



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in SUPPORT of H.B. 2457, H.D. 2, S.D. 1
RELATING TO THE YOUTH VAPING EPIDEMIC**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

SENATOR DONOVAN DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: July 2, 2020

Room Number: Auditorium

1 **Fiscal Implications:** The Department of Health (DOH) defers to the Department of Education
2 (DOE) for implementation of confiscation, the Department of Taxation (DOTAX) for fiscal
3 implications of implementation, and to the Department of the Attorney General (AG) for fiscal
4 implications for enforcement.

5 **Department Testimony:** The DOH supports House Bill 2457, House Draft 2, Senate Draft 1
6 (H.B. 2457, H.D. 2, S.D. 1) which would create an Act known as the “Reversing the Youth
7 Tobacco Epidemic Act of 2020.” The proposed measure makes it unlawful to sell, offer to sell,
8 or possess with the intent to sell or offer to sell any flavored tobacco product, including menthol
9 in the State, and also prohibits the mislabeling of e-liquid products containing nicotine. The
10 measure specifies fines and penalties for violations.

11 E-cigarettes are the most commonly used tobacco product among youth¹ and flavors are
12 one of the main reasons that youth use tobacco products, especially e-cigarettes. According to
13 the Population Assessment of Tobacco and Health (PATH) study, 81% of 12 to 17-year-old
14 teens who had ever used a tobacco product-initiated tobacco use with a flavored product. Since
15 the 2018 U.S. Food and Drug Administration (FDA) and Surgeon General declaration of the
16 youth e-cigarette epidemic, use among young people continues to rise. By 2019, 27.5% of high

¹ Health, C. O. on S. and. (2020, February 24). *Smoking and Tobacco Use; Electronic Cigarettes*. Centers for Disease Control and Prevention. https://www.cdc.gov/tobacco/basic_information/e-cigarettes/about-e-cigarettes.html

1 school students said they vaped compared to 20.8% in 2018.² These figures represent a doubling
2 of proportions between 2017 and 2019 for high schoolers (11.7% to 27.5%) and tripling effect
3 for middle schoolers (from 3.3% to 10.5%).³ Adult regular use of e-cigarettes in Hawaii in
4 comparison is 4.7%.⁴

5 The passage of this measure would curb the availability and access to flavored tobacco
6 products, including menthol, that facilitates youth initiation and exposes the developing brain
7 and body to the harmful and addictive effects of nicotine. The continuously evolving novel and
8 flavored tobacco products have outpaced existing policies that have protected Hawaii's children
9 and youth.

10 Currently, reducing access to flavored tobacco products as a means for decreasing youth
11 vaping rates is even more critical due to the COVID-19 pandemic. A study conducted in April
12 2020, found that smokers are more likely to develop severe disease with COVID-19, compared
13 to nonsmokers.⁵ COVID-19 is an infectious disease that impairs lung function making it harder
14 for the body to fight off coronaviruses and other diseases. Dr. Nora Volkow, Director of the
15 National Institute on Drug Abuse, stated "because it attacks the lungs, the coronavirus that
16 causes COVID-19 could be an especially serious threat to those who smoke tobacco or marijuana
17 or who vape." Moreover, several studies have found that the chemicals in flavored e-cigarette
18 liquids can induce inflammation and impair lung cell function.^{6,7,8} The passage of H.B. 2457,
19 H.D. 2, S.D. 1 is an important step in reversing the youth tobacco epidemic and protecting the

² Wang TW, Gentzke AS, Creamer MR, et al. Tobacco Product Use and Associated Factors Among Middle and High School Students — United States, 2019. *MMWR Surveill Summ* 2019;68(No. SS-12):1–22. DOI: <http://dx.doi.org/10.15585/mmwr.ss6812a1>

³ Cullen KA, Gentzke AS, Sawdey MD, et al. e-Cigarette Use Among Youth in the United States, 2019. *JAMA*. 2019;322(21):2095–2103. doi:10.1001/jama.2019.18387

⁴ Department of Health, Hawaii Health Data Warehouse, Indicator-Based Information System, 2017 Hawaii Behavior Risk Factors Surveillance Study.

⁵ WHO statement: *Tobacco use and COVID-19*. (n.d.). Retrieved June 10, 2020, from <https://www.who.int/news-room/detail/11-05-2020-who-statement-tobacco-use-and-covid-19>

⁶ *Vaping Away Epithelial Integrity*. (n.d.). Retrieved June 16, 2020, from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6670025/>

⁷ Muthumalage, T., Lamb, T., Friedman, M. R., & Rahman, I. (2019). E-cigarette flavored pods induce inflammation, epithelial barrier dysfunction, and DNA damage in lung epithelial cells and monocytes. *Scientific Reports*, 9(1), 19035. <https://doi.org/10.1038/s41598-019-51643-6>

⁸ *Flavored e-cigarette liquids and cinnamaldehyde impair respiratory innate immune cell function | American Journal of Physiology-Lung Cellular and Molecular Physiology*. (n.d.). Retrieved June 16, 2020, from <https://journals.physiology.org/doi/full/10.1152/ajplung.00452.2016>

1 health of Hawaii's children and youth during the current COVID-19 crisis and beyond. The
2 DOH supports this progressive measure to protect the health of our communities by preventing
3 more youth in Hawaii from initiating flavored e-cigarette use.

4 Thank you for the opportunity to testify.



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

Date: 07/02/2020
Time: 10:00 AM
Location: Auditorium
Committee: Senate Judiciary
Senate Ways and Means

Department: Education

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

Title of Bill: HB 2457, HD2, SD1 RELATING TO THE YOUTH VAPING EPIDEMIC.

Purpose of Bill: Bans the sale of flavored tobacco products. Prohibits mislabeling of e-liquid products containing nicotine. Establishes fines and penalties for violations. Authorizes a court to impose, as a penalty on a person eighteen to twenty-one years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine. Requires a parent or guardian of a minor to select from among the penalties for a minor convicted of possession of a tobacco product or electronic smoking device. Effective 7/1/2020. (SD1)

Department's Position:

The Department of Education (Department) supports the intent and offers comments on HB 2457, HD2 SD1.

The Department is committed to ensuring that our students are educated, healthy, and lifelong learners who contribute positively to our community and global society. In our Department's schools, there is zero-tolerance for tobacco products and electronic smoking devices (ESDs) that extend to Department transportation and/or during Department school-sponsored activities.

The Department is working in partnership with the Hawaii Department of Health (DOH) to educate youth to make positive health decisions. To raise awareness about the risks and dangers of tobacco products and ESDs, the Department's efforts focus on the following:

- Providing health education to develop students skills that support healthy behaviors;
- Collaborating with DOH on the collection of Youth Risk Behavior Survey (YRBS) data on Hawaii's youth and their usage of tobacco and ESDs;
- Promoting public awareness through parent letters and flyers of Section 712-1258, HRS, which makes it unlawful for anyone under the age of 21 years of age to be sold, to purchase, to use, or to

- possess tobacco products and ESDs; and
- Monitoring students for compliance or violation of Title 8, Chapter 19, Hawaii Administrative Rules (HAR) Student Misconduct, Discipline, School Searches, and Seizures, Reporting of Offenses, Police Interviews, and Arrests, and Restitution for Vandalism, Complaint Procedure and Investigation of Discrimination, Harassment (Including Sexual Harassment), Bullying and/or Retaliation, as it relates to using of tobacco products and ESDs.

Thank you for the opportunity to provide testimony on HB 2457, HD2, SD1.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. 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.



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2020**

LATE

ON THE FOLLOWING MEASURE:

H.B. NO. 2457, H.D. 2, S.D. 1, RELATING TO THE YOUTH VAPING EPIDEMIC.

BEFORE THE:

SENATE COMMITTEES ON JUDICIARY AND ON WAYS AND MEANS

DATE: Thursday, July 2, 2020

TIME: 10:00 a.m.

LOCATION: State Capitol, Auditorium

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Delanie D. Prescott-Tate,
Deputy Attorney General, at 808-586-1203)

Chairs Rhoads and Dela Cruz and Members of the Committees:

The Department of the Attorney General offers the following comments on this bill.

The bill seeks to address the significant risks to public health caused by the rapidly growing use of electronic smoking devices and flavored e-liquids in Hawaii, especially among the youth. The bill seeks to establish the offense of sale or advertising of flavored tobacco products within the Hawaii Penal Code; amends section 328L-5(a), Hawaii Revised Statutes (HRS), by including the fines generated from sentencing for violation of the offense of sale or advertising of flavored tobacco products as a source of funding for the Hawaii tobacco prevention and control trust fund; amends section 328L-5(e), HRS, to add the fines generated from sentencing for violation of the offense of sale or advertising of flavored tobacco products as an asset of the Hawaii tobacco prevention and control trust fund; and amends section 712-1258(6), HRS, by increasing the sentencing options for violation of the criminal offense selling or furnishing tobacco products to persons under twenty-one years of age.

Section 2 of H.B. No. 2457, H.D. 2, S.D. 1, establishes a new criminal offense in chapter 712, HRS, entitled "sale or advertising of tobacco products; flavored; nicotine-free." As part of the sentencing provisions set forth on page 7, lines 1 to 3, the bill requires "[a]ll fines shall be paid to the department of health and deposited into the

Hawaii tobacco prevention and control trust fund established pursuant to section 328L-5." However, moneys paid to the Department of Health become public funds. Section 37-54, HRS (2009). As such, the Department of the Attorney General suggests that reference to the department of health on page 7, line 1, be stricken.

Section 3 of the bill amends section 328L-5(a) and (e), HRS, to allow the fines assessed for violation of the offense of sale or advertising of flavored tobacco products to be deposited into the tobacco prevention and control trust fund; and makes the fines an asset of the tobacco prevention and control trust fund. The Hawaii tobacco prevention and control trust fund is "a separate fund of a nonprofit entity¹ . . . into which shall be deposited moneys received" from the Hawaii tobacco settlement special fund. Section 328L-5(a), HRS (Supp. 2019). The Hawaii tobacco settlement special fund is comprised of all tobacco settlement moneys received pursuant to the tobacco master settlement agreement, and the interest and earnings accrued from investment of the moneys in the fund. Section 328L-2(a)(1) - (2), HRS (2010). The Department of Health administers the Hawaii tobacco settlement special fund. Section 328L-2(a), HRS (2010).

The Hawaii tobacco prevention and control trust fund may be used for "tobacco prevention and control, including but not limited to, reducing cigarette smoking and tobacco use among youth and adults through education and enforcement activities, and controlling and preventing chronic diseases where tobacco is a risk factor." Section 328L-5(c), HRS (2010). Rephrasing the sentence on page 7, lines 1 to 3, to read: "All fines and penalties collected under section 712-____, shall be paid into the Hawaii tobacco prevention and control trust fund established pursuant to section 328L-5" will allow the fines to be used by the Hawaii Community Foundation to reduce cigarette smoking and tobacco use among youth and adults. See section 328L-5, HRS (2010).

Additionally, for consistency and clarity, the Department of the Attorney General suggests that the language of subsection (3) on page 6, lines 10 to 14, be changed to more closely follow the forfeiture wording from section 712-1258(6), HRS (Supp. 2019):

¹ The Hawaii Community Foundation is the non-profit entity selected by the director of health, with the concurrence of the governor, to administer the tobacco prevention and control trust fund. See Section 328L-5(a), HRS (2010).

(3) Any flavored tobacco product found in the retailer's possession that is in violation of this section shall be considered contraband, seized, summarily forfeited to the State, and destroyed following the conclusion of an administrative or judicial proceeding finding that a violation of this section has been committed. The procedures set forth in chapter 712A shall not apply to this subsection.

Section 4 of the bill seeks to amend the sentencing provisions under section 712-1258, HRS, for violation of the criminal offense selling or furnishing tobacco products to persons under twenty-one years of age. The bill requires "the parent or guardian of a person under eighteen years of age to be notified of the offense and given fifteen days to select which penalty shall be imposed on the person[.]" Page 12, lines 12 to 17.

A person less than eighteen years of age who violates any federal, state, or local law or county ordinance falls under the exclusive jurisdiction of the family court. Section 571-11, HRS (2018). The family court already requires the minor's parents, guardian, or legal custodian to be notified immediately whenever a minor is taken into custody for violation of any federal, state, or local law or county ordinance. Section 571-31(b), HRS (2018). Where the minor is not in custody, the family court issues a summons to the person who has custody and control of the minor to bring the minor before the court at the time and place stated on the summons. Section 571-23, HRS (2018).

Proceedings held under section 571-11, HRS, shall be "heard by the [family] court" and it is the family court judge that issues the final disposition upon finding that criminal allegations against the minor were proven beyond a reasonable doubt. Section 571-41(a), (c), (d) and (f), HRS (2018). The final disposition of a minor's adjudication as a law violator is the purview of the family court judge, not the parents or guardians. The Department of the Attorney General recommends that page 12, lines 12 to 17, of the bill be stricken.

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

Justin F. Kollar
Prosecuting Attorney



Rebecca Vogt Like
Second Deputy

Jennifer S. Winn
First Deputy

Diana Gausepohl-White
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

3990 Ka'ana Street, Suite 210, Līhu'e, Hawai'i 96766
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Victim/Witness Program 808-241-1898 or 800-668-5734

THE HONORABLE KARL RHOADS, CHAIR
THE HONORABLE JARRETT KEOHOKALO, VICE CHAIR
SENATE COMMITTEE ON JUDICIARY
THE HONORABLE DONOVAN M. DELA CRUZ, CHAIR
THE HONORABLE GILBERT S.C. KEITH-AGARAN, VICE CHAIR
SENATE COMMITTEE ON WAYS AND MEANS
Thirtieth State Legislature
Regular Session of 2020
State of Hawai'i

July 2, 2020

**RE: H.B. 2457 H.D. 2 S.D. 1; RELATING TO THE YOUTH VAPING
EPIDEMIC.**

Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran, and members of the Senate Committees on Judiciary and Ways and Means, the Office of the Prosecuting Attorney of the County of Kaua'i submits the following testimony in support of H.B. 2457 H.D. 2 S.D. 1.

The purpose of this bill is to ban the sale of flavored tobacco testing. We support the Bill in its current form. This Bill appropriately focuses the penalty for violations on the tobacco industry, rather than the individual clerk or juvenile involved in a transaction. We support referral of juveniles to cessation programming outside the criminal justice system.

The youth vaping epidemic on Kaua'i is out of control. We are thankful for the work of concerned public health advocates and our partners in the juvenile justice community for advancing this important measure to protect the health and safety of our keiki.

For these reasons, the Office of the Prosecuting Attorney supports the passage of H.B. 2457 H.D. 2 S.D. 1. Thank you for this opportunity to testify.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
CLYDE K. HO
DEPUTY CHIEFS

OUR REFERENCE MK-SA

July 2, 2020

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
The Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Rhoads and Dela Cruz and Members:

SUBJECT: House Bill No. 2457, H.D. 2, S.D. 1, Relating to the Youth Vaping Epidemic

I am Mikel Kunishima, Captain of the Criminal Investigation Division, formally assigned to the Community Affairs Division, of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 2457, H.D. 2, S.D. 1, Relating to the Youth Vaping Epidemic.


The HPD strongly supports this bill that prohibits the sale of flavored tobacco products including electronic liquids. Flavored tobacco products directly target adolescents and young adult age groups. Recent deaths in these age groups have been directly linked to the use of e-products.

The HPD has no stance on the fines or penalties for violations.

The HPD urges you to support House Bill No. 2457, H.D. 2, S.D. 1, Relating to the Youth Vaping Epidemic.

Thank you for the opportunity to testify.

Sincerely,


Mikel Kunishima, Captain
Criminal Investigation Division

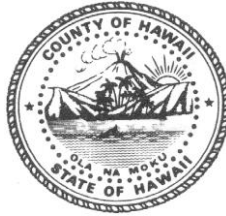
APPROVED:



Susan Ballard
Chief of Police

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL NO. 2457 HD2
SD1

A BILL FOR AN ACT RELATING TO THE YOUTH VAPING
EPIDEMIC

COMMITTEE ON JUDICARY

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Thursday, July 2, 2020, 10:00 AM
State Capitol Auditorium

Honorable Chairs Baker and Kidani, Honorable Vice Chairs Chang and Kim and Members of the Committee Commerce, Consumer Protection and Health & Committee on Education. The Office of the Prosecuting Attorney, County of Hawai‘i submits the following testimony in SUPPORT of House Bill No. 2457 HD2

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. In last year’s visit to Hawai‘i, Surgeon General Jerome Adams brought up the fact that our state ranks 2 from the highest in the nation for ESD use. Statistics from the State Department of Health show 1 out of ever 6 public middle school students in Hawai‘i has used an ESD.

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

The Office of the Prosecuting Attorney, County of Hawai'i SUPPORTS the passage of House Bill No. 2457 HD2 SD1. Thank you for the opportunity to testify on this matter.



HB2457 HD2 SD1 Ban the Sale of Flavored Tobacco

COMMITTEE ON JUDICIARY:

- Sen. Karl Rhoads, Chair; Sen. Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS;

- Sen. Donovan Dela Cruz, Chair; Sen. Gilbert Keith-Agaran, Vice Chair
- Thursday, July 2, 2020: 10:00 am
- Auditorium

Hawaii Substance Abuse Coalition Supports HB2457 HD2 SD1:

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of over 30 non-profit alcohol and drug treatment and prevention agencies.

