furthermore, it is our understanding that electronic vaping devices has no "natural tobacco" taste, or any taste for that matter, without the addition of flavorings. And although almost every electronic vaping device and e-liquid available worldwide is "flavored" not all of the flavors contain nicotine and those that do, not all nicotine strengths are the same. And flavored e-liquids are enjoyed by many adults.

In addition, vapor products and e-liquids are NOT the same as a tobacco product. Many 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.

We are also aware that the US Food & Drug Administration has recently "deemed" various tobacco products, including e-vapor, to be subject to federal regulation. Under FDA's regulatory authority, e-vapor products will face a number of important requirements, such as domestic manufacturer establishment registration, ingredient disclosures, reporting of harmful or potentially harmful constituents, and prohibitions on selling to minors. We urge you to hold this measure until the Federal product regulations come out.

Mahalo again for this opportunity to testify.

SB-1009-SD-2

Submitted on: 3/11/2019 4:52:05 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Collins	Individual	Oppose	No

Comments:

LATE

SB-1009-SD-2

Submitted on: 3/11/2019 4:53:15 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sabrina Spencer	Individual	Oppose	No

Comments:

SB-1009-SD-2

Submitted on: 3/11/2019 5:04:20 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Teikiheekua Taupu	Individual	Oppose	No

Comments:

LATE

SB-1009-SD-2

Submitted on: 3/11/2019 5:16:58 PM
Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jason graham	Individual	Oppose	No

Comments:

Flavors has been the reason why anyone vaping has successfully quit cigarettes. Nicotine gum hasn't worked, latches doesn't help and chantix has given me thoughts of suicide which isn't more healthy. I am a combat veteran that doesn't go to traditional tobacco for my habit and have went to a very low dose of nicotine in my eliquid. I am very confident there are people looking to actually quit cigarettes by using their favorite flavor to kick the habit. I can confidently tell you keeping people away from cigarettes wont succeed if you ban flavors from people wanting to quit cigarettes

LATE

End the Sale of Candy Flavored Tobacco

Youth and young adults are using candy-flavored tobacco at alarming levels. Why we need a candy-flavored tobacco ban:

- ❖ 42% of high school students in Hawai'i reported ever vaping
- ❖ There are over 15,000 flavors on the market, including cotton candy and gummy bear
- ❖ 80% of youth that currently vape are using flavored liquids
- ❖ 90% of current smokers started prior to the age of 18



I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

I feel like it does a lot of damage to yourself and others. People use it for the wrong reasons, and many are being blindsided, and aren't educated enough about knowing that they could eventually get sick. Taking this away would be able to save my friends, and peers. I hate to see it get passed around and no one gets punished.

Name (first & last): Dione Tagabi Town/zipcode: 96727

School: Honoka'a High School * Inter. Age: 15



By submitting this form, I consent to have this petition shared with lawmakers on bills that affect ending the sale of flavored tobacco in Hawai'i

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I believe that flavored tobacco should not be sold in Hawai'i because:

I think tobacco in general shouldn't be sold at all. Tobacco is not good for you and your body. It can impact you for a life time time. Your body can develop all these bad things that can make your body shut down.

Name (first & last): Shaelynn Monell Hagan Town/zipcode: 96743

School: Honokaa High School Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

Others could be attracted to it and they could start to vape. This could put their life in danger. Having flavored tobacco isn't good for our health.

Name (first & last): Jayza Aguirigan Town/zipcode: _____

School: Honokaa High + Intermediate school Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

I don't smoke anyways. It has dangerous chemicals to make flavored tobacco. If it's flavored it will become more addictive due to the smell and taste of such flavors. It's also easy to attain because 42% of highschoolers in Hawaii vape. This is why flavored tobacco shouldn't vape.

Name (first & last): Kovie Salvacion Town/zipcode: 96727

School: Honokaa Age: 16

[Handwritten signature]



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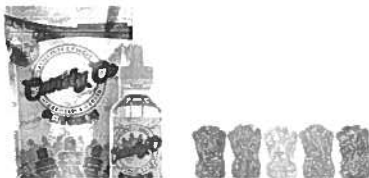
Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

Tobacco is still tobacco, and it is overall just bad for your body. If students do vape, there will be a chance that they'll try this too. If we wanna stop teen vaping, this isn't stopping it, it's just making it worse.

Name (first & last): Rejena Soriano Town/zipcode: 96727

School: Honoka'a High School Age: 15



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Jayla Johansen
P.7 3/11/19

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I believe that flavored tobacco should not be sold in Hawai'i because:

It damages your body, especially your lungs. It is also made with terrible chemicals that aren't good for you either.

Name (first & last): Jayla Johansen Town/zipcode: 96743

School: Honokaa High & Inter. Age: 16



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Cesar Alfred Agustin
per. 17
3/11/19

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I believe that flavored tobacco should not be sold in Hawai'i because:

We really need to change the youth for the better. It says that "90% of current smokers started prior to the age of 18". That itself should make this ban go forward because how is the future going to look like this when the "future of the children" or "children of the future" is being controlled by vaping.

Name (first & last): *Cesar Alfred Agustin* Town/zipcode: *Honokaa/96727*
School: *Honohoa High & Intermediate* Age: *15*



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I believe that flavored tobacco should not be sold in Hawai'i because:

Creating an appeal to such a harmful substance is a immoral way of marketing. Flavors aimed towards youth should be discontinued because of the health effects from the chemical content.

Name (first & last): Kolea Caverly Town/zipcode: 96727

School: Honoka'a High Age: 15



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Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

Young kids are targeted towards this and that should end because its gonna affect our children.

Name (first & last): Gabriel Cabrero Town/zipcode: 96727

School: Honokaa High Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

this product is targeting children who think it's candy. The more there are "candy flavors" the more the use of vaping increases, the more young teens are encouraged to smoke and vape. This is also worse than smoking cigarettes in the long-run.

Name (first & last): Odessa Gancinia Town/zipcode: Honoka'a / 96727
School: Honoka'a High School Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

our state, by far, has one of the largest vaping consumption. Young kids are being manipulated that using these smoking devices will solve everything, take away the pain, or is the quick fix, when in reality, it's not. We deserve a fair chance at this life. This has been causing way too much problems — both in school and personal life.

Name (first & last): Shelbyn Sabia Town/zipcode: Honoka'a / 96727

School: Honoka'a High & Intermediate Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

It is toxic to not only students, but everyone. Flavored tobacco with flavors like cotton candy are intriguing and pulling people into trying it. This is very toxic for people, but worse for students. Flavored tobacco gets students addicted and not being able to stop. We should end the sale of flavored tobacco for the better of us students and people in general. We need to stop the addiction.

Name (first & last): Kiana Lee-Kwai Town/zipcode: Honukaa 96727
School: Honukaa High Age: 16



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I believe that flavored tobacco should not be sold in Hawai'i because:

It is wrong to smoke. It's bad for a person's health. A person's life can be changed from smoking alone. Health problems will arise and what could be a great future, is all ruined by smoking. Smoking is unacceptable in the light of all things, addiction takes over lives. Families are torn apart, relationships are broken, all of a sudden, life becomes focused on getting the next fix. Don't smoke, live a healthier, longer and happier life.

Name (first & last): Marques Kahawai'i Town/zipcode: Kamuela 96743

School: Honoka'a High and Intermediate School Age: 16



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I strongly support ending the sale of flavored tobacco

Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

It's becoming a big problem in especially Hanalei. From what I know, many teens have hands on these things and is getting out of hand. I'd want our island be tobacco free and to be the best for us now and for the future.