Flavored tobacco targets youth and 95% of smokers start before legal age for smoking:

- *Given the historic rise in e-cigarettes by youth, banning the sale of flavored and menthol tobacco products can help to reduce the danger to children from vaping, which is a growing major public health concern.*
- *In 2019, the prevalence of self-reported current e-cigarette use was high among US high school and middle school students. A cross-sectional survey conducted in 2019 that included 19,018 participants, the prevalence of self-reported current e-cigarette use was 27.5% among high school students and 10.5% among middle school students with many current e-cigarette users reporting frequent use and most of the exclusive e-cigarette users reporting use of flavored e-cigarettes.* November 5, 2019; e-Cigarette Use Among Youth in the United States, 2019 Karen A. Cullen, PhD1; Andrea S. Gentzke, PhD2; Michael D. Sawdey, PhD1; et al; <https://jamanetwork.com/journals/jama/article-abstract/2755265>
- *When Congress banned flavored cigarettes in 2009, there was a correlating reduction in overall tobacco product use by youth of 6.1 percent.* Family Smoking Prevention and Tobacco Control Act, passed by the United States Congress in October 2009 bans cigarettes with flavors other than menthol or tobacco. Courtemanche, Charles J.; Palmer, Makayla K.; Pesko, Michael F. (1 May 2017). "Influence of the Flavored Cigarette Ban on Adolescent Tobacco Use". *American Journal of Preventive Medicine*. **52** (5): –139–e146. doi:10.1016/j.amepre.2016.11.019.

We appreciate the opportunity to provide testimony and are available for questions.

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

Big Island Substance Abuse Council

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

Kokua Ohana Aloha (KOA)

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

June 29, 2020

To: Senator Karl Rhoads, Chair
And members of the Committee on Judiciary

Senator Donovan Dela Cruz, Chair
And members of the Committee on Ways and Means

Testimony in Support of HB 2457 HD 2 SD 1 Relating to the Youth Vaping Epidemic

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports HB 2457 HD 2 SD 1 Relating to the Youth Vaping Epidemic.

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

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

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

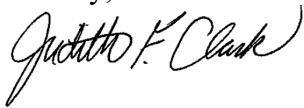
808novape researchers have found that:

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

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

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director



**Testimony to the Senate Joint Committee on Judiciary and Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium**

RE: HOUSE BILL NO. 2457, SENATE DRAFT 1, RELATING TO THE YOUTH VAPING EPIDEMIC.

Chair Rhoads, Chair Dela Cruz, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** House Bill No. 2457, Senate Draft 1, RELATING TO THE YOUTH VAPING EPIDEMIC.

The bill, as received by your Committee, would prohibit the sale or distribution of all flavored tobacco products in the State.

By way of background, the HPCA represents Hawaii Federally-Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines in rural and underserved 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 healthcare.

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.

It is for this reason that the HPCA joins the American Cancer Society of Hawaii, 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. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiiipca.net.



**Testimony to the Senate Committees on Judiciary and Ways and Means
Thursday, July 2, 2020 at 10:00 A.M.
Auditorium, State Capitol**

RE: HB 2457 HD2 SD1, RELATING TO THE YOUTH VAPING EPIDEMIC

Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran, and Members of the Committees:

The Chamber of Commerce Hawaii ("The Chamber") **supports** HB 2457 HD2 SD1, which bans the sale of flavored tobacco products, prohibits the mislabeling of e-liquid products containing nicotine, and establishes fines and penalties for violations. This bill would also authorize a court to impose, as a penalty on a person 18-21 years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, a tobacco use cessation program, or perform community service instead of paying a fine.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Hawaii has some of the highest vaping rates among youth in the nation. According to 2017 data from the Center for Disease Control and Protection (CDC), Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation behind Colorado. While the State has made tremendous strides toward reducing the use of cigarettes and other tobacco products, the use of electronic cigarettes has continued to increase with 42% of all high school students and 27% of middle school students reporting to have tried an electronic smoking device in 2017. Without further prevention, it is estimated that around 54,000 of Hawaii's youth will eventually become smokers.

The rise in youth vaping has been in conjunction with enticing flavored products that are offered and actively advertised, with one study showing that 81% of youth who used a tobacco product reported that the first product they used was flavored. Smokers who used nicotine products at a younger age have shown to increase the chances of long-term addiction during their adult years, leading to a faster decline in health.

Reducing tobacco use also benefits employers by reducing health care costs. According to the Hawaii State Department of Health (DOH), in 2009, \$526 million was spent in health care costs as a result of smoking. The DOH also estimates that for every \$1 spent on tobacco prevention, Hawaii and employers saved about \$6.64 in direct health care costs. Efforts such as



Chamber *of* Commerce HAWAII

The Voice of Business

HB 2457 HD2 SD1 ensure that employers can continue to afford to provide quality health care to Hawaii residents.

Thank you for the opportunity to testify on this measure.

HB-2457-SD-1

Submitted on: 7/1/2020 6:37:59 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Testifying for Hawaii Smokers Alliance	Oppose	No

Comments:

The Hawaii Smokers Alliance is gravely concerned about and strongly opposed to HB2457 for the following reasons.

1. The bill will have a severe negative impact on local businesses that sell these products in an already suffering economy. This includes the employees that will lose their jobs.
2. HB2457 is a shameless attack on our civil liberties.
3. The bill FALSELY claims to be about kids when the actual target group being denied these products is adults over 21. The stated intent of HB2457 is little more than a bald faced lie.
4. Also the bills penalty and offense structure is confusing at best.
5. The bill is offensive to people that vote and enjoy these products.

Please do not allow this unfair bill out of committee.

Respectfully,

Michael Zehner

Hawaii Smokers Alliance

hawaiismokersalliance.net



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

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole

Senate Committee on Ways and Means
Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair

HB 2457, SD1 – RELATING TO THE YOUTH VAPING EPIDEMIC

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

Thank you for the opportunity to provide written testimony in support of HB 2457, SD1, which prohibits the advertising, sales, and remote sales of flavored tobacco products, and amends the penalties for violations of use and possession by individuals under the age of 21. This measure is effective on July 1, 2020.

Flavors in tobacco products are a marketing weapon the tobacco manufacturers use to target youth and young people to a lifetime of addiction. Altering tobacco product ingredients and design, like adding flavors, can improve the ease of use of a product by masking harsh effects, facilitating nicotine uptake, and increasing a product's overall appeal. Candy, fruit, mint and menthol flavorings in tobacco products are a promotional tool to lure new, young users, and are aggressively marketed with creative campaigns by tobacco companies. Products with flavors like li hing gummy bears, taro pancake, cotton candy, and passion orange guava are clearly not aimed at established, adult tobacco users and years of tobacco industry documents confirm the intended use of flavors to target youth. Furthermore, youth report flavors a leading reason they use tobacco products and perceive flavored products as less harmful.

While we support provisions to restrict the sale of flavored tobacco products, we do have concerns over any potential increase in youth penalties – including monetary fines. Youth penalties place an unfair punishment for addiction to tobacco products. We would support any effort to remove or reduce youth penalties for under-age use and possession for these reasons.

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

From: [Cynthia Au](#)
To: [JDCTestimony](#)
Subject: JDC/WAM Testimony HB2457 HD2, SD1 - July 2, 2020; 10:00 a.m.
Date: Tuesday, June 30, 2020 3:17:45 PM
Attachments: [image001.png](#)
[HB2457 HD2 SD1 Testimony in Support 20.0702 JDCWAM.pdf](#)

Aloha Senate Committee on Judiciary,

Attached is a compilation of testimony in support for Thursday, July 2, 2020; 10:00 am; State Capitol, Auditorium in SUPPORT of HB2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC for the following individuals:

Ramic Santiago, UH Graduate Student
Jenny Hausler, Citizen
Ruthie Diaz, BSW
Cassandra Castillo, UH Grad student
Marissa Powers, RDH
Uri Martos, Citizen
Biu, 9th Grade, Hawaii Baptist Academy
Rachel, 9th Grade, Hawaii Baptist Academy
Sammy, 9th Grade, Hawaii Baptist Academy
Greg, 9th Grade, Hawaii Baptist Academy
Ashley, 9th Grade, Hawaii Baptist Academy
Aaron, 9th Grade, Hawaii Baptist Academy
Landen, 9th Grade, Hawaii Baptist Academy
Jordon, 9th Grade, Hawaii Baptist Academy
Trislyn, 9th Grade, Hawaii Baptist Academy
Anonymous, 9th Grade, Hawaii Baptist Academy
Anonymous, 9th Grade, Hawaii Baptist Academy
Jordy, 9th Grade, Hawaii Baptist Academy
Kyle, 9th Grade, Hawaii Baptist Academy
Christina, 9th Grade, Hawaii Baptist Academy
Gerico Demesillo, Undergraduate in Public Health Studies

[Cynthia Au](#)
Hawaii Grassroots Manager
808.392.3229

American Cancer Society Cancer Action Network, Inc.
2370 Nuuanu Avenue
Honolulu, HI 96817
fightcancer.org | 1.800.227.2345



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Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

My name is Ramic Santiago and I **strongly support** HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC.

There are too many children under 18 that are choosing to vape in Hawaii. According to the Center for Disease Control and Prevention Hawai'i ranks second in children ranging from 6th to 12th grade who choose to vape (1). According to Kaiser Health News numbers reported in 2018 translate to 3 million high school students nationally who vape. These staggering numbers continue to rise with advancements in vaping technology. Vaping devices can come in a variety of sizes and others like the JUUL product which is the size of a small USB port and can be used almost undetectable. Nicotine levels are manipulated and highly concentrated like the JUUL that can contain as much nicotine as 20 packs of cigarettes.

Nicotine is extremely unhealthy for youth because it can be extremely harmful to the developmental process in the youths brain and nicotine causes changes in the brains synapses which are built faster than the adults brain (1). Most e cigs contain nicotine and nicotine use in adolescence may further the risk for future addiction to drugs (1). There are many carcinogenic chemicals used in the production of e-cigs including cancer-causing compounds and heavy metals such as nickel, tin, and lead (1).

Many vaping products come with or are used with flavor additives such as candy flavorings. These flavorings are targeted at making nicotine products familiar to youth and make the vaping product more palatable to taste than traditional burning tobacco products which are restricted by the 2009 Family Smoking Prevention and Tobacco Control Act which banned fruit and candy flavorings in cigarettes but did not include smokeless tobacco products like chew and e-cigs.

As of January 2020 the Trump administration has enacted a ban on the flavoring of e-cigarettes which use pre filled cartridges but does not include tank based systems where users fill their own nicotine and flavor mixturing(2). Furthermore, mentol pre-filled vaping devices are excluded from the ban (2) . According to the National Institute on Drug Abuse 66% of teens vape only flavoring (2). Banning pre-filled e-cig products will have little effect when teens can still get ahold of products that contain flavored vaping products like fillable tank systems.

Hawaii needs to further the Trump administration's efforts to reduce the increasing number of underage children who use vaping products. Hawaii needs to ban all flavored vaping products in the state to fight the epidemic of underage teen vaping.

Sincerely,
Ramic P.H. Santiago, B.S.
1614 Emerson Street # 5
Honolulu, Hawaii 96813

Resources

1. Center for Disease Control and Prevention(2019). Smoking and Tobacco Use
2. MarketWatch.(2020). Federal Government Bans Popular E-cigg Flavors to the Curb.
3. NIH National Institute on Drug Abuse.(2015). Teens and E-cigs.

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I strongly support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC.

Tobacco killed my husband last March from smoking. He ended up dying from COPD and had lung cancer. He suffered greatly before he passed away and died an early death.

We have 6 grandchildren that I don't want to have the same fate as their grandfather. Our keiki are a vulnerable group and must be protected. Don't make it easy for electronic smoking devices to get into the hands of our kids from accessibility online and for being cheap to buy.

Please pass HB 2457 HD2, SD1 to save our children for the future.

Sincerely,

Jennifer Hausler
Pearl City, 96782

Date: June 29, 2020
To: The Honorable Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members on Judiciary

Senator Donovan M. Dela Cruz, Chair
Chair Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

From: Ruthie Diaz, BSW
rddiaz@hawaii.edu
Honolulu, 96813

Re: Strong Support for HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC.

Hearing: Thursday, July 2, 2020 at 10:00 am at Auditorium

Thank you for the opportunity to submit testimony in STRONG SUPPORT of HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC.

I am a non-traditional student at the University of Hawai'i, Mānoa, and completing the master's degree at the Myron B. Thompson School of Social Work. As a full-time student, social work practicum student, and a part-time employee, I have opportunities to engage with the communities at the University of Hawai'i as well as the Oahu community working with individuals and families. Most importantly, I am a mother of two children, ages five and an 11. I care deeply for my children as well as all the youth of Hawai'i, and prevention is key to many health risks.

Although there are various stories that I have encountered with electronic nicotine delivery systems ENDS and vape products, the one I can recall involves my four-year-old son. I live in a condominium with a wraparound lanai that welcomes cool trade wind breezes on most days. Because of this, my lanai doors are always wide open. My home is a smoke-free building, which should eliminate such behaviors and provide clean air for my family. However, addictive behaviors will often lead to the disregarding of such rules. Neighboring units smoking on their lanai lead to clouds of smoke to travel down to my family's unit. My four-year-old smelled the strawberry flavors and savored it. Luckily, he spoke out loud and mentioned that it smells like candy. I knew what it was, and I had no choice but to report it to our building management and close my lanai door. I realized that the smell of such flavors was very enticing to my four-year-old, and had I not stopped him, he would have continued to inhale the vape products contaminating our fresh air. This was a teaching moment for my older child about the health risk and the inconvenience it causes other people and families, but not necessarily to a four-year-old. This experience allowed me to see how dangerously enticing these ENDS flavors to even the youngest children. It made me aware of how normalized use or even continued exposure to ENDS and vape products may lead to experimentation and subsequent addiction.

Bill HB 2457 HD2, SD1, if enacted, it will prevent many health problems that are related to electronic nicotine delivery systems (ENDS) and vape products. The increasing youth vaping epidemic, particularly in Hawai'i, is

due to the lack of regulation pertaining to ENDS, enticement to youth using candy-flavored vape products as well as communities and social behaviors among youth normalizing the use of these items.

The opposition's argument that the use of ENDS and vape products is successful as a smoking cessation product has not been proven true, nor is it FDA approved. A study conducted in 2016 by Garcia-Arcos *et al.*, concluded that mice who were exposed to aerosolized nicotine-free and nicotine-containing e-cigarette fluid "triggered effects normally associated with the development of COPD including cytokine expression, airway hyper-reactivity, and lung tissue destruction" (Garcia-Arcos et al., 2016). The medically proven and documented health risks and addictive behaviors of ENDS and vaping outweighs the unsubstantiated arguments of successful cessation for existing smokers.

The continuous use and exposures of the harmful products to minors may cause addiction, lead to dual use of combustible cigarettes and vape products, and damage to the developing adolescent brain. The banning of flavored tobacco products is an imperative next step in tobacco control if HB 2457 HD2, SD1 becomes law.

Garcia-Arcos, I., Geraghty, P., Baumlin, N., Campos, M., Dabo, A. J., Jundi, B., ... Foronjy, R. (2016). Chronic electronic cigarette exposure in mice induces features of COPD in a nicotine-dependent manner. *Thorax*, 71(12), 1119–1129. doi: 10.1136/thoraxjnl-2015-208039

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

My name is Cassandra Castillo and I am in support of I strongly support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC. I am in my last semester of my master's program at Myron B. Thompson's School of Social Work and I have experienced first-hand the dangers of e-cigarettes. My first year of the program, my internship was at an elementary school. One of the challenges that we faced were children in the fourth grade getting their hands-on e-cigarettes and trying it because they thought it was "cool". Children are encouraged through social media, commercials, the radio station, and other outlets that e-cigarettes are the fun thing to do. They are persuaded by these fun flavors like cotton candy, strawberry, pink lemonade, and more. Children are encouraged that e-cigarettes are not dangerous and safe to use.

As a future social worker, we need to educate our future generations of just how dangerous e-cigarettes can be and the long-term effects that could happen by picking up this habit. I do not want to see my 8-month-old nephew grow up thinking that e-cigarettes are cool. I urge the committee to pass HB 2457 HD2, SD1 for the future of our children's tomorrow. Thank you for this opportunity to testify.

Cassandra Castillo
Ewa Beach, 96706

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I strongly support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC. I am a registered dental hygienist, and every day I see patients who are tobacco/e-cigarette users. In recent years, we have been seeing patients who do not have a history of decay, but have started developing cavities. When asked about changes habits or diet, many of the patients report the use of e-cigarettes, in particular, flavored e-cigarettes, which contain sugar. Many times, this is the only change, and these patients are experiencing decay due to the frequency of use. This is just one of the many problems caused by e-cigarettes.

I am an aunt to seven nieces and nephews, and I do not want to see them become the next generation of tobacco users, because they are able to easily get their hands on something that seems harmless and tastes like candy.

Marissa Powers, RDH
Honolulu, Hawaii, 96815

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

RE: HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC

My name is Uri Martos, and I am writing to express my support for HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC to help stop our keiki from using tobacco products.

I work right next to Wilcox elementary school and the Boys & Girls Club on Kauai. Everyday I am seeing more and more of Kauai's kids using e-cigarettes/vapes and it worries me terribly. These flavored tobacco products are targeting our children and hooking them on dangerous nicotine often for life. I'm afraid that Hawaii already has a high incidence of lung cancer and being a breast cancer survivor, I know firsthand the pain of dealing with this disease. I don't ever want our keiki to have to go through the hardship of having cancer or any other tobacco related illness. By simply eliminating these flavored tobacco products we will be able to save hundreds of our youth in Hawaii from becoming lifelong tobacco addicts.

I urge you to support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC. Thank you for the consideration of my testimony.