Name (first & last): Reina Domingo-Pere Town/zipcode: Honoka'a, HI 96727
School: Honoka'a High & Intermediate School Age: 16



By submitting this form, I consent to have this petition shared with lawmakers on bills that affect ending the sale of flavored tobacco in Hawai'i

End the Sale of Candy Flavored Tobacco

Youth and young adults are using candy-flavored tobacco at alarming levels. Why we need a candy-flavored tobacco ban:

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I strongly support ending the sale of flavored tobacco

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I believe that flavored tobacco should not be sold in Hawai'i because:

Flavored Tobacco is bad for both
Adults & little kids. Flavored tobacco
weakens your immune system and
messes up your lungs later on when
you get older.

Name (first & last): Sakari Yadao Town/zipcode: 96727

School: Hono Kaa High & Inter Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

The flavors are more attractive to younger kids. With flavors children start getting addicted to tobacco at a younger age causing more problems as they get older. Because so many people are vaping more and more kids get sucked into peer pressure

Name (first & last): Jaslyn Mura Town/zipcode: 96727

School: Honokaa High School Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

It draws more kids to vaping. Teen and kids vape because the flavor of the liquid. They don't realise that flavored tobacco can cause serious damage to your lungs.

Name (first & last): Alohilani Blackstad Town/zipcode: Kamuela 96743

School: Honokaa High school Age: 15

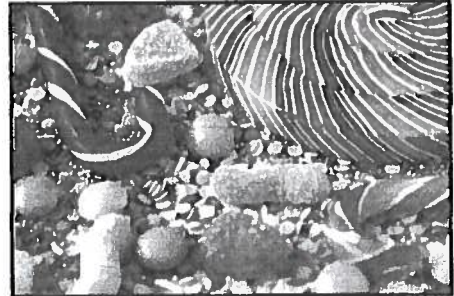


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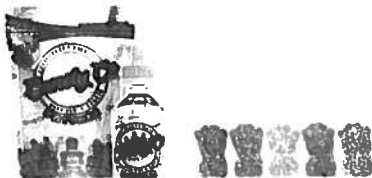
Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

It is very dangerous and many people don't know just how much damage it can cause your body. People mainly just do it to become "cool" and don't know the effect it has on your body.

Name (first & last): Zenia Silva Okamura Town/zipcode: 96743/kamuela

School: Honokaa'i High & Intermediate Age: 16



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Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

I believe that flavored tobacco should be banned in Hawaii. Why I think flavored tobacco should be banned is because there are 80% which is a lot of youth that currently vape but are using the flavored liquids. Another reason is that vaping flavored liquid can lead to lung cancer and other stuff that can kill you. And youth thinks its okay to smoke flavored liquid and its not gonna hurt them, it will they just don't know what flavored liquid can do. Thats why I think flavored liquid should be banned in Hawaii.

Name (first & last): Shayla-ann Aedal Town/zipcode: _____

School: Honokala high school Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

Candy flavored tobacco is so harmful to our teens health. We need to stop this because it will cause serious damage to our body. I feel like the people willing and thinking it's right to sell these products don't care what effects it can do to us. They only seek to care about money and business. The vapers are starting way too young and it's so unreal. We need to stop this.

Name (first & last): Justice Lindsey Town/zipcode: 96727
School: Honokaa High Age: 16



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Electronic smoking devices are devices that heat a liquid containing nicotine into an aerosol that the user inhales. Toxic ingredients hide behind fun and innocent sounding flavors like gummy bear and cotton candy and introduce youth to a lifetime of addiction.

I believe that flavored tobacco should not be sold in Hawai'i because:

Why I support this. Because candy flavors are bad you can get cancer and we all know you can get popcorn lungs. We know you can die because all of this unhealthy flavors. But we need to stop selling this cause slowly by slowly people are getting sick cause of all of this bad liquids. So put an end to it.

Name (first & last): Nelsa Bolitho Town/zipcode: 96727

School: Honokaa Hi Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

I have a friend that has got popcorn lung at just the age of 13. He doesn't know how long he has to live. All because of these vape flavors & tobacco within the flavors.

Name (first & last): Kalub Kualii Town/zipcode: 96743/Kamuela
School: Honoka'a Age: 24 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

it's appealing to adolescence, it can be addicting & cause health issues for users in the future. Many of my classmates have access to flavored liquids +& spread their vape around their younger siblings & peers. By using these flavored tobacco they're bringing bad influences as well as harming their bodies at a young age.

Name (first & last): Kayla Miura Town/zipcode: 96243

School: Hono Kala High School Age: 16

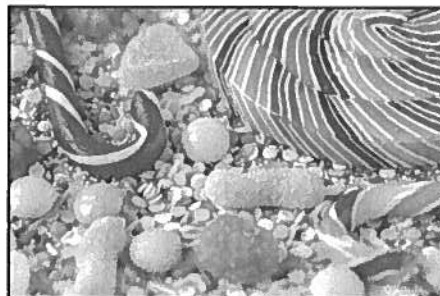


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I believe that flavored tobacco should not be sold in Hawai'i because:

Candy flavored tobacco is clearly trying to appeal to children as well as cigarette smokers looking for a better alternative, though its not. These companies aren't looking^{out} for the people but for themselves and the money they make. They are the type of people that will do anything for money. This bennefits people in no way whatsoever, therefor it should end.

Name (first & last): Sydni Albarcar Town/zipcode: 96743
School: Honoka'a High Age: 17



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I believe that flavored tobacco should not be sold in Hawai'i because:

For starters we all know that nicotine can deteriorate one's health. It can affect the nervous, cardiovascular and respiratory systems. However, due to the fact that it's "candy" flavored tobacco, which makes it twice as more addictive towards teens and unfortunately younger children.

Name (first & last): Kylie Aurelio Town/zipcode: 96727

School: Honokaa High School Age: 17



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I believe that flavored tobacco should not be sold in Hawai'i because:

It can cause popcorn lung and can hurt you

Name (first & last): Rafael Realina Town/zipcode: Honokaa 16721

School: Honokaa High School Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

I believe that flavored tobacco shouldn't be sold in Hawaii b/c it has effects that could potentially be worse than drugs. There is also many dangerous chemicals

Name (first & last): Justin P. Vallente Town/zipcode: 96727
School: Honokaia High Age: 15



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I believe that flavored tobacco should not be sold in Hawai'i because:

It is ruining kids education because they are more focused on what flavors they got. It is ~~also~~ ^{also} affects the academic things like sports, clubs, ect.

Name (first & last): Zach Turpin Town/zipcode: 96787

School: Honolulu Age: 15



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LATE

To: Senator Rosalyn Baker, Chair
Senator Stanley Chang, Vice Chair
Committee on Commerce, Consumer Protection, and Health

From: Hawaii Petroleum, LLC

RE: SB1009, Related to Flavored Tobacco Products

Date: March 8, 2019

Thank you for the opportunity to provide testimony. Hawaii Petroleum is an independent petroleum marketer operating on the islands of Maui and Hawaii, and employees approximately 325 people on the two islands. Hawaii Petroleum **OPPOSES SB1009** in its current form. **We ask for the Committee’s consideration in providing an exemption from the ban for menthol or mentholated tobacco products and all flavored smokeless tobacco products that are clearly marketed to the adult user.**