Mahalo,
Uri Martos
Lihue, Kauai 96766

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because a lot of people are ruining their lives with a deadly thing that can even lead to death. Companies are even targeting young kids to use vape products even though they know they shouldn't. when I walk around I sometimes see kids, teens, (and) adults smoking e-cigs and there are times they blow it in other people's faces which is wrong.

Biu, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC. Tobacco companies are targeting young kids to start vaping because of the many interesting flavors. Hawaii is the number one state for middle school e-cigarette users and kids are especially susceptible to advertisements and social media. Nicotine also affects the development of adolescent's brains, which can lead to long term effects in the future. My grandpa died of lung cancer from smoking, knowing that these kids are getting lured into doing something they probably aren't aware that is bad for them-a potentially more dangerous than normal cigarettes-shocks me because their decision now could permanently affect, or even shorten their future.

Rachel, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I am in support of HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC, because some people in my family use it and I don't like the thought of them wasting and shortening their lives. I'm especially worried now for the peers (my) family that might get hooked/addicted to the e-cigs because there's more flavors now that are attracting younger kids. This is scary because the brains of younger children haven't fully developed and can easily be influenced by the actions of their family or friends.

Sammy, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support bill HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because there are many problems with e-cigarettes including the marketing towards kids. The flavors that come out are specifically made to target kids because kids are intrigued by these flavors. They are more likely to buy it. There are many people around the island who are vaping. Also, Hawaii is the second highest state to use e-cigarettes. Now that I know this, I am concerned for my younger brother who may be exposed to it soon because he is in 6th grade.

Greg, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support bill HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because it attracts children. Children that don't even know what they're inhaling are starting to vape these days. I know many underage peers that use e-cigarettes daily. In fact, my own teenage cousins and family members think that using e-cigarettes are cool and post it all over their social media stories. It worries me that their health could go downhill, and they could get sick or hurt.

Ashley, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support bill HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because flavors are a large influencer to minors who start vaping. Flavors play a large role in the marketing of e-cigarettes to consumers under the age of 21. Nicotine is severely effective to children and teenagers. Research shows that consumers of nicotine under the age of 21 are more susceptible to drugs and alcohol later in life. I hear stories on the news about minors who consume e-cigarettes and are unable to do what they love due to lung failure.

Aaron, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

One of my family members have died from breast cancer because of her sister who consistently vaped. I support bill HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because from what I know, they are worse than regular cigarettes. I think the bill should be passed since it'll lessen the amount of people who still vape.

Landen, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because it is affecting the youth. More and younger kids and teens are getting their hands on these devices and these devices are messing with these kids. I support the bill because I don't want my fellow friends to die early from this severe device. I believe you will make the right decision. If you love kids and the youth, I believe you should support this bill.

Jordon, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC. Flavored tobacco products should be banned because of the dangerous effects caused by unknown substances of the product. Sellers will target oblivious kids to create business for their company. Flavors are very attractive to kids and (that) is the main reason why teens buy such products. Vaping has been promoted as a cool and popular trend, making my peers feel they should participate. When kids see their friends using e-cigs, the ideas of safety and popularity are ensured by their actions.

Trislyn, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because there are children out there that are going to the hospitals because they used e-cigs. When I was in middle school there was one of my friends that took a hit of an e-cigarette and she got a seizure and sent to the hospital. I believe that the flavors should be banned because that is the main thing attracting the young people out there.

Anonymous 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because it tastes too good to ignore. Flavors make e-cigarettes super appealing and seem more enjoyable. If something tastes good, you will keep consuming it. Like fast food, it tastes good but it's bad for you.
Anonymous 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because e-cigarettes are really bad for one's lungs to inhale. It puts harmful chemicals and substances into your lungs, which can lead to disastrous health issues. As children, we shouldn't be exposed to these metals and addictive nicotine when our brains are still developing. Also, the flavors are very misleading as they seem to be targeting kids even though e-cigs are for adults 21 and up.

Jordy, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I support HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC because so many underage people are vaping. This isn't right because the vape companies are targeting younger teens and kids with their attractive flavors. At this point there are over 15,000+ flavors marketed to young adults. Because of this, Hawaii is the 2nd highest in the nation for vaping in middle and high schools.

Kyle, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

I'm in support of HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC. I feel that the production of flavored tobacco should be banned because it lures in a younger audience. The retailers try to get kids to get addicted so that they keep buying from them since older people who smoke are dying. The people that make these e-cigs don't even know exactly what's in them. Another bad thing is that there are so many kids that vape around other kid's so it causes second hand vaping. Walking in the park can be hard without having to hold my breath.

Christina, 9th Grade, Hawaii Baptist Academy

Testimony to Senate Committee on Judiciary &
Senate Committee on Ways and Means
Thursday, July 2, 2020; 10:00 a.m.
State Capitol, Auditorium

Dear Chair Rhoads, Vice-Chair Keohokalole, Chair Dela Cruz, Vice-Chair Keith-Agaran and Joint Committee Members,

As part of the generation that was close to getting rid of underage smoking and was later on exposed to the production of e-cigarettes, I support bill HB 2457 HD2, SD1: RELATING TO THE YOUTH VAPING EPIDEMIC. As a former vape user, I can confirm that the initial reasoning of consuming product was because everyone in my immediate surrounding was doing it and the flavor was strawberry. I was skeptical at first, but my peers assured me that it was the dosage that had 0 mg of nicotine in it. I was 17 at the time, and I thought it tasted and smelled good. Prior to the legal age of buying vape products being 21, it was 18. And when I had turned 18, my peers were vapers. We discussed how vaping is safer than smoking, and since they sell the 0 mg nicotine we could just buy than and not be addicted. That was when I was given my own e-cigarette, they were small pen looking devices at the time, and any vape product I bought were mainly just flavors, I purchased fruity flavors for me and dessert flavors for my friend.

I hid this part of my life from my family, and keeping it hidden was the most stressful part. It was one of the key reasons why I stopped, I didn't want to hide things from my family, but my dad found out and he told me to just not do it in front of my mom and my siblings. When it came to thinking about my siblings and how they follow me were also the key reasons for me to stop. That is when I got rid of the pen; I broke it and gave it to my friend since they were still into vaping. Another reason I stopped was because of the looks, I notice people looking at me as I vaped, and I didn't like how I was being looked at, being judged.

As the age to purchase tobacco products raised to the age of 21, I had been given another vape product. Around this time, the e-cigarettes went from pen-looking, to big boxes that people called mods. The technology for vaping advanced fairly rapidly and these boxes promised larger intake which means

bigger clouds. I was given a tiny version of these mods, and I was tempted to try it. I held onto this mod for almost a year, and then I threw it away, the feelings of guilt came back.

I can also confirm that the use of vape products turned into a gateway for drugs and alcohol. My former peers that kept through the path of vaping, are now out there going to raves and hitting up various of drugs. I see stories on socials of my old high school associates taking acid, doing cocaine, and taking various forms of marijuana products (edibles, smoking, etc.) before or after raves and huge social events. When it came to their day to day activities, it can be seen on their socials that they still use vape products to get them throughout the day. This concerns me because in my studies in personal research and in public health, there are no known long term effects for these products and given that a huge chunk of my generation and younger are consuming this product, I fear it may result in new forms of diseases and complications.

Gerico Demesillo
University of Hawaii at Manoa
Undergraduate in Public Health Studies

HB-2457-SD-1

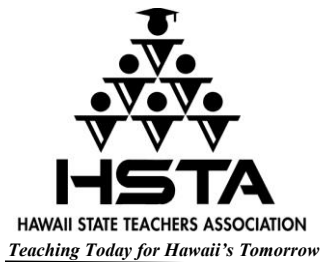
Submitted on: 7/1/2020 9:08:37 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Logan Lau	Testifying for Hawaii Youth Council	Support	No

Comments:

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much-needed bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable. Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-cigarettes in the nation - 15.7% of middle schoolers and 25.5% of high schoolers (Source: Hawaii YRBS, 2017). This is extremely concerning, as nicotine is a highly addictive drug that impacts the adolescent brain. A study found that e-cigarette use is a strong risk factor for eventual cigarette smoking, and for every adult that quits smoking using e-cigarettes, 81 young people will become future smokers an unacceptable trade-off. It's no coincidence that the rise in youth e-cigarette use 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 targeting with flavors like Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. For far too long, the unregulated e-cigarette industry has profited from the lack of laws that hold them accountable. While on the surface youth penalties may seem like a logical deterrent to prevent youth from smoking or using e-cigarettes, they are just a veiled attempt by the tobacco industry to shift the blame from their predatory marketing practices onto the youth that already falls victim to their tactics. The tobacco industry has targeted youth of color and other marginalized populations through increased advertising and the number of retailers in low-income areas, so many laws that penalize use will disproportionately affect these already burdened populations. Instead of punishing the victims already addicted to tobacco, we should protect our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.



Corey Rosenlee
President

Osa Tui, Jr.
Vice President

Logan Okita
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON
JUDICIARY and
THE COMMITTEE ON WAYS & MEANS

RE: HB 2457, HD2, SD1 - RELATING TO THE YOUTH VAPING EPIDEMIC

THURSDAY, JULY 2, 2020

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Rhoads, Chair Dela Cruz, and Members of the Committees:

The Hawaii State Teachers Association **supports HB 2457 HD2, SD1, with a suggested amendment.**

We strongly support the parts of this bill banning the sale of flavored tobacco products. Flavored tobacco products are strongly correlated to usage among youth. With packaging that looks like it came off the shelf of a candy store and flavors such as Strawberry Watermelon Bubblegum, Unicorn Milk, and Sour Patch Kids, it's no surprise that 97% of youth who vape say they use a flavored product.

However, we want to make it clear that HSTA does NOT support penalizing the victims, our youth, through fines or other penalties for the purchase or possession of tobacco products and electronic smoking devices by persons under 21 years of age. In the last legislative session an even higher fine on youth was placed in a bill, and we **will continue to respond by stating that fines on our youth will not solve the vaping epidemic.** The tobacco industry has targeted youth of color and other marginalized populations through increased advertising and number of retailers in low-income areas, so any laws that penalize use will disproportionately affect these already burdened populations. Instead of punishing the victims already addicted to tobacco, we should protect our youth by focusing on banning the flavors, taxes as we do on the rest of the tobacco industry, and regulation along with enforcement against the tobacco industry and retailers that continue to market these flavored vaping products and profit off of our vulnerable youth. These fines

could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

We do NOT want more penalties in this bill that place our youth in the school to prison pipeline. We need to make sure that our youth are NOT targeted by these businesses and hold the vaping industry accountable for preying on our youth through their use of appealing candy flavors, and BAN FLAVORS that attract our youth.

Conversely, what will help solve the youth vaping epidemic is banning flavored tobacco, and imposing a tax on electronic smoking products so that they are on par with the taxation of traditional tobacco products, and using funds from taxation to support health education and prevention programs about the risks and dangers of the use of electronic smoking devices for youth.

To ensure we reduce the youth vaping epidemic in the most effective and targeted way, we respectfully ask you to not let anyone **amend this bill, as they have tried in the past, to include more punitive measures aimed at our youth. The vaping industry is preying on our students who are the victims, and our students should be protected. Therefore, HSTA asks you to pass this bill.**

HB-2457-SD-1

Submitted on: 7/1/2020 8:58:43 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Gonsalves	Testifying for Hui No Ke Ola Pono	Oppose	No

Comments:

On behalf of Hui No Ke Ola Pono, we oppose the selling of flavored tobacco products in Hawaii. We need to protect our youth and focus on holding the tobacco industry accountable.

LATE

Testimony of
Joy Barua
Senior Director, Government and Community Relations & Community Benefit

Before joint committees:

Senate Committee on Judiciary
The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Jarrett Keohokalole, Vice Chair

Senate Committee on Ways and Means
The Honorable Senator, Donovan Dela Cruz, Chair
The Honorable Senator, Gilbert Keith-Agaran, Vice Chair

Wednesday, July 2, 2020
10:00 a.m.
Auditorium

Re: HB2457, Relating to Youth Vaping Epidemic

Chairs Rhoads and Dela Cruz, Vice-Chairs Keohokalole and Keith-Agaran, and committee members, thank you for this opportunity to provide testimony on HB2457, which bans the sale of flavored tobacco products. Prohibits mislabeling of e-liquid products containing nicotine. Establishes fines and penalties for violations. Authorizes a court to impose, as a penalty on a person eighteen to twenty-one years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine. Requires a parent or guardian of a minor to select from among the penalties for a minor convicted of possession of a tobacco product or electronic smoking device.

Kaiser Permanente Hawai‘i SUPPORTS HB2457

Kaiser Permanente Hawai‘i is Hawai‘i’s largest integrated health system that provides care and coverage for approximately 259,000 members. Each day, more than 4,500 dedicated employees and more than 600 Hawai‘i Permanente Medical Group physicians and providers come to work at Kaiser Permanente Hawai‘i to care for our members at our 21 medical facilities, including Moanalua Medical Center, providing high-quality care for our members and delivering on our commitment to improve the health of the 1.4 million people living in the communities we serve.

Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-cigarettes in the nation - 15.7% of middle schoolers and 25.5% of high schoolers (Source:

Hawaii YRBS, 2017). This is extremely concerning, as nicotine is a highly addictive drug that impacts the adolescent brain. A study found that e-cigarette use is a strong risk factor for eventual cigarette smoking, and for every adult that quits smoking using e-cigarettes, 81 young people will become future smokers - an unacceptable trade off.

It's no coincidence that the rise in youth e-cigarette use 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 Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. Some troubling facts:

81% of youth who ever used tobacco products started with a flavored product

97% of youth who vape say they use a flavored product

Tobacco companies use flavored products to keep customers of all ages addicted to their products. However, it's well-documented that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a 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 (Source: Hawaii BRFSS, 2008).

For far too long, the unregulated e-cigarette industry has profited from the lack of laws that hold them accountable. While on the surface youth penalties may seem like a logical deterrent to prevent youth from smoking or using e-cigarettes, they are actually just a veiled attempt by the tobacco industry to shift the blame from their predatory marketing practices onto the youth that already fall victim to their tactics. The tobacco industry has targeted youth of color and other marginalized populations through increased advertising and number of retailers in low-income areas, so any laws that penalize use will disproportionately affect these already burdened populations. Instead of punishing the victims already addicted to tobacco, we should protect our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

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 HB2457.

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



HIPHI Board

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Kaiser Permanente

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MacKinnon LLP

Date: July 1, 2020

To: Senator Karl Rhoads Chair
Senator Jarett Keohokalole, Vice Chair
Members of the Judiciary Committee

Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair
Members of the Ways and Means Committee

Re: Support HB 2457, HD2 SD1, Relating to the Youth Vaping
Epidemic

Hrg: July 2, 2020 at 10:00 am at Capitol Auditorium

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute¹ is in **Support of HB 2457, HD2 SD1**. We request the committee to pass the bill as is, which in its current form would:

1. End the sale of all flavored tobacco products in the state; and
2. prohibit mislabeling of e-liquid products containing nicotine; and
3. prohibit the marketing of any electronic smoking device in a manner that is designed to appeal to anyone under 21.

The Coalition however would like to express concern on section 4 (a) and (b) which imposes additional penalties to youth caught in possession of a tobacco product. The Coalition understands the intent to offer alternatives, but amending the Tobacco 21 law to punish kids rather than focusing on holding the industry accountable is an unfair approach to public health. States that have recently passed flavor bans – NYⁱⁱ, NJⁱⁱⁱ, and MA^{iv} only include language on violations and penalties for those selling the products.

To advance equity, Hawaii must end the sale of flavored tobacco
With 81% of youth starting with a flavored product^v, eliminating the sale, marketing and advertising of flavored electronic smoking products to Hawaii's youth prioritizes the health and safety of our community over tobacco's special interests. For decades, the tobacco industry has profited from targeting youth of color and other low-income populations. African Americans, Native Hawaiians, and Filipinos are disproportionately affected by the harms caused by tobacco. Efforts to protect the health of our youth are even more important given the devastating impact of COVID-19.

We need to protect our keiki from a lifetime of addiction.

The industry claims that they're not targeting kids, but their actions tell a different story. With over 15,500 e-cigarette flavors and growing, the marketing of these products has been misleading. In fact, the Hawaii Attorney General Clare Connors [filed a lawsuit](#) against Juul and Altria on June 30, 2020 for the industry's predatory tactics and false health claims. The industry selects colorful packaging and ads that appeal to taste and pop culture. In addition, it was recently discovered that Juul placed banner ads on Nickelodeon's website nickjr.com and the Cartoon Network's website cartoonnetwork.com.^{vi} Tobacco companies have a long history of using these same tactics to entice new and younger users and make them repeat customers.

Hawai'i voters support ending the sale of flavored tobacco in Hawai'i.

In a poll^{vii} conducted by Ward Research Inc. for the Coalition in November 2019, 77% of registered Hawai'i voters were in support of prohibiting flavored tobacco products, including e-cigarettes, and 70% support including menthol.

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.** A study has shown that for every one adult that quits smoking using e-cigarettes, 81 youth and young adults who would not have considered smoking, will become cigarette smokers, starting with e-cigarettes^{viii}. This is not a trade-off we can accept. We need to take action and regulate electronic smoking devices for our kids.

We need to protect our keiki by focusing on industry penalties rather than youth punishment

Possession of tobacco products by underage persons ("PUP") unfairly punish and stigmatize children, who become addicted at such a young age as a result of the tobacco industry's aggressive marketing to kids. PUP laws are a known tobacco industry tactic^{ix} that shift the blame away from the industry's irresponsible marketing and retailers' violations of our Tobacco 21 law. Further, PUP laws are not effective on reducing underage tobacco use and divert policy attention from effective tobacco control strategies and reinforce the tobacco industry's position that parents or guardians are responsible for restricting minors' access to tobacco.

The Coalition defers to the State Department of Education and State Department of Health on the manner of disposal and current confiscation policies.

We must stop Big Tobacco now before we lose another generation to addiction

Hawai'i has made significant strides in reducing tobacco use, thanks to comprehensive tobacco prevention and control policies such as the clean indoor air law, high tobacco taxes,

raising the age to 21, and more. But despite our progress, there are still populations disproportionately affected by tobacco.

Survey data has shown that African Americans, Native Hawaiians, and Filipinos have disproportionately higher rates of tobacco use. These populations do not use tobacco at higher rates by chance. It is through consistent, concerted, and targeted efforts by the tobacco industry to entice and addict these populations. The tobacco industry had known for decades that nicotine was addictive before it was common knowledge, but hid this information. Tobacco companies knowingly addicted millions of people onto their deadly products, and they can no longer shift the blame onto their victims by framing tobacco use as a personal choice. The inequities we see today are not coincidence, they were manufactured.

COVID-19 and the Black Lives Matter movement has highlighted the inequities that already existed in our communities. While ending the sale of flavored tobacco, especially menthol, is just one piece of the puzzle in achieving health equity, passing this policy will take away one of the tobacco industry's most protected tactic. However, in enacting these policies we must ensure that they do not place an additional burden on already disparately affected populations. Any regulations, enforcement actions, and penalties should be against the multi-billion dollar tobacco industry that created these disparities.

Prohibiting the sale of flavored tobacco products can help to keep kids from ever starting to smoke cigarettes or e-cigarettes, 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 HB 2457, HD2 SD1 as is.**

Mahalo,



Jessica Yamauchi, MA
Executive Director

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 https://www.nysenate.gov/sites/default/files/article/attachment/staff_analysis_of_the_2020-21_executive_budget.pdf

ⁱⁱⁱ https://www.njleg.state.nj.us/2018/Bills/S3500/3265_I1.PDF

iv <https://www.mass.gov/doc/105-cmr-665000/download>

v 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

vi <https://www.mass.gov/doc/juul-complaint/download>

vii This study by Ward Research, Inc. summarizes findings from a phone survey among n=807 Hawaii registered voters (maximum sampling error +/-3.3%), conducted between November 7 - December 4, 2019.

viii Association Between Initial Use of e-Cigarettes and Subsequent Cigarette Smoking Among Adolescents and Young Adults: A Systematic Review and Meta-analysis

Samir Soneji, PhD^{1,2}; Jessica L. Barrington-Trimis, PhD³; Thomas A. Wills, PhD⁴; et al
JAMA Pediatr. 2017;171(8):788-797. doi:10.1001/jamapediatrics.2017.1488

ix Wakefield M, Giovino G Teen penalties for tobacco possession, use, and purchase: evidence and issues Tobacco Control 2003;12:i6-i13; via https://tobaccocontrol.bmj.com/content/12/suppl_1/i6.citation-tools

July 1, 2020

TO: Chair Karl Rhoads
Vice Chair Jarrett Keohokalole
Members of the Senate Committee on Judiciary

Chair Donovan M. Dela Cruz
Vice Chair Gilbert S.C. Keith-Agaran
Members of the Senate Committee on Ways and Means

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

RE: **HB 2457 HD2 SD1** - Relating to the Youth Vaping Epidemic
Hearing Date: July 2, 2020
Time: 10:00 am

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

CAA **opposes HB 2457 HD2 SD1** to the extent that a ban on the sale of flavored tobacco products includes **cigars**.

The primary focus of this bill is to address the youth vaping epidemic in Hawaii. Cigars are primarily the choice and pastime of mature, responsible and informed adults. Cigars are not the tobacco product of choice of Hawaii's youth and placing restrictions on cigar flavoring would not have any impact on curbing tobacco use for that age group.

All cigars with few exceptions contain flavoring which also compensates for the lack of uniformity in the raw tobacco. The ban that would result from this bill is an overbroad and sweeping reaction to legitimate public health concerns about youth vaping and may constitute an unreasonable burden on interstate commerce and be vague and ambiguous under the due process clauses of both the United States and Hawaii Constitutions in banning the sale of all flavored tobacco products. The regulation of tobacco products would also be preempted by federal law under the Supremacy Clause and the Family Smoking Prevention & Tobacco Control Act of 2009 which recognizes that the Food and Drug Administration is the primary agency regulating tobacco products.

Thank you for considering this testimony.



Hawaii
Children's Action Network Speaks!
Building a unified voice for Hawaii's children

Hawaii Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Senator Rhoads, Chair
Senator Keohokalole, Vice Chair
Senate Committee on Judiciary

Senator Dela Cruz, Chair
Senator Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Re: **HB 2457 HD2 SD1, relating to youth vaping epidemic**
Hawaii State Capitol, Auditorium
10:00 AM, 7/2/2020

Chair Rhoads, Chair Dela Cruz, Vice Chair Keohokalole, Vice Chair Keith-Agaran, and committee members,

On behalf of Hawaii Children's Action Network Speaks!, we write in support of HB 2457 HD2 SD1, which would ban the sale of flavored tobacco products and prohibit mislabeling of e-liquid products containing nicotine.

The coronavirus has shown how important public health policy is in our day to day well-being. Without swift action taken by our state, the impact of COVID-19 could have been much worse. We know the lasting damage to the lungs caused by the coronavirus, impairs lung functioning, and although reversible, it has created a new set of health challenges. Similarly, our state must protect the lungs of our children by implanting public health policy that bans the sale of flavored tobacco products (which are targeted at children) and prohibits the mislabeling of e-liquid products containing nicotine.

We appreciate the inclusion of community service and educational programming as options for offenses. The inability to pay a fine or fee can have negative impact on one's life. As families face job loss and loss of income, now is not the time to assign a debt for tobacco product use.

Thank you for the opportunity to provide testimony in support of HB 2457 HD2 SD1.

Thank you,

Kathleen Algire
Director, Public Policy and Research

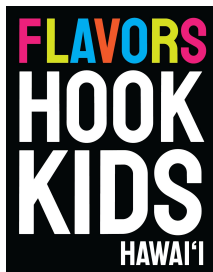
HB-2457-SD-1

Submitted on: 7/1/2020 9:16:02 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John A. H. Tomoso	Testifying for Coalition for a Tobacco Free Hawai'i - Maui	Support	No

Comments:



To: Senator Karl Rhoads, Chair
Senator Donovan Delacruz, Chair
Members of the Senate Committees on Judiciary and Ways and Means

Re: Support: HB2457, HD2, SD1: Relating to the Youth Vaping Epidemic

Hearing: Thursday, July 2, 2020 at 10am in the Auditorium

Dear Chair, Vice Chair, and Members of the Committee,

The Flavors Hook Kids HI Campaign is pleased to submit this written testimony in **SUPPORT of HB2457, HD2, SD1** to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawai'i. We support the first step that this bill takes towards limiting the sale of flavored tobacco. Additionally, we support the inclusion of educational programming for youth on the dangers of nicotine addiction and how to quit using these products. However, we remain resolute in our request that monetary penalties that target youth be removed. These penalties have consistently been used disproportionately against youth of minority backgrounds and shift the blame from big tobacco companies that spend millions of dollars advertising to youth to the victims themselves. Our youth need tobacco cessation support not fines that will further distance them from receiving the help they need.

Furthermore, we urge this legislative body to act quickly. The coronavirus has changed all of our lives and as kids begin returning to school it is imperative that our surging rates of youth vaping be curbed. E-cigarette use has consistently been shown to damage lung health, as we saw in the more than 2,800 cases of EVALI that have been reported over the last two years. We cannot afford to let our kids decrease their respiratory health while a respiratory virus plagues our nation. If the youth vaping epidemic goes unabated kids will continue to use products that hurt their lungs, share these products with their friends (potentially exposing them to COVID-19), and stymie their ability to ward off and recover from a viral infection. We have to act now for their health and safety, as well as, our own.

Endorsed by more than 200 organizations, community leaders and advocates, the Flavors Hook Kids HI campaign is a joint initiative of the American Heart Association, the American

Lung Association, the American Cancer Society Cancer Action Network, the Campaign for Tobacco-Free Kids, and the Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute.

While Hawai'i has made great strides in reducing tobacco use, it remains the number one preventable cause of premature death and disease in Hawai'i and the nation, killing 480,000 Americans annually. In Hawai'i middle and high school e-cigarette use rates are truly alarming, (42% of all high school students and 27% of all middle school students reporting ever having used a "electronic vaping device."¹ Furthermore, we have recently seen a drastic increase in the number of youth who use tobacco products. From 2017 to 2018 rates have increased among high schoolers from 11.7% to 20.8% and in middle schoolers from 3.3% to 4.4%.² It is clear that we must act and we must act now.

Prohibiting the sale of flavored tobacco products, including menthol cigarettes, in all tobacco retailers is a critical step that will help protect children living in Hawai'i from the unrelenting efforts of the tobacco industry to hook kids to a deadly addiction. Flavored tobacco products are designed to alter the taste and reduce the harshness of tobacco products so they are more appealing and easy for beginners, who are almost always kids. These products are pervasive and are marketed and sold in a variety of kid-friendly flavors. With colorful packaging and sweet flavors, these products are often hard to distinguish from the candy displays near which they are frequently placed in stores. **Nationally**, eight out of ten of current youth tobacco users have used a flavored tobacco product in the past month.³

Menthol is the Most Popular Tobacco Flavor Among Youth The minty taste imparts a cooling, soothing sensation, which masks the harshness of tobacco, making it easier to tolerate. The FDA's Tobacco Product Scientific Advisory Committee (TPSAC) has reported that:

- Menthol cigarettes increase the number of children who experiment with cigarettes and the number of children who become regular smokers, increasing overall youth smoking.
- Young people who initiate using menthol cigarettes are more likely to become addicted and become long-term daily smokers.

After a thorough review of the evidence, TPSAC concluded that "Removal of menthol cigarettes from the marketplace would benefit public health in the United States."⁴

¹ 2016 Behavioral Risk Factor Surveillance System (BRFSS). <http://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=5203&localeId=14>

² CDC, "Tobacco Use is Rising" February 2019 Report.

³ Ambrose, BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014," *Journal of the American Medical Association*, published online October 26, 2015.

⁴ Tobacco Products Scientific Advisory Committee (TPSAC), *Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations*, July 21, 2011

<http://www.fda.gov/downloads/AdvisoryCommittees/CommitteesMeetingMaterials/TobaccoProductsScientificAdvisoryCommittee/UCM269697.pdf>

As of 2017, researchers identified more than 15,500 unique e-cigarette flavors available online.⁵ Flavors are a critical part of the product design, and a key marketing ploy for the industry. The 2016 Surgeon General Report on e-cigarettes concluded, “E-cigarettes are marketed by promoting flavors and using a wide variety of media channels and approaches that have been used in the past for marketing conventional tobacco products to youth and young adults.”⁶ The 2016 National Youth Tobacco Survey found that 78.2 percent of middle and high school students—20.5 million youth—had been exposed to e-cigarette advertisements from at least one source, an increase from 68.9 percent in 2014.⁷

Flavored Tobacco Products Are Popular Among Youth Across all tobacco products, the data is clear: flavored tobacco products are overwhelmingly used by youth to start, and preference for flavors declines with age.

These sweet products have fueled the popularity of e-cigarettes and cigars among youth. A government study found that *81 percent of kids who have ever used tobacco products started with a flavored product*. Recently released data from the 2019 National Youth Tobacco Survey shows that the youth e-cigarette epidemic continues to grow—27.5% of high school students are current e-cigarette users, a 135% increase from just two years ago.⁸ Just like with cigarettes, menthol e-cigarettes are popular among youth. 57.3% of high school e-cigarette users use menthol or mint flavored e-cigarettes, making these the second most popular flavors, just behind fruit-flavored products.⁹ Another national survey found that 97% of current youth e-cigarette users have used a flavored e-cigarette in the past month.¹⁰ Moreover, youth cite flavors as a major reason for their current use of non-cigarette tobacco products, with 70.3% say they use e-cigarettes “because they come in flavors I like.”¹¹

The Surgeon General has concluded that, “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”¹² A 2018 report from the National Academies of Science, Engineering & Medicine found that “There is substantial evidence that e-cigarette

⁵Zhu, 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.

⁶HHS, *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.

⁷Marynak, K., et al., “Exposure to Electronic Cigarette Advertising Among Middle and High School Students—United States, 2014-2016,” *MMWR* 67(10): 294-299, March 16, 2018, <https://www.cdc.gov/mmwr/volumes/67/wr/pdfs/mm6710a3-H.pdf>.

⁸FDA, “Trump Administration Combating Epidemic of Youth E-Cigarette Use with Plan to Clear Market of Unauthorized, Non-Tobacco-Flavored E-Cigarette Products,” September 11, 2019, https://www.fda.gov/news-events/press-announcements/trump-administration-combating-epidemic-youth-e-cigarette-use-plan-clear-market-unauthorized-non?utm_source=CTPEblast&utm_medium=email&utm_term=stratout&utm_content=pressrelease&utm_campaign=ctp-vaping.

⁹Cullen, KA, et al., “e-Cigarette Use Among Youth in the United States, 2019” *JAMA*, published online November 5, 2019.

¹⁰FDA, “Modifications to Compliance Policy for Certain Deemed Products: Guidance for Industry, Draft Guidance,” March 13, 2019, <https://www.fda.gov/downloads/TobaccoProducts/Labeling/RulesRegulationsGuidance/UCM633281.pdf>.

¹¹FDA, “Modifications to Compliance Policy for Certain Deemed Products: Guidance for Industry, Draft Guidance,” March 13, 2019, <https://www.fda.gov/downloads/TobaccoProducts/Labeling/RulesRegulationsGuidance/UCM633281.pdf>.

¹²HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*.

use increases risk of ever using combustible tobacco cigarettes among youth and young adults.”¹³ It is critical for any policy restricting sales of flavored tobacco products to include e-cigarettes.

Menthol cigarettes, the only flavored cigarettes on the market, are popular among youth. It cools and numbs the throat, reducing the harshness of cigarette smoke, making it more appealing to a young person just starting to smoke. Young people who initiate using menthol cigarettes are more likely to become addicted and become long-term daily smokers.¹⁴

The industry wants to blame the users, to avoid further restrictions on the sale of their product. A national tactic used by the industry is to encourage the penalization of youth who have become addicted to these products, to divert attention away from their marketing practices. Youth are unjustly and ineffectively punished through penalties and criminalization. These policies do not work. They allow the industry to ensure addicted youth are not seen as addicts, but instead as the one with control. It also makes kids less likely to come forward to ask for help from a teacher or parent, ensuring that they remain addicted to nicotine and regular customers.

Education and Access Instead of Penalties Youth should receive effective education and be able to access cessation programs. **The scientific evidence leaves no doubt that menthol cigarettes and other flavored tobacco products increase the number of people, particularly kids, who try the product, become addicted and many die a premature death.**

This issue is about common sense and protecting our vulnerable populations. By adopting this policy, Hawai'i would become one of a growing number of states that are putting the health of their youth first.

Thank you for considering a comprehensive policy. It will help to keep our children and others safe.

Sincerely,



Liza Ryan Gill,
MA Campaign Manager
Flavors Hook Kids HI Campaign
liza@flavorshookkidshi.org

¹³National Academies of Sciences, Engineering, and Medicine (NASEM), *Public Health Consequences of E-Cigarettes*, 2018, <http://nationalacademies.org/hmd/Reports/2018/public-health-consequences-of-e-cigarettes.aspx>.

¹⁴TPSAC, *Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations*, July 21, 2011.

APPENDIX

A1: ENDORSING ORGANIZATIONS AND INDIVIDUALS

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 a program of
Hawai'i Public Health Institute
Get Fit Kauai
Hamakua Kohala Health Centers
Hana Lima Physical Therapy
Hawaii – American Nurses Association (Hawaii-ANA)
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
Hui Malama Ola Na Oihi
I Ola Lahui
Kaho'omiki; Hawaii Council of Physical Activity and
Nutrition
Kaiser Permanente
Kapiolani Medical Center for Women & Children
Kauai Rural Health Association
Keiki Injury Prevention Coalition
Lāna'i Community Health Center
Malama Pono Health Services
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

Waimānalo Health Center

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)
Association of Hawaiian Civic Clubs
Baldwin HS Peer Education
Being Adept
Big Island Interscholastic Federation (BIIF)
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 No Ke Ola Pono
Hui Ola Pono (UH Public Health's Student
Organization)
Kauai Path Inc.
Kiwanis Club of the Valley Island
Konawaena HS Wellness Committee
Maui Economic Opportunity, Inc. (MEO)
Maui Interscholastic League (MIL)
Moanalua HS Peer Education Program
Pacific American Foundation
Parents for Public Schools Hawai'i
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
Waipahu Int. Youth for Safety Club
We Are One Inc.
HEALTH & COMMUNITY LEADERS
Tina Alcain
Forrest Batz, PharmD
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
Cassioia Yamashita

SCHOOLS

Chiefess Kamakahalei Middle School
Damien Memorial School
Kamaile Academy
Maryknoll School
Maui Preparatory Academy
Mid Pacific Institute
Sacred Hearts Academy
Saint Louis Schools
Waiakea High School
Waimea Middle Public Conversion Charter School

ELECTED OFFICIALS & GOVERNMENT

Sen. Stanley Chang
Rep. Stacelynn Eli
Rep. Sharon Har
Maui County Councilmember Kelly King
Hawai'i County Councilmember Sue Lee Loy
Kalihi Valley Neighborhood Board #16
Kuliouou-Kalani Iki Neighborhood Board #2
Makakilo/Kapolei/Honokai Hale Neighborhood Board #34
Makiki/Lower Punchbowl/Tantalus Neighborhood Board #10
Mililani/Waipio/Melemanu Neighborhood Board #25
Nanakuli-Mailii Neighborhood Board #36
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)

BUSINESSES

Emma Whitney Photography
Filipino Business Women's Association
Ganesha Body Piercing
Heartlight Montessori Homeschool
Home Remedies Interior Design
JCS Enterprises Inc.
Paia Tattoo Parlor
Shaka Tea
The Man Cave
The Root Cellar Studio Maui
Wailuku Dental Group



June 29, 2020

To: Hawaii State Senate Committee: Judiciary and Ways and Means

Date: Thursday, July 2, 2020; 10am

Re: Testimony in strong support of HB2457, HD2, SD1 Relating to the youth vaping epidemic

Dear Chair and Members of the Committee:

Healthy Mothers Healthy Babies Coalition of Hawaii writes in strong support of HB2457, HD2, SD1, which seeks to ban the sale of flavored tobacco products.