- Hawaii Petroleum does not attempt to argue the merits of tobacco use or to downplay the health risks that are involved, especially with Hawaii’s youth population. We believe tobacco products are strictly for adult use.
- Hawaii has already enacted strict laws for the legal age of sale of tobacco products, as encouraged by the federal Food & Drug Administration. HPMA member companies that sell tobacco products, along with many other responsible retailers in Hawaii, do so in compliance with the law. By eliminating flavored tobacco products for sale, this proposed bill would deprive adult users of acquiring these products while unintentionally leading to predatory online/Internet sales and, even more concerning, the potential proliferation of black-market products that are fully unregulated.
- Hawaii Petroleum does not argue against banning sales of candy flavored tobacco products such as “Bubble Gum” and “Cotton Candy” e-liquids for electronic smoking devices (ESDs), the marketing of which can easily be construed as targeting young users. Rather, Hawaii Petroleum is primarily concerned that menthol-flavored tobacco products are included in the vast array of flavored products being banned in this bill. Menthol cigarettes, for example, account for more than half of the tobacco sales for retailers, and conceivably more for some other businesses.
- **Focus on enforcement, to catch the violator(s).** With Hawaii’s strict age restrictions against accessing tobacco products, combined with locations where people are prohibited from smoking or vaping, the State has done much to safeguard our youth from using these products. Still, we are aware that usage is high—and growing—among young people. We feel it is a call for stricter enforcement of sellers who violate Hawaii’s laws and increased consumer education, more so than prohibiting access to consumer products that are intended for adults.
- Should the State proceed with enacting a ban on flavored tobacco products, Hawaii Petroleum respectfully requests that menthol flavoring in cigarettes and ESD liquids remain available for sale through local retail outlets, along with all flavored smokeless tobacco products such as snuff and chewing tobacco that are aimed at adult users. Hawaii Petroleum notes that sales conducted through locally established retail locations enable the seller to more accurately ascertain a purchaser’s age.

Maui: 385 Hukilike Street, #101 | Kahului, Hawaii 96732 | t: 808.270.2800 | f: 808.270.2801

Hilo: 16 Railroad Avenue, #202 | Hilo, Hawaii 96720 | t: 808.935.6641 | f: 808.934.7197

Kona: 74-5558 B Kaiwi Street | Kailua-Kona, Hawaii 96740 | t: 808.329.1862 | f: 808.326.2755

e-mail: sales@hawaiipetroleum | www.hawaiipetroleum.com | www.ohanafuels.com | www.minitstop.com

- In addition, SB 1009 would allow any county to adopt a rule or ordinance that places greater restrictions on the access of tobacco products than State law, and the more stringent restrictions shall prevail in the event of a conflict. We understand and support the need for strict enforcement of this statute. We believe, however, that having a uniform State law would better enable retailers to comply, rather than allowing a mixture of laws to emerge from county to county.

I urge you to consider the above items when considering SB1009 to craft a bill that is effective, yet fair.

Mahalo.

SB-1009-SD-2

Submitted on: 3/11/2019 5:52:53 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Tammy Young	Individual	Oppose	No

Comments:

You've got no right to take away the flavors I like.

SB-1009-SD-2

Submitted on: 3/11/2019 5:57:11 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Hawaii Smokers Alliance	Oppose	No

Comments:

We remain STRONGLY OPPOSED to sb1009 and stand on our previous testimony. The government has no right to stop the FREEDOM OF CHOICE of adults.

LATE

SB-1009-SD-2

Submitted on: 3/11/2019 5:23:12 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brodie Lockard	Individual	Support	No

Comments:

LATE

SB-1009-SD-2

Submitted on: 3/11/2019 7:55:23 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ned Garcia	Individual	Oppose	No

Comments:

LATE

SB-1009-SD-2

Submitted on: 3/11/2019 8:18:37 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Patterson	Individual	Oppose	No

Comments:

Will remember this at the polls next year. Oppose sb1009.

LATE

SB-1009-SD-2

Submitted on: 3/11/2019 10:35:08 PM

Testimony for HLT on 3/12/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brent K. Tamamoto, M.D.	Individual	Support	No

Comments:

As a Private Practice Pediatrician with almost 10 years of experience working on a daily basis with the keiki of our state, it is crucial that we ban the sale of flavored tobacco products. Numerous studies have shown that these products are preferentially chosen by minors who subsequently become addicted to the nicotine in these tobacco products and frequently become lifelong smokers who struggle with addiction. Tobacco products continue to be the #1 cause of preventable death and illness in our country with strong associations to heart disease, stroke and COPD, not to mention being by far the #1 cause of lung cancer. Tobacco products and their health consequences represent a huge burden of cost on our health care system and the less people who become addicted to the harmful products at a young age, the better. Banning the sale of flavored tobacco products just makes sense.

Sincerely,

Brent K. Tamamoto, M.D.