According to the Centers for Disease Control, vaping among middle and high school students tripled from 660,000 vapers in 2013 to more than two million in 2014 and growing. The increase in young people's use of vaping devices despite the dangers of vaping undercuts the progress made in reducing youth cigarette smoking. E-cigarettes are now the most commonly used tobacco product among youth in the U.S.

Although the marketing materials for vaping liquids and devices would have consumers believe that they're inhaling a harmless water vapor, the truth is that only a small portion of the vapor is water. Flavoring agents found in vaping liquids particularly appeal to young people, marketing flavors such as bubblegum, gummy bears and chocolate—to attract young people to vaping. The Centers for Disease Control points out that the aerosol contains potentially harmful substances, including solvents, nicotine, flavoring agents, ultra-fine particles, volatile organic compounds, carcinogenic compounds, and heavy metals. All of these ingredients contribute to the dangers of vaping.

Inhaling the particles and other components of vaporized liquids has been shown to produce chronic bronchitis, or smoker's cough. A study of high school students found that current vapers were twice as likely to have chronic bronchitis as those who had never vaped. It's not yet clear whether the dangers of vaping include permanent lung damage.

Banning the sale of flavored tobacco products and prohibiting mislabeling of e-liquid products along with strict fines and penalties for violators will only contribute to Hawaii's tobacco cessation efforts.

Thank you for your consideration.

Sincerely,

Kari Wheeling
Clinical Services Director

HB-2457-SD-1

Submitted on: 6/29/2020 7:42:41 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

My name is Mariner Revell I am a constituent in Hilo, I am a business owner in Hilo. I am emailing you today about concerns on HB2457 HD2 SD1 a bill that would take freedoms away from adults, negatively impact my customers, employees, and ultimately close my business that I have worked hard to build for the past 14 years.

I fully support keeping tobacco products out of the hands of minors. Last year I spent \$25,000 upgrading all of our store POS systems to include software that scans IDs to spot fake ids and prevent any underage sales making checking IDs almost foolproof. My Irie Hawaii stores has one of the best track records on the Island for preventing underage sales. Recently, I was complemented by an undercover police officer due to the fact out of 40 shops during their (sting) our shops performed the best preventing under age sales of tobacco.

Last year the media was quick to promote vape lung injuries as an epidemic, however when the CDC announced they have found the source of the lung injuries, and determined that the majority of these lung injuries were from illegal THC products most media outlets were quiet. None of these vape injuries came from any product sold legally in stores including my own. Big Pahrma buys hundreds of millions in ads from the media, vaping products cost millions in profits to Big Pharma due to the fact that vape products cuts into the sales of Nicotine replacement therapy drugs. It is no secret why the media kept the finding of the CDC under wraps, their owners (advertisers big pharma) do not what this! (If you are interested in more info I can explain the relation of Big Pharma to the media, vape, and how it ties into politics) Bottom line is one of the main reasons for banning flavored vape in the above mentioned bill are the lung injuries from illegal THC products, NONE have come from any store bought product, NONE have come from my stores! We should not be punished for these reasons.

Furthermore the above bill mentions the epidemic of teen vaping in a state of Hawaii 2017 study on underage vaping in Hawaii. If you compare apples to apples, the states study that year also finds the underage use of alcohol among Hawaii High school students is nearly **identical**! Why is there no outrage? There are just as many flavored adult beverages on the market as there are vape products.

Also the Hawaii state report on underage vaping includes how many high school students tried vape. My question to you a legislator is how many of these teens that have tried vape products illegally are buying vape from my stores? Freedoms should not be infringed upon due to teens breaking the law and bad parenting! I am no more responsible for underage vaping as I am not responsible for underage drinking or texting and driving. I urge you please do not support this bill that take away freedoms from Adults, and will cost many jobs in Hawaii including the closure of my business and 30 plus employees. This bill has nothing to do with flavors or retailers of vape products that follow the law, and everything to do with teens breaking the law and bad parenting.

As you may know doing business in Hawaii is extremely difficult with competition from online sales, big box stores, regulations, taxes, and now the impact of the COVID 19 pandemic. Our small businesses are extremely hurting as it is, we do not need our own legislators to hurt us and put us out of business based on unfounded research by big pharma lobbyist! Please support small business in Hawaii and sensible tobacco regulation.

I urge you to reach out to myself, other vape retailers, vape consumers, ask real questions, and do real research to work towards sensible vape regulations that punish law breakers not innocent struggling small businesses like myself doing the right things to keep tobacco products out of the hands of minors.

Mahalo for taking the time to read my concerns. Please support small business and sensible tobacco regulation based on research not fear of big Pharma Lobbies.

HB-2457-SD-1

Submitted on: 6/30/2020 5:14:31 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jostin Iriarte	Testifying for Hi Lyfe Vaporz, LLC	Oppose	No

Comments:

Aloha Chair & members,

My name is Jostin we at Hi Lyfe Vaporz, LLC Strongly oppose HB2457 HD2 SD1, With the recent false information in the media & CDC that has been spread negatively throughout the public, it definitely has already cause such a negative impact on our business & many across the USA. It would be vital that our government pass proper information about vaping rather than causing an immediate scare on the public. Thankfully after proper understanding vaping nicotine products is now known not to be the issue people were dying & getting sick from across the nation. It important for our government to understand how how all that mess in the media has affected many small businesses like our, we took over a 30% loss in sales now we are on the verge of closing one of our stores as well as cut many hours off of our employees schedule because we cant afford to keep them employed. It has created a lost of employment & a lost in revenue for small businesses, but has and will start to create more unemployment. Please reconsider & understand how Bill's like this affect not only business, employees but the public as well, we mustn't resort back to conventional cigarettes.

As small business owner a bill of this magnitude can affect thousands of people in the state of Hawaii that has nothing short of a positive impact In their lives, health & especially the purpose of quitting combustible cigarettes. Our business has kept my wife & I employed for over 5 years & is now helping our son get a higher education. With Bill's like this it affects many families when the issue isnt what's being portrayed. As a small business owner my business Hi Lyfe Vaporz, LLC has had over 10 employees, a bill like this could impact our business as well as many across the state in such a negative manner, causing people to lose their jobs & homes they would be unable to provide for their families, not only that, many may end up going back to combustible cigarettes which infact is already known to be a health factor throughout the world. The FDA has implemented stringent rules and regulation for the vape industry which all manufactures and retailers are suppose to comply with as well as stay up to date. One of the problems with youth vaping epidemic isn't "Flavors" an issue is with enforcement to retailers of age restriction. By completely banning anything in this industry that has helped many adults will have a negative impact, taxes alone from the industry generates a good chunk of funding for 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 to combustible cigarettes. I humbly ask to think before passing such a bill. Myself ,my family as well as our employees and customer's will be greatly be affected negatively. I am a former smoker of 20 year's, I oppose SB2227 SD2, 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 teenagers are because of certain devices like "Juul" and similar ones like it being easily accessible through gas stations, convenience stores ect, at least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21, these vape shops, manufactures and companies who follow the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward. The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because 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, 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 this

Also please take a look at this

Testimony in Opposition:

Since their introduction to the U.S. market in 2007, e-cigarettes and vaping devices—tobacco harm reduction products that are 95 percent safer than combustible cigarettes—have helped more than three million American adults quit smoking.

1. Economic Impact

According to the Vapor Technology Association, in 2018, the industry created 451 direct vaping-related jobs, including manufacturing, retail, and wholesale jobs in Hawaii, which generated \$18 million in wages alone.[1] Moreover, the industry has created hundreds

of secondary jobs in the Aloha State, bringing the total economic impact in 2018 to \$100,745,600. In the same year, Hawaii received more than \$9 million in state taxes attributable to the vaping industry. These figures do not include sales in convenience stores, which sell vapor products including disposables and prefilled cartridges. In 2016, average national sales of these products eclipsed \$11 million.[2]

2. State Health Department Data

As of November 13, 2019, the Hawaii Department of Health (HDH) has reported four cases of vaping-related lung illnesses.[3] HDH notes that two of the patients are adults and “two are adolescents.” There is no further information on gender and/or substances vaped. This is alarming because many state health departments have already linked vaping-related lung illnesses to the use of products containing tetrahydrocannabinol (THC) and provided this information in their own updates. The Heartland Institute gives HDH a grade of D for information available on vaping-related lung illnesses.

3. More Information Needed

The most recent report on youth e-cigarette use in Hawaii is from the 2017 Hawai'i Youth Tobacco Survey.[4] According to the survey, in 2017, 20.9 percent of Hawaii high school students reported using a vapor product at least once, in the 30 days prior to the survey. There is no information on frequent and/or daily use. Only 26.4 percent of Hawaii high school students reported “flavors” as a reason for using e-cigarettes. Further, in 2017, 80.6 percent of Hawaii high school students believed “all e-cigarettes are dangerous.” More data is needed to understand the effects of public health campaigns on youth e-cigarette use.

4. Youth Sales Miniscule

From January 1, 2018 to September 30, 2019, the U.S. Food and Drug Administration (FDA) administered 615 tobacco age compliance inspections in Hawaii, in which the agency used a minor in an attempt to purchase tobacco products.[5] Of those, 26, or 4 percent, resulted in a sale to a minor. Of the violations, 9 (34 percent of violations and 1 percent of all compliance checks) involved the sale of e-cigarettes or vaping devices. The number of violations involving sales of cigars and cigarettes were 2 and 15, respectively, during the same period.

5. Misspent Money

In 2019, Hawaii received an estimated \$160.3 million in tobacco taxes and tobacco settlement payments. In the same year, the state spent only \$4.5 million, or 2 percent on funding tobacco control programs, including education and prevention.[6]

Policy Solution

Electronic cigarettes and vaping devices have proven to be tremendous tobacco harm reduction tools, helping many smokers transition away from combustible cigarettes. Despite recent fearmongering, their use is significantly safer than traditional cigarettes, as noted by numerous public health groups including the Royal College of Physicians,[7] Public Health England,[8] and the American Cancer Society.[9] Rather than restricting their use, and undoubtedly reducing public health gains and millions of dollars in economic output, lawmakers should dedicate existing tobacco funds on programs that actually reduce youth use.

Key Points:

1. Hawaii's vaping industry provided more than \$100 million in economic activity in 2018 while generating 451 direct vaping-related jobs. The national average of sales of

disposables and prefilled cartridges exceeded \$11 million in 2016.

2. As of November 13, 2019, HDH has reported four cases of vaping-related lung illnesses. HDH notes two of the patients are adolescents and two are adults and offers no other information. HDH earns a D for its reporting on vaping-related lung illnesses.

3. In 2018, 20.9 percent of Hawaii high school students reported using vapor products on at least one day in the previous 30 days. Only 26.4 percent of Hawaii high school students cited flavors as a reason for e-cigarette use. More data is needed.

4. Only 1 percent of FDA retail compliance checks in Hawaii resulted in sales of e-cigarettes to minors from January 1, 2018 to September 30, 2019.

5. Hawaii spends very little on tobacco prevention. In 2019, Hawaii dedicated only \$4.5 million or 2 percent of what the state received in tobacco settlement payments and taxes.

References

[1] Vapor Technology Association, "The Economic Impact of the Vapor Industry HAWAII," 2019, <https://vta.guerrillaeconomics.net/reports/9aa96bb8-b7c8-4100-9611-f0acc6612e31?>

[2] Teresa W. Wang et al., "National and State-Specific Unit Sales and Prices for Electronic Cigarettes, United States, 2012-2016," Preventing Chronic Disease, Centers for Disease Control and Prevention, August 2, 2018, https://www.cdc.gov/pcd/issues/2018/17_0555.htm.

[3] Hawaii Department of Health, "Medical Advisory: Additional Cases of Vaping Associated Lung Injury and Diagnostic Algorithm," November 13, 2019, https://health.hawaii.gov/docd/files/2019/11/Med-Advisory-EVALI_13Nov19.pdf.

[4] Lance Ching, Ph.D., et al., "Data Highlights from the 2017 Hawai'i Youth Tobacco Survey," Hawai'i State Department of Health, June 29, 2018, http://www.hawaiihealthmatters.org/content/sites/hawaii/YTS_2017_Report.pdf.

[5] U.S. Food and Drug Administration, "Compliance Check Inspections of Tobacco Product Retailers," September 30, 2019, https://www.accessdata.fda.gov/scripts/oce/inspections/oce_insp_searching.cfm.

[6] Truth Initiative, "Tobacco use in Hawaii," June 28, 2019, <https://truthinitiative.org/research-resources/smoking-region/tobacco-use-hawaii-2019>.

[7] Royal College of Physicians, Nicotine without Smoke: Tobacco Harm Reduction, April 2016, <https://www.rcplondon.ac.uk/projects/outputs/nicotinewithout-smoke-tobacco-harm-reduction-0>.

[8] A. McNeill et al., "Evidence review of e-cigarettes and heated tobacco products 2018," Public Health England, February 2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/684963/Evidence_review_of_e-cigarettes_and_heated_tobacco_products_2018.pdf.

[9] The American Cancer Society, "What Do We Know About E-Cigarettes?" June 19, 2019, <https://web.archive.org/web/20190806152535/https://www.cancer.org/cancer/cancer-causes/tobacco-and-cancer/e-cigarettes.html>.

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 your time



Thursday, July 2, 2020 at 10:00 AM
State Auditorium

Senate Committee on Judiciary

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Senate Committee on Ways and Means

To: Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair

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

**Re: Testimony in Support of HB 2457, HD2, SD1
Relating to The Youth Vaping Epidemic**

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

I write in support of HB 2457, HD2, SD1 which bans the sale of flavored tobacco products, prohibits mislabeling of e-liquid products containing nicotine, and establishes fines and penalties for violations. The measure also authorizes a court to impose the requirement of completing a tobacco education program, complete a tobacco use cessation program or perform community service in lieu of paying a fine, and requires a parent or guardian of a minor to select from among the penalties for a minor convicted of possession of a tobacco product or electronic smoking device.

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. Research conducted by the University of Hawaii Cancer Research Center, an NCI designated institute, found that the use of e-cigarettes by middle and high school aged children is rising at an alarming rate. 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, electronic smoking device (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.

This measure is an important step toward guarding against the harmful effects of smoking and e-cigarette use.

We do support accountability on the part of the user. However, punishing the youth for industry malfeasance is an unfortunate aspect of this bill as currently drafted. Instead of punishing the victims already addicted to tobacco, we suggest protecting our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market to and profit from our vulnerable youth. Such fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

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

HB-2457-SD-1

Submitted on: 6/30/2020 9:12:20 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Anderson	Testifying for Black Lava Vape	Oppose	No

Comments:

Banning flavors will cause a spike in people going back to traditional tobacco products. As legislators, you should be opposed to this. The rest of this bill actually makes sense, but in my opinion doesn't go far enough. If the following was in a separate measure, I would wholeheartedly support it. Anyone under age caught using or possessing a vape product should be fined a minimum of \$1000 and be required to do community service. The more severe the penalty the less likely someone under the legal age will be in possession of contraband.

HB-2457-SD-1

Submitted on: 6/30/2020 11:39:13 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
stacia deponte	Testifying for itie ho smoke shop	Oppose	No

Comments:

i feel that the 21 years and older should be in places yet the flavored tobacco products should not be ban because for my personal reason it had helped me to stop smoking cigarettes



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Executive Officers

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

TO:

Committee on Judiciary and Committee on Ways and Means
Senator Karl Rhoads and Senator Donovan M. Dela Cruz, Chairs
Senator Jarrett Keohokalole and Senator Gilbert S.C. Keith-Agaran, Vice Chairs

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: July 2, 2020
TIME: 10am
PLACE: Auditorium

RE: HB2547 HD2 SD1

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.

We ask that menthol cigarettes be exempted from this measure. Many adults choose to use menthol cigarettes and we don't believe there is sufficient justification for penalizing those users, or the businesses that sell to adults who legally purchase these products.

It is also worth noting that trying to ban products that are legal in other parts of the country heavily incentivizes black market purchases. As we've seen in recent years with the fireworks ban, creating very specific state laws that are not enforceable can simply create a totally unregulated black market.

We thank you for the opportunity to testify.



HAWAI'I COMMUNITY
FOUNDATION

June 30, 2020

Senate Committee on Ways and Means
Senate Committee on Judiciary
Hearing: 10:00 a.m., July 2, 2020
Hawaii State Capitol Auditorium

Re: SUPPORT for HB 2457, HD2, SD1, Relating to the Youth Vaping Epidemic

Aloha Chairs Dela Cruz and Rhoads, Vice-Chairs Keith-Agaran and Keohokalole, and members of the committees:

The Hawai'i Community Foundation (HCF) administers the Hawai'i Tobacco Prevention and Control Trust Fund. Through the Trust Fund, we have funded a variety of community grants and contracts to support tobacco prevention and control activities statewide for nearly 20 years. Our goal is to help improve the health and well-being of Hawaii's people by reducing death and disease caused by tobacco consumption. By managing statewide community grant programs in tobacco cessation and youth prevention for many years, HCF has gained substantial knowledge about what it takes at the grassroots level to reduce tobacco consumption in our communities.

The Hawai'i Community Foundation supports HB 2457, HD2, SD1 because it addresses one major reason for the youth vaping epidemic in Hawai'i. Flavors in tobacco products, including electronic smoking devices (ESDs), are used to attract new tobacco users through advertisements and product labeling. Many ESD flavors are designed to appeal to youth, such as bubblegum and cotton candy. Almost all commercially available ESDs contain highly addictive nicotine, which can cause long-term damage to the developing adolescent brain, affecting attention, learning, mood, and impulse control.¹ Among students 12-17 years old who ever used a tobacco product, 81% started with a flavored product.² High rates of ESD experimentation continue among young adults ages 18-24, particularly among Native Hawaiian (64.8%) and Pacific Island (72%) men.³ Marketing of flavors to our youth is being used to create a new generation dependent on nicotine, with long-term adverse health consequences to our state.

¹ US Department of Health and Human Services. *E-cigarette Use Among Youth and Young Adults: A Report of the Surgeon General* [PDF – 8.47MB]. Atlanta, GA: US Department of Health and Human Services, CDC; 2016.

² 2013-2014 Population Assessment of Tobacco and Health (PATH Study), National Institutes of Health and U.S. Food and Drug Administration.

³ Hawai'i Health Data Warehouse-IBIS. <http://ibis.hhdw.org/ibisph-view/query/result/brfss/SmokeECigsEver/SmokeECigsEverCrude11.html>

HCF supports the inclusion of alternatives to monetary penalties for youth in the enforcement section of HB 2457, HD2, SD1. Monetary penalties have not proven to be an effective method for youth prevention of tobacco use.

HCF strongly supports the inclusion of menthol as a prohibited flavor in HB 2457, HD2, SD1. Menthol in combustible cigarettes makes the smoke smoother and less harsh on the throat so that the smoke is easier to inhale deeply.⁴ In other words, menthol is used to mask the effects of tobacco smoke and deliver higher concentrations of addictive nicotine more deeply into the lungs. Marketing of menthol tobacco products has a disproportionate impact on island communities. As stated in Section 1 of HB 2457, adult Native Hawaiians and Pacific Islanders smoke mentholated tobacco at higher rates (78%) than White adult smokers (42%), resulting in higher rates of tobacco-related illnesses and death. We believe that public policy should not create exceptions for products that create greater health disparities for certain island populations.

Thank you for the opportunity to testify on this measure.

⁴ *Tobacco Products Scientific Advisory Committee. [Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations pdf icon \[PDF-15.3 MB\]external icon](#). Rockville, MD: US Department of Health and Human Services, Food and Drug Administration; 2011.*

HB-2457-SD-1

Submitted on: 6/30/2020 1:19:44 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Dau	Testifying for Keiki Injury Prevention Coalition	Support	No

Comments:



Keiki Injury Prevention Coalition supports HB2457, which would end the sale of flavored tobacco products in Hawaii. This bill is needed to stop appealing to the youth of Hawaii by encouraging them to vape. Hawaii has one of the highest rates of middle and high school kids currently using e-cigarettes, or vaping, in the nation. Nicotine has shown to be an addicting chemical with multiple health risks including impacts to the developing brain of a pre-teen/teen. Flavored tobacco products are designed to attract children, this places them at increased risk of becoming addicted to nicotine, which can lead to devastating health concerns.

Please pass this bill to protect our keiki, and become a leader in our Nation on the fight against products that cause more harm than good for our community.

Thank you,

Lisa Dau, RN
Injury Prevention Coordinator
Keiki Injury Prevention Coordinator



Hawaii Dental Association

To: Senate Committee on Judiciary
Senate Committee on Ways and Means

Time/Date: 10:00 a.m., July 2, 2020

Location: State Capitol Auditorium

Re: HB 2457, HD2, SD1 Relating to the Youth Vaping Epidemic

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Keohokalole, Vice Chair Keith-Agaran and members of the Committees:

The Hawaii Dental Association (HDA), a professional association comprised of approximately 950-member dentists, is in **strong support** of HB 2457, HD2, SD1 relating to the youth vaping epidemic. This bill, among other provisions, bans the sale of flavored tobacco products; prohibits mislabeling of e-liquid products containing nicotine; establishes fines and penalties for violations; and requires the Department of Education to establish a safe harbor program by which persons under 21 years of age may dispose of electronic smoking devices in their possession.

HDA expresses its opposition to use of oral tobacco, including vaping nicotine from e-cigarettes, and urges people using any type of tobacco product to quit. We will continue to support legislation aimed at enhancing and promoting oral health.

HDA is a statewide membership organization representing dentists practicing in Hawaii and licensed by the State of Hawaii's Board of Dentistry. HDA members are committed to protecting the oral health and well-being of the people of Hawaii, from keiki to kupuna and everyone in between.

Mahalo for the opportunity to testify in support of HB 2457, HD2, SD1.

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 Kihei, Hawaii. I am a property owner, father of young children, concerned citizen and a small business advocate who is proud to call Maui my home.

I am writing in **STRONG support** of banning flavored tobacco products. 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 County high school students, over 30%, are currently using e-cigarettes, while less than 5% of adults in Hawai'i are current users. These products are proving to be dangerous in themselves. A good portion of them will go on to use combustible tobacco products, which are the leading cause of preventable death and disease in the United States. Children are 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, cotton candy, and Pipeline POG 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).

In fact, the same documents show that tobacco companies have targeted minority groups like African Americans and Native Hawaiians even more so than other groups, which is evidenced by the fact that over 40% of Maui County Native Hawaiian high school students are using e-cigarettes.

If our solution is to arrest and fine kids for being caught with these products, then more Native Hawaiian youth are going to end up criminalized for their addiction than other youth. This is a social justice issue that can't be ignored. Don't hold kids responsible for the industry's insidious manipulation. Hold the industry accountable, as they should be.

I also ask that you be sure to include menthol in order for this to be a comprehensive ban on flavored tobacco products. Menthol masks harshness, making it easier to start and harder to quit. Mint and menthol have historically been used to target youth and minority populations for the industry's profit. In fact, 78 percent of Native Hawaiian smokers smoke menthol cigarettes. This is a social justice issue that needs to be addressed here in Hawaii.

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.

Jamil Folio

HB-2457-SD-1

Submitted on: 6/30/2020 3:36:14 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bev Brody	Testifying for Get Fit Kauai	Support	No

Comments:



Committee Members

Annaleah Atkinson
808 652-7743

Lori Carlson
651 587-2904

Tom Christy
808 645-1594

Eric Devlin
808 429-3229

Regina Floyd
702 292-2372

Doug Haigh
808 635-1120

Eve Hands
808 346-7799

Steve Hardy
707 481-5070

Larry Lindsay
808 634-4559

Scott McCubbins
816 781-5883

Graeme Merrin
808 651-7211

Ryan Moen
808 651-0726

Lelan Nishek
808 245-7747

Tommy Noyes
808 639-1018

Ron Rector
808 639-2443

Valerie Woods
808 822-2420

Ron Wiley
808 245-9527

June 30, 2020

JOINT HEARING OF SENATE COMMITTEES ON JUDICIARY and WAYS AND MEANS

STRONG SUPPORT FOR **HB 2457, HD2, SD1—RELATING TO THE YOUTH VAPING EPIDEMIC**

Aloha Senators,

The Friends of Kamalani and Lydgate Park committee would like to register our strong support for prohibiting the use of flavors, including menthol, in ALL tobacco products (including e-cigarettes) as set forth in HB 2457. This issue is simple—we need to protect our keiki. The scientific evidence is clear, flavored tobacco products have the greatest appeal to youth and we must end the sale of these products.

One component of this bill needs work—the portion of the bill that blames and punishes young victims (and their families) for acting on what they been enticed to do through the tobacco industry’s aggressive marketing. Youth should NOT be penalized for falling victim to the tactics of the industry to create the next generation of addicted customers. There is ample evidence that penalizing youth is an ineffective strategy to reduce smoking. Youth penalties are often applied unjustly with kids from minority backgrounds because they endure more scrutiny than others. If we want to make strides towards racial equity we need to stop these types of penalties. We urge you to reduce or eliminate the penalties imposed on users and implement this legislative action to impede the marketing of addictive and harmful products.

Electronic smoking products—especially but not limited to flavored vaping compounds—are pernicious devices clearly profiting the tobacco industry by addicting children to nicotine. The detrimental long-term public health effects of nicotine addiction is established science. Hawai‘i has among the highest rates of middle school and high school e-cigarette use in the nation; the U.S. Surgeon General has declared vaping a youth epidemic. This is extremely concerning. Teens are particularly vulnerable to nicotine, which permanently impacts the developing brain.

It’s no coincidence that the rise in youth e-cigarette use has coincided with an explosion of sweet e-liquid flavors used to hook kids. Tobacco companies are making and marketing deadly and addictive products right here in Hawai‘i that look and taste like our favorite childhood flavors (Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Rolls, and Halawa Guava).

Please fulfill your allegiance to the people of Hawaii and advance House Bill 2457. It is your responsibility to protect our youths’ health and wellness, 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,

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

HB-2457-SD-1

Submitted on: 6/30/2020 6:53:25 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

[Strongly Support HB 2457](#) : It would remove thousands of fruit, candy, and menthol flavored tobacco products and e-liquids that are addicting our keiki. This bill is critical, as even with a global pandemic, the problem of youth vaping has not disappeared. With 8 in every 10 kids starting with a flavored tobacco product, and 42% of Hawai'i high school students trying e-cigarettes, we have an urgent need to act.

While ending the sale of flavored tobacco is much-needed, we have concerns about the youth penalties in the bill. We must hold the multi-billion dollar tobacco industry accountable for their actions instead of penalizing youth that are the victims of their predatory marketing practices.

www.WeAreOne.cc



June 30, 2020

To: Chair Rhoads
Vice Chair Keohokalole
Senate Committee on Judiciary

Chair Dela Cruz
Vice Chair Keith-Agaran
Senate Committee on Ways and Means

RE: STRONG SUPPORT for HB2457 HD2, SB1

Thank you for this opportunity to testify in **SUPPORT** of HB2457 HD2, SB1. Blue Zones Project was brought to Hawaii by HMSA to help increase the overall well-being of our communities and to make Hawaii a healthier, happier place to live, work and play. To accomplish that goal, we address lowering obesity rates, tobacco use, and chronic disease prevalence.

It is clear that ESD use by youth is on an upward trend; from 2017-2019, e-cigarette use more than doubled among high school students and tripled among middle school students.¹ Locally, 27% of middle school students and 42% of public high school students acknowledge trying electronic smoking devices in 2017.² There is also overwhelming data from local and national sources, including the Centers for Disease Control and Prevention (CDC), citing 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.”³

It is also clear that e-cigarette companies are using flavors to hook kids; According to the 2019 Youth Tobacco Survey, nearly all (97%) of current youth e-cigarette users use flavored products and 70% use e-cigarettes “because they come in flavors I like.”⁴

This bill would ban the sale of flavored tobacco and prevent marketing efforts that is designed to appeal to any person under the age of 21. It would also establish a safe harbor program for person under the age of 21 to dispose of electronic smoking devices and requires public school teachers to confiscate such devices.

Thank you for this opportunity to testify in **strong support** of **HB2457 HD2, SB1**.

Sincerely,

Colby Takeda, MPH, MBA
Senior Manager

¹ Wang, T. W., et al. (2019). Tobacco Product Use and Associated Factors Among Middle and High School Students. Centers for Disease Control and Prevention. *Surveillance Summaries*, 68(12):1–22

² 2017 Hawai'i Youth Risk Behavior Survey.

³ Dunbar, M. S., Davis, J. P., Rodriguez, A., Tucker, J. S., Seelam, R., & D'Amico, E. J. (2018). Disentangling Within- and Between-Person Effects of Shared Risk Factors on E-cigarette and Cigarette Use Trajectories from Late Adolescence to Young Adulthood. *Nicotine & Tobacco Research*, nty179.

⁴ Wang, T. W., et al. (2019). Tobacco Product Use and Associated Factors Among Middle and High School Students. Centers for Disease Control and Prevention. *Surveillance Summaries*, 68(12):1–22

HB-2457-SD-1

Submitted on: 6/30/2020 10:40:48 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Iriarte	Testifying for Hi Lyfe Vaporz,LLC	Oppose	No

Comments:

My name is Robin Iriarte and I oppose this bill, as it would take away my rights as an adult to vape flavored eliquids. The CDC has portrayed the Vape industry in such a negative way has really put a bad name on the industry and greatly impacted many vape stores both large and small as well as eliquid manufacturers. By completely banning flavors it has already been proven with other states that this is not the root cause of our teens to get ahold of these. I understand that this is a new thing in the market but, however we need more education on why this is a healthier alternative. The UK has been prescribing vape mods and eliquids to individuals whom are trying to quit traditional cigarettes for some time now. People were not dying or getting sick from eliquids manufactured in a lab from reputable companies, they were getting sick from people making their own eliquid and thc cartridges and not knowing the right type of ingredients that are used to formulate it. If these teens choose to get them they will find a way to do so. We need enforcement rather than completely banning flavors, this will greatly impact jobs, revenue causing more hurt than good. Please understand that by completely banning flavors will cause people to resort back to conventional cigarettes and risk their health inhaling all the other carcinogens opposed to vaping which has four ingredients.

Date: July 2, 2020

To: The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

From: Members of the University of Hawai'i Student Health Advisory Council

Re: Support with Reservations for HB2457, Relating to the Youth Vaping Epidemic

Hearing: Thursday, July 2 at 10:00am at the State Capitol Auditorium

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. We remain deeply committed to the mission of reducing the use of all tobacco products, including electronic smoking devices, among adolescents and young adults.

With products like Juul and other popular electronic smoking devices, it is increasingly clear that these products are addicting a whole generation of youth to a harmful product. The Surgeon General has declared youth e-cigarette use as an epidemic, and states that there is an urgent need to protect young people from a lifetime of nicotine addiction and associated health risks.

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. The sale of candy-like flavored tobacco products entices young people to start using these harmful products which can lead to addiction and cause damage to the developing brain. Flavored tobacco products also increase individuals' risk for dual use of vape products and combustible cigarettes.

We are committed to protecting the health and well-being of our communities. However, we are not in support of any monetary or punitive penalties for youth. Instead, we recommend that more emphasis be placed on tobacco education and cessation programs, especially for youth. Therefore, we urge you to support this measure and prohibit the sale of all flavored tobacco products in Hawai'i.

Mahalo,

Student Health Advisory Council

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 8:57:53 PM
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Ching, MD, MPH	Testifying for American Academy of Pediatrics, Hawaii Chapter	Support	No

Comments:

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 mango, bubblegum, gummy bear, and pineapple. The tobacco corporations have intentionally included menthol, which provides a soothing, cooling effect similar to that in cough drops. Menthol reduces the harsh irritation to the lining of the nose, mouth, and airways, which allows smokers and vapers to inhale more easily. This makes it much easier for young people to initiate tobacco use. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

Hawaii has one of the highest rates of middle schoolers (16%) and high schoolers (26%) currently using e-cigarettes—it is twice the national average. Nicotine is a highly addictive drug that impacts the adolescent brain, reducing impulse control and affecting mood. Those who use e-cigarettes are four times more likely to smoke regular cigarettes later on. The e-cigarette industry claims these are cessation devices, but a recent study has shown that even if one adult can quit with these devices, the trade-off is 81 young people who will start the habit in their place. This is completely unacceptable.

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.

Please also consider a revision to hold tobacco and e-cigarette companies responsible for this problem. They hope to shift the blame from this billion-dollar industry onto the young people that they have targeted with their deadly and highly addictive product. Comprehensive tobacco retailer licensing policies place responsibility on retailers rather than young consumers. With appropriate funding and enforcement, these retailer

licensing policies have proven more effective in reducing youth initiation of tobacco and nicotine.

On behalf of the keiki and young people of Hawaii, I urge you to support this bill.

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 3:31:47 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Madison Makishima	Testifying for Hawaii Tobacco Youth Council	Support	No

Comments:

My name is Madison Makishima. I'm testifying in support for HB2457. This bill is *really* important as it helps to control the uses of a mass vaping problem amongst those who are 18 years of age and younger. This bill targets multi-million dollar companies that appeals to the youth by using kid-friendly flavors that makes them want to try it. By eliminating all sales of candy/fruit-flavored vapes, we are helping the next generation to fight against smoking. With this global pandemic going on, it is critical that youths must not smoke as their lungs are weakened by the chemicals flowing about in their bodies. More than 70% of youths transition from flavored vapes into smoking cigarettes; it's an alarming percentage of kids doing that. This bill is vital to aiding youth into the change of nicotine addiction in Hawaii. While we may not prevent them from somehow getting access to it, we can help in preventing kids as young as 9 and 10 years old in getting addicted. Nicotine addiction is a serious problem in today's world, especially with teens and adults. All in all, my name is Madison Makishima, and I am one person out of thousands of Hawaii's youths. **I am testifying in support of the bill HB2457.**



**American Heart Association testimony for HB 2457, HD2
“Relating To The Youth Vaping Epidemic”**

Chairman of the Board

Glen Kaneshige

President

Kahealani Rivera, MD

Board Members

Rick Bruno, MD, FACEP

Jackie De Luz

Brandt Farias

Jason Fujita

Mimi Harris

Brandon Kurisu

Michael Lui, MD

Arnold Martines

Michael Rembis, FACHE

Andrew Rosen

Timothy Slottow

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Office: (808) 377-6630

Fax: (808) 524-0556

Neighbor Islands:

Served by the Oahu office

The American Heart Association **supports the intent of** HB 2457, HD2, SD1 to restrict tobacco flavors, it however **OPPOSES the section of the bill which proposes to impose penalties for those underage who purchase or possess 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. Some of the flavors designed to make e-cigarettes more attractive to children have been shown to harm lung tissue, heart muscle cells, the lining cells of blood vessels, and the cells we need for blood clotting after injury.

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. The idea that vaping is a better way to quit cigarettes than reliable methods using FDA-approved nicotine replacement products isn’t backed up by the weight of science.

Of the small number of studies about this, most show no advantage for e-cigarettes over the temporary use of FDA-approved products such as gum, lozenges and patches. The latter products have been proven helpful as part of an overall program for quitting, which should also include counselling and can include medications to reduce cravings.

One study frequently cited by industry and its supporter did show e-cigarettes to be effective in stopping smoking. However, as is often the case with science, that part of the study’s results don’t tell the whole story. The study, published in the New England Journal of Medicine, was conducted in England. That’s significant because the e-cigarettes in England are far different from those in the U.S. English products have much lower levels of nicotine (as regulated by the government), and physicians there actually encourage their use to quit smoking.

Two reports from Public Health England are often referenced for stating “E-cigarettes are less harmful than combustible cigarettes.” But those studies did not compare e-cigarette use to zero-nicotine exposure. And, those reports rely on small studies or reviews sponsored by organizations supported by Big Tobacco.

Some U.S. smokers have used e-cigarettes to quit, but a growing body of studies shows that approach doesn't work for many people. They cut back, but they still smoke while vaping and they remain addicted. That's called "dual use" in public health literature. The dangers of cigarettes remain, with the added dangers of e-cigarette use. The American Heart Association advises anyone quitting smoking to get off nicotine products altogether, using FDA-approved tools proven to be effective. We also don't want anyone to ever start any nicotine-containing product.

That's why we encourage legislators to make protecting children its top priority when considering legislative options for flavored tobacco. A government study found that 81 percent of kids who have ever used tobacco products started with a flavored product, including 81 percent who have tried e-cigarettes and 65 percent who have ever tried cigars.

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. In particular, studies show that menthol cigarettes increase initiation, especially among youth. Menthol is found in most cigarettes, even those not marketed specifically as menthol cigarettes. Menthol's cooling and analgesic properties reduce the harshness of cigarette smoke and irritation from nicotine. Evidence indicates that menthol enhances the addictiveness of cigarettes, both by increasing the likelihood of nicotine addiction in youth who experiment with smoking and by making adult smoker cessation more difficult.

Menthol cigarettes are used at disproportionately higher rates by racial and ethnic minority smokers, including Native Hawaiians and Filipinos, and Asian Americans. Also, approximately 71 percent of all young LGBT smokers use menthol cigarettes. At least half of all teen smokers use menthol tobacco products. Use of menthol products is also prevalent among non-minority youth and those making less than \$10,000 per year.

A convincing body of evidence has shown that tobacco-related health disparities are exacerbated by targeted marketing in minority areas and the consumption of menthol tobacco products. Internal tobacco industry documents show that tobacco companies have a long history of using flavors, including menthol, to reduce the harshness of their products to make them more appealing to new users, almost all of whom are under age 18. The FDA's Tobacco Products Scientific Advisory Committee noted that "Menthol cannot be considered merely a flavoring additive to tobacco. Its pharmacological actions reduce the harshness of smoke and the irritation from nicotine." The Committee concluded:

- Menthol cigarettes increase the number of children who experiment with cigarettes and the number of children who become regular smokers, increasing overall youth smoking; and
- Young people who initiate using menthol cigarettes are more likely to become addicted and become long-term daily smokers.

The number of flavored tobacco products on the market increased substantially after flavored cigarettes were banned. After the 2009 federal ban on flavored cigarettes (excluding menthol 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 flavor ban by moving to other tobacco products where flavors were still allowed. If the Hawaii State 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 American Heart Association strongly opposes youth possession and penalties (PUP) tobacco laws. The rise in PUP laws is linked to Big Tobacco's response to the Synar amendment which required states to enact and enforce laws prohibiting distribution and sale of tobacco products to minors. As states imposed restrictions on tobacco retail sales, the tobacco industry and retail merchants associations pressured lawmakers to penalize youth buyers and users as well as vendors.

Advocates for PUP laws hoped that the laws would play a central role in a multi-pronged approach to reducing youth initiation and smoking rates, but studies show little evidence of a deterrent effect over time.

Big Tobacco targeted youth for decades, seeking to create new generations of customers addicted to its products. Instead of holding industry and retailers accountable, **PUP laws shift responsibility to their victims – young consumers who are purchasing and using a deadly and highly addictive product.**

Psychologists have found that punishment is not an optimal strategy for behavior change – a finding that is even more relevant when the behavior in question is addictive. PUP laws are unlikely to reduce youth initiation and smoking prevalence at the population level. Some researchers suggest that they are counterproductive, actually increasing smoking rates among youth who seek to engage in behavior deemed deviant or behavior associated with adulthood.

PUP laws are inequitable because they disproportionately affect youth of color. Youth of color – as well as LGBT youth, youth with disabilities, and boys – are more likely to smoke because these populations have been targeted via advertising and retailer placement by the tobacco industry.

Enforcement of PUP laws also disproportionately affects youth from low-income communities. High smoking rates are correlated with low income, and there are more tobacco retailers and advertisements in less affluent areas. Consequently, low-income youth are more likely to smoke and vape, and to be affected by PUP laws. A child with a job, a single parent, or 2 parents who work outside the home may struggle to complete community service or pay fines. A child who is unable to complete community service or pay fines may be subject to escalating penalties that are increasingly difficult to resolve. Further, the resulting stress takes a toll on health and increases the likelihood of risky behaviors or involvement with juvenile justice, mental health, substance use, or other systems.

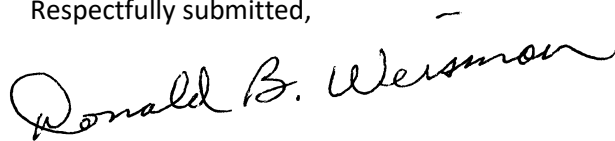
PUP laws stigmatize youth who smoke, yet smoking is an addictive behavior promoted by a billion-dollar industry that directly and deliberately targets them. Stigma is not an effective public health intervention, and it may keep kids from seeking cessation treatment

or education. Problematic behaviors such as smoking may be more likely to continue in the face of punishment (as opposed to cessation interventions) because punishment provides an incentive to hide the behavior and protect those engaged in it.

At a time when the Hawaii has entered into a multi-state law suit against the largest manufacturer of tobacco and vaping devices, Altria and JUUL, for unfair and deceptive practices aimed at luring our keiki into a lifetime of addiction, it seems contradictory that state legislators would support a proposal to then help deflect attention from those same companies and onto its victims, our children. The Association instead recommends a focus on policies that have been proven effective in reducing youth tobacco use including increasing taxes, allocating state funding to meet the CDC's recommended level of tobacco prevention, control and cessation funding for the state, limiting sales to youth through effective enforcement of retailers for underage sales, restricting online sales, and prohibiting flavored tobacco products.

Thank you for considering our recommendations which we feel will have a substantial effect in reducing tobacco use among Hawaii's youths.

Respectfully submitted,



Donald B. Weisman

Hawaii Government Relations/Communications Director

Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Thursday, July 2, 2020, 10:00 A.M., Auditorium

**Testimony in Support, With Amendments for House Bill 2457, House Draft 2, Senate Draft 1
Relating to the Youth Vaping Epidemic**

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education, and advocacy. The work of the American Lung Association in Hawaii and across the nation is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

The American Lung Association in Hawaii fully supports the intent of this legislation and fully support the sales restriction of all flavored tobacco products, including menthol. We do have concerns with provisions supporting punishment for youth possessing or purchasing tobacco products.

Youth purchase, use, or possession (PUP) laws are not an effective approach to reducing youth tobacco use and inappropriately shift the blame for underage tobacco use from the tobacco industry and retailers, to young people. Penalizing youth is not an effective strategy for reducing youth smoking; and some experts argue that PUP laws could detract from more effective enforcement measures and tobacco control efforts.¹

The need for Hawaii to protect youth from tobacco is more urgent than ever, with youth e-cigarette use reaching epidemic levels due to a 78 percent increase in high school e-cigarette use from 2017 to 2018, according to the Centers for Disease Control and Prevention (CDC). This equals one million additional kids beginning to use e-cigarettes, placing their developing bodies at risk from the chemicals in e-cigarettes, as well as a lifetime of deadly addiction.

Many youth smokers are addicted, making it difficult for them to quit, and some research suggests that penalizing youth could deter them from seeking support for cessation². Promoting interventions that provide cessation resources for youth interested in quitting could be a more

¹ Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," Tobacco Control, 12(Suppl I):i6-i13, 2003; Jason, LA, et al., "Youth Tobacco Sales-to-Minors and Possession-Use-Purchase Laws: A Public Health Controversy," J Drug Education, 35(4):275-290, 2005.

² Hrywna, M, et al., "Content Analysis and Key Informant Interviews to Examine Community Response to the Purchase, Possession, and/or Use of Tobacco by Minors," J Comm Health, 29(3):209-216, 2004; Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," Tobacco Control, 12(Suppl I):i6-i13, 2003; Loukas, A, et al., "Examining the Perspectives of Texas Minors Cited for Possession of Tobacco," Health Promotion Practice, 7(2):197-205, 2006.



beneficial alternative.

Research has shown that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco, as it has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes easier to start and harder to quit.

The use of electronic smoking devices by youth in Hawaii is nearly double the national average, and urgent action is required by state legislators in 2020 to address it. The American Lung Association in Hawaii urges legislators to continue to support and advocate for policies to protect youth from tobacco use that ban flavored tobacco products, including menthol, but that do not punish youth that have become victims of the tobacco industry and predatory retailers.

A handwritten signature in black ink that reads "Pedro Haro". The signature is fluid and cursive.

Pedro Haro
Executive Director
American Lung Association in Hawaii
pedro.haro@lung.org

July 1, 2020

Relating to HB2457

The Coalition for a Drug-Free Hawaii Supports HB2457

**Talking points for Bills to End the Sale of Flavored Tobacco Products
Position: Support**

The Coalition for a Drug-Free Hawaii supports HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much needed bill will remove the appealing flavors that the tobacco industry uses to entice youth. I have concerns about punishing our youth instead of the tobacco industry though. If we want to protect our youth, then we must focus on holding the tobacco industry accountable.

The unregulated e-cigarette industry has profited from the lack of laws that hold them accountable. While on the surface youth penalties may seem like a logical deterrent to prevent youth from smoking or using e-cigarettes, they are just a veiled attempt by the tobacco industry to shift the blame from their predatory marketing practices onto the youth that already fall victim to their tactics.

We should protect our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

With aloha,



Greg Tjapkes
Executive Director
Coalition for a Drug-Free Hawaii

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 10:30:18 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jeffrey alameida	Testifying for Blue Zone Project Wahiawa	Support	No

Comments:

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 12:12:41 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rustin Smith	Testifying for Smokey's	Oppose	No

Comments:

It is true that Hawaii's youth are using vaping products but by outlawing flavors there will not be a decrease in use. The problem does not lie there. The problem is that Hawaii is a very expensive state and has put it's people in poverty. By doing this, people will now do what ever it takes to make money. You have parents and older siblings that will go to the stores and purchase the flavored tobacco products legally and give to their kids to take to school and sell them to the other students for a profit. Not only is this illegal on a state level but also a federal level. Off subject, but kids are filling there hydro flasks with alcohol and consuming during class. I have kids that are in High School and I hear about it all the time. I would suggest that a deeper look into our schools security practices before we make a decision on banning a consumer product that creates revenue for the people of Hawaii and allows them the freedom of choice. I own and operate a retail store called Smokey's. I have been in busniess in Hawaii for 20 years. I have strict policy on ID'ing customers for all tobacco related purchases. I know other business owners like myself and we don't sell to underage kids and we don't market our products to underage kids either. In fact, i actually encourage my customers to stop smoking. This industry that you are trying to ban will have a major affect on us already struggling businesses. I am not saying that money is more important that our youth but how is making more laws to restrict sales going to help strenghten our youth. Give them the freedom of choice. "You can lead a horse to water, but yu cant make him drink it"

HB-2457-SD-1

Submitted on: 7/1/2020 10:18:21 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Claudia Rodas	Testifying for Campaign for Tobacco-Free Kids	Support	No

Comments:



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

To: Hawaii State Legislature

Regarding: Flavor Tobacco Ban

Position: Strong Support

I am writing to express my strong support for a ban on all flavored tobacco products, including menthol. I feel this is an important measure that needs to be taken by our community leaders to protect our keiki and their health. As we all know, tobacco is highly addictive and detrimental to people's health and the flavors are what gets kids hooked in the first place. Since Hawaii has one of the highest middle and high school vaping rates in the country, it seems obvious that immediate action needs to be taken to address this epidemic. [A study](#) found that e-cigarette use is a strong risk factor for eventual cigarette smoking so preventing kids from starting vaping should be the focus for addressing this issue. Big tobacco argues that vaping helps adults quit smoking but the truth is, that for every adult that quits smoking using e-cigarettes, 81 young people will become future smokers, which is an unacceptable trade off.

Banning flavor tobacco products would do so much to help keep our youth healthy. It's no coincidence that the rise in youth e-cigarette use 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 Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. 81% of youth who ever used tobacco products started with a flavored product and 97% of youth who vape say they use a flavored product.

Please do the right thing and help protect our keiki from Big Tobacco. Protect them from getting starting using tobacco products and protect them from all the health risks that come with it. It is our job as adults, parents, business owners, law makers, and community leaders to do something about this issue because we can and it is our obligation to our youth.

Sincerely,

Dr. Amy Peterson
Executive Director/Physical Therapist
Pediatric Therapy Hawaii



Wellness & Lifestyle Medicine

642 'Ulukahiki Street, Suite 105
Kailua, Hawai'i 96734
Tel: 808.263.5050
Fax: 808.263.5054
AdventistHealthCastle.org

July 1, 2020

The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Jarett Keohokalole, Vice Chair
Members of the Judiciary Committee

The Honorable Senator Donovan Dela Cruz, Chair
The Honorable Senator Gilbert Keith-Agaran, Vice Chair
Members of the Ways and Means Committee

Re: Support HB 2457, HD2 SD1, Relating to the Youth Vaping Epidemic

Hrg: July 2, 2020 at 10:00 am at Capitol Auditorium

Adventist Health Castle is in **Support of HB 2457, HD2 SD1**. We request the committee to pass the bill as is, which in its current form would:

- End the sale of all flavored tobacco products in the state; and
- prohibit mislabeling of e-liquid products containing nicotine; and
- prohibit the marketing of any electronic smoking device in a manner that is designed to appeal to anyone under 21.

This bill is crucial and will remove the appealing flavors that the tobacco industry uses to manipulate our youth, but we are also concerned about punishing our youth. The tobacco industry has targeted and enabled their addiction, and it is this industry that must be held to account if we want to protect our youth! It is extremely concerning that nicotine is a highly addictive drug that impacts the adolescent brain, and that research has found that e-cigarette use is a strong risk factor for eventual cigarette smoking. Many of our young people that have come to us for tobacco treatment also use cigarettes. They have needed assistance to quit both products. Let us help to advance equity in Hawaii by passing this important legislation. Prohibiting the sale of flavored tobacco products can help to keep kids from ever starting to smoke cigarettes or e-cigarettes, and can encourage those addicted to these products, to quit. What an impact our tobacco control leaders and the legislature and its actions has made to protect our young people from the deadly addiction of nicotine. Let's continue to progress towards a tobacco-free Hawaii. We respectfully urge the committee to pass HB 2457, HD2 SD1 as is.

Mahalo nui loa,

Allie Hall, RN, MPH, NCTTP
Program Coordinator, Tobacco Control



FILIPINO NURSES ORGANIZATION OF HAWAII
and the
FILIPINO NURSES FOUNDATION



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Address

Filipino Nurses Organization of Hawaii
P.O. Box 1093
Aiea, Hawaii 96701

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

The Filipino Nurses Organization of Hawaii **supports HB2457, Relating to the Youth Vaping Epidemic.**

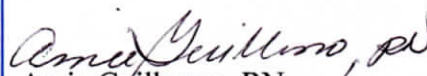
As healthcare professionals, but also as parents and grandparents, our members are extremely concerned about the health of our Filipino youth. We are alarmed by the statistics that Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation: 15.7% of middle schoolers and 25.5% of high schoolers reported that they have vaped.

We are also extremely concerned about the impacts of e-cigarettes on the Filipino community. Vaping among Filipino youth is even higher than it is among the general student population. With flavors such as mango, lychee, ube, and more, manufacturers and marketers of electronic smoking devices have found a way to specifically target and hook young kababayans. The flavors have proven to be alluring and addictive - research has shown that more than 80 percent of who have used tobacco started with a flavored product such as e-liquids or nicotine pods.

Social pressures have also contributed to the spread of vaping within the Filipino community. A California study found that among Filipino youth, 86% of e-cigarette users began because their friends started to vape. The same study also found that Filipino youth were vaping at twice the rate of their other Asian American peers.

Because of these negative impacts on our community, **we urge you to pass HB2457, Relating to the Youth Vaping Epidemic, and other measures aimed at curbing the e-cigarette epidemic among our youth.**

Sincerely,


Amie Guillermo, RN
President



FILIPINO BUSINESS WOMEN'S ASSOCIATION (FBWA)
1159 Manuwa Drive, Honolulu, Hawaii 96818

Empowering Filipino Women in Leadership is our Core Value

February 24, 2020

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

The Filipino Business Women's Association **supports HB2457, Relating to the Youth Vaping Epidemic.**

As mothers, grandmothers, aunts, and *ninangs*, our members are extremely concerned about the health of our Filipino youth. We are concerned by the statistics that Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation: 15.7% of middle schoolers and 25.5% of high schoolers reported that they have vaped.

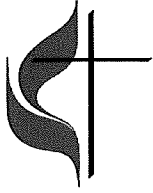
We are also extremely concerned about the impacts of e-cigarettes on the Filipino community. Vaping among Filipino youth is even higher than it is among the general student population. With flavors such as mango, lychee, *ube*, and more, manufacturers and marketers of electronic smoking devices have found a way to specifically target and hook young *kababayans*. The flavors have proven to be alluring and addictive - research has shown that more than 80 percent of who have used tobacco started with a flavored product such as e-liquids or nicotine pods.

Social pressures have also contributed to the spread of vaping within the Filipino community. A California study found that among Filipino youth, 86% of e-cigarette users began because their friends started to vape. The same study also found that Filipino youth were vaping at twice the rate of their other Asian American peers.

Because of these negative impacts on our community, **we urge you to pass HB2457, Relating to the Youth Vaping Epidemic, and other measures aimed at curbing the e-cigarette epidemic among our youth.**

Very sincerely,

Fe Edita M. Velasco
President



First United Methodist Church of Honolulu
1020 South Beretania Street, Honolulu, HI 96816
Revlinitamo@firstumchonolulu.org ; (808) 522-9559

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Rev. Linita 'U. Moa, and I am the Pastor of Tongan Ministries at First United Methodist Church of Honolulu. On behalf of the congregation, **I write to support HB2457, Relating to the Youth Vaping Epidemic.**

HB2457, Relating to the Youth Vaping Epidemic, and other bills aimed at curbing the e-cigarette epidemic among our youth will help to put an end to the proliferation of tobacco use that we see every day throughout our communities. Studies have reported that Hawaii has the highest vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation, with 15.7% of middle schoolers and 25.5% of high schoolers reporting that they have vaped.

Specific to our congregation, as members of the Pacific Islander community here in Hawaii, we are extremely concerned that our youth are being targeted by tobacco companies. Vaping among Pacific Islander and Native Hawaiian youth is even higher than it is among the general student population. With flavors like mango, lychee, haupia, and more, manufacturers and marketers of e-cigarettes have found a way to specifically target and hook our young people.

Because of the flavors being added to e-cigarettes, more and more young people are being hooked. Research has shown that more than 80 percent of who have used tobacco started with a flavored product such as e-liquids or nicotine pods.

On behalf of our Pacific Islander youth, I strongly **urge you to pass HB2457, Relating to the Youth Vaping Epidemic, and other measures aimed at curbing the use of e-cigarettes in our community.**

Sincerely,

Rev. Dr. Linita 'U. Moa
Pastor of Tongan Ministries
First United Methodist Church of Honolulu



FILIPINO WOMEN'S CIVIC CLUB FOUNDATION OF HAWAII

"A United States Internal Revenue Service Tax Exempt 501 (C) 3 organization"

1718 Fernandez St. Honolulu, HI 96819, email: ceciliavillafuerte@gmail.com PH: (808) 780-4985

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

The Filipino Women's Civic Club **supports HB2457, Relating to the Youth Vaping Epidemic.**

As mothers, grandmothers, aunties, and *ninangs*, our members are extremely concerned about the health of our Filipino youth. We are concerned by the statistics that Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation: 15.7% of middle schoolers and 25.5% of high schoolers reported that they have vaped.

We are also extremely concerned about the impacts of e-cigarettes on the Filipino community. Vaping among Filipino youth is even higher than it is among the general student population. With flavors such as mango, lychee, *ube*, and more, manufacturers and marketers of electronic smoking devices have found a way to specifically target and hook young *kababayans*. The flavors have proven to be alluring and addictive - research has shown that more than 80 percent of who have used tobacco started with a flavored product such as e-liquids or nicotine pods.

Social pressures have also contributed to the spread of vaping within the Filipino community. A California study found that among Filipino youth, 86% of e-cigarette users began because their friends started to vape. The same study also found that Filipino youth were vaping at twice the rate of their other Asian American peers.

Because of these negative impacts on our community, **we urge you to pass HB2457, Relating to the Youth Vaping Epidemic, and other measures aimed at curbing the e-cigarette epidemic among our Youth.**

Sincerely,

Cecilia Villafuerte

FWCCF President 2018 to 2020

HB-2457-SD-1

Submitted on: 6/29/2020 4:02:15 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 1:44:04 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Taniguchi	Individual	Support	No

Comments:

I support stopping the insidious use of tobacco products through vaping. In the name of money our food and tobacco companies pushed sugar and vaping, which on the surface seemed harmless and even enjoyable.

Now we know that vaping is dangerous. Please support the suggestions made by the HIPHI, who has done extensive research on vaping.

HB-2457-SD-1

Submitted on: 6/29/2020 4:21:11 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Robinson	Individual	Oppose	No

Comments:

Make this voter happy by voting NO to this bigoted bill!

HB-2457-SD-1

Submitted on: 6/29/2020 4:26:01 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 4:34:44 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

The bill needs to be re-written to ban it for under 21 only. The way it is now it's an adult ban. That's totally unfair.

HB-2457-SD-1

Submitted on: 6/29/2020 4:55:05 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Santiago	Individual	Oppose	Yes

Comments:

I love to smoke flavored products and I LOVE TO VOTE in primary and general elections. Let's see a strong no to hb2457.

Mahalo, Brian S.

HB-2457-SD-1

Submitted on: 6/29/2020 5:10:28 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 5:20:01 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 5:36:37 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Stevens	Individual	Oppose	No

Comments:

Please respect my right to like the flavors I like.

HB-2457-SD-1

Submitted on: 6/29/2020 5:41:40 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Keep the flavors. Mature adults demand our freedom of choice.

HB-2457-SD-1

Submitted on: 6/29/2020 6:06:05 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 6:18:45 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benjamin Padua	Individual	Oppose	No

Comments:

First and foremost, the vaping of flavored e-liquids is a choice that adults should reserve the right to continue doing considering that it is an effective way of nicotine satiation. Secondly, the banning of flavored e-liquids could effectively shut down designated vape shops where adults are able to legally obtain their liquids. Without a designated place for adults to LEGALLY obtain flavored e-liquids, the black market for vape products will grow considerably, and will definitely result in lower quality vape products which may be tainted with other chemicals and additives, including Vitamin E acetate, which has been proven by the FDA and CDC to have been found in black market vaping products. For these reasons, I strongly oppose this bill.

HB-2457-SD-1

Submitted on: 6/29/2020 6:21:54 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Flavors help adults quit smoking and I stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now. Flavors give people the opportunity to give adults another chance at a healthier alternative to traditional tobacco products. Littering of cigarettes will also get worse making Hawaii's environment worse than what it is now. I OPPOSE THIS BILL.

HB-2457-SD-1

Submitted on: 6/29/2020 6:22:21 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Flavors help adults quit smoking and I stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now. Littering of cigarettes will also get worse making Hawaii's environment worse than what it is now. I OPPOSE THIS BILL.

HB-2457-SD-1

Submitted on: 6/29/2020 6:26:02 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David McCann	Individual	Oppose	No

Comments:

NO BAN!

HB-2457-SD-1

Submitted on: 6/29/2020 6:48:48 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 7:08:53 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

This bill will not prevent youth vaping and will create a black market. This will also close all vaping businesses which will contribute to even more job and tax revenue loss during these uncertain times. There are better ways of preventing youth vaping, mainly enforcement.

HB-2457-SD-1

Submitted on: 6/29/2020 7:22:11 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I am for vaping and flavored e-liquids. Vaping has helped me quit smoking cigarettes. I have been vaping for more than five years and have not experienced any problems like I have with cigarettes. I believe vaping will be beneficial in the long run than cigarettes. If I had to choose vaping or cigarettes, I would choose vaping because it can be healthier, you don't smell like an ashtray, and it has made me smoke/vape less than I use to.

"Real Vapors" obey the law because they don't want their lose flavor e-liquids and devices from being sold to them. I do believe something needs to be done to stop minors from vaping but not at the expense of vapors who respect their craft and the law. Responsible vapors don't want to lose their right to chose to vape their type of e-liquids. We live in America, and vapors should not have their freedom to choose their type of e-liquids whether it is flavored, menthol, or tobacco. Responsible vapors should not be the ones punished because of irresponsible sellers or parents.

Stores who sell devices or e-liquid should be held accountable for actions when selling to minors. They should get their GE license taken away from them and a harsh penalty. Parents who buy these vaping devices for their minor children vape should also be held accountable for their actions. Whether it is vaping or smoking cigarettes, parents should not be the one buying these things for their minor children. Parents need to talk to their kids about vaping just like how we have to talk to them about smoking cigarettes, drinking underage, having sex, and other important issues minor children deals with.

Vaping save lives and cigarettes kill!

HB-2457-SD-1

Submitted on: 6/29/2020 7:23:25 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I oppose this bill because I believe that these products have helped me and many other of my peers get off of habits like smoking and drinking etc. The flavors help people out by doing it in a way that is bearable for them to palate. There are flavored waters now, that does not mean that water is bad. These vapes are starting to prove that they help people. Thank you for your time.

HB-2457-SD-1

Submitted on: 6/29/2020 7:26:37 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Aloha,

I am a responsible adult. I work hard and pay taxes. I have the freedom of choice. I smoked cigarettes for 22 years. I quit cigarettes 6 years ago and have been vaping flavored products ever since. I refuse to vape tobacco flavored vape juice but really enjoy flavored vape products. I want to enjoy vaping flavored vape juice as a responsible tax paying adult.

HB-2457-SD-1

Submitted on: 6/29/2020 7:28:51 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erin R.	Individual	Oppose	No

Comments:

Members of the Committee,

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 to 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. However, this bill is overly broad and sets unreasonable restrictions on applicants and could negatively impact numerous businesses, jobs, and tax revenue created by these events.

This bill will directly impact small businesses who have already been hurt by the COVID-19 pandemic. Furthermore, additional jobs will be lost as a result of small e-cigarette stores closing from lack of sales. This will hurt the already more than 22% job loss from the pandemic. Why hurt the economy when it is already in recovery mode? It does not make economic sense for the community to have such restrictions especially when e-cigarette shops make a large portion of small businesses. During the pandemic, many of these shops kept their employees from losing incomes. Please, I urge you to reconsider this bill because of the already difficult situation Hawaii is in. In a recent meeting with Alan Oshima, the current advisor for Hawaii's economic and community recovery, it was stated that Hawaii will not reach 2019 economic levels for more than 5 years. Why put the economy at an even bigger risk by diminishing additional small businesses? I urge you to reconsider.

Mahalo for your time and consideration,

A concerned taxpayer and voter.

HB-2457-SD-1

Submitted on: 6/29/2020 7:44:03 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Aloha Board,

Please Oppose Bill HB2457 I believe the ban on Flavored E-Juice is not the answer but imposing a Possession Law on Under Age users is the answer so please OPPOSE bill HB2457.

Thanks For Your Time

Valentino Miranda-Kepa

HB-2457-SD-1

Submitted on: 6/29/2020 7:44:11 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erin Alicia Wiggins	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 7:55:58 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Patterson	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 8:21:16 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Monique gunn	Individual	Oppose	No

Comments:

Aloha Board. Please OPPOSE Bill HB2457 I Believe if you support BILL'S ON POSSESSION which means people under the age of 21 will be faced with legal action while in possession of any Cigarettes or Electronic Devices is the ANSWER not a BAN OR RAISING TAXES ON VAPING PRODUCTS. SO PLEASE OPPOSE THIS BILL. Thanks for your time.

HB-2457-SD-1

Submitted on: 6/29/2020 8:27:21 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
natalea mikami	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/29/2020 8:54:32 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

You would like to impose a penalty on an individual of the ages 18-21years of age, and yet we can send these young men and women to war to fight for your freedom? No thank you! I oppose! Let them have the freedom of choice and stop impeding on one's personal preference once of age!

HB-2457-SD-1

Submitted on: 6/29/2020 9:05:40 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Vince Rice	Individual	Oppose	No

Comments:

Vaping saves lives, by making a healthier alternative to smoking impossible to attain, you are killing people. Consider this when passing judgment on this bill.

HB-2457-SD-1

Submitted on: 6/29/2020 9:52:31 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
steven savanhmixay	Individual	Oppose	No

Comments:

Been vaping for 6 years and if this pass it would be a bummer. Really don't want to go back to smoking and polluting the air!!!

HB-2457-SD-1

Submitted on: 6/29/2020 9:54:46 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I oppose this bill. It will only create more problems and force people to go to the black market to get their e juice.

HB-2457-SD-1

Submitted on: 6/29/2020 11:08:01 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Tobacco smoking kills almost 500k americans each year but its dropping. Cancer is dropping. Coincedence that all this positives are happening the same time adult americans are embracing ecigs to kick the habit? Our economy in hawaii is in a free fall because of covid 19 and you want to put more local businesses out of business?? Did you know lots of countries and scientist are heavily studying the benefits of nicotine to fighting covid 19??? Did you know actual hard statistics show that smokers/nicotine users via ecigs are showing data that supports nicotine is somehow supressing covid 19.

I fully support keeping ecigs out of under 21 hands. That is why i chose to NOT sell disposable ecigs which is the new JUULS type craze. From day 1 my store and its intention is to help adult smokers quite smoking then to eventually quit ecigs by slowly dropping nicotine level intake to shake the addiction. Only our local specialized adult only vape stores promote this method of nicotine weening. We sell low level nicotine down to 0 nicotine. Please educate yourselves on the industry and you will find the kids love the high nicotine devices like JUULS and disposibles and focus your energy into stopping those from getting into their hands. Its not "flavors". Its the high nicotine that kids love.

HB-2457-SD-1

Submitted on: 6/30/2020 12:59:17 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rafael Montero	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 5:55:19 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ned Garcia	Individual	Oppose	No

Comments:

HB2457 is unjust and unconstitutional. Protect the freedom of choice. **Stop making our Democrat Party a place where freedoms die.**

HB-2457-SD-1

Submitted on: 6/30/2020 7:24:02 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Chan	Individual	Oppose	Yes

Comments:

A hundred thousand Hawaii vapers are NOT asking for this and are angry about this bill. Just go talk to some of them on the street and ask if they want their rights taken away.

To whom it may concern,

I am opposing the current bill (HB2457 HD2 SD1) that will destroy the vaping industry here in Hawaii and put hundreds of people out of employment/business. Our goal for public health is to have people quit smoking traditional tobacco cigarette which is the #1 cause for cancer here in America.

Yet our own Government demonize this new technology which has helped millions of Americans make the switch and drastically improving their health. If this bill is about protecting children, vape shops here include stores in the mainland have strict guidelines and rules they follow that does not allow anyone under 21 to purchase any type of vaping devices, juice or accessories.

The questions we should be asking is HOW are these teens getting their hands on these devices? Where are their parents? Who is giving them money to try and purchase these devices? It is obviously not the vape shops in fear of heavy fines and potential closure. We do not advertise on TV or newspaper and try to attract young children.

We are ADULTS and we enjoy flavors as much as anyone else. What is the point of making a switch AWAY from tobacco, just to vape tobacco flavored e-liquids? That is the NUMBER 1 reason why so many adults make the switch, "I can stop killing myself slowly while enjoying banana, strawberry, grape, etc!"

I implore you to take your time and review these bills that could possibly destroy something that in my opinion, a "PUBLIC HEALTH MIRACLE".

Vinh Tran,

Resident of Honolulu, Hawaii.

HB-2457-SD-1

Submitted on: 6/30/2020 7:36:11 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Hello,

Thank you for taking the time to read why I feel the need to oppose HB2457 HDS SD1. I believe there are better solutions to help Youth Vaping and not close down small business that are trying to survive making a living in Hawaii. We should all get a better education on how this has helped heavy smoking adults to quit smoking and it has helped change there life. Taking this away will cause so many issues of people going towards Black Market items online and potentially killing them because many things are NOT FDA approved or certified.

HB-2457-SD-1

Submitted on: 6/30/2020 7:52:06 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

To whom it may concern,

Over 480,000 Americans die every year due to cigarette use. Vaping offers an alternative that has been proven to be 95% safer. A flavor ban would not only impact smokers, but would impact shop owners and employees. This will also affect the economy in Hawaii. Convenience stores should be held more accountable for their actions in selling tobacco products to minors. Flavors help adults quit smoking and prolong their lives. Without flavors many who have quit smoking will most like go back to using combustible cigarettes. There are other options available than an out right ban on vape products and more research should be done before considering a flavor ban.

Thank you,

Sean Meredith

HB-2457-SD-1

Submitted on: 6/30/2020 8:01:27 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Debrah Trankel	Individual	Support	No

Comments:

I am a Registered Nurse, caring for OB and Pediatric patients. I am in support of banning flavored e-cig fluid, as it is targeting our youth. The number of minors who smoked cigarettes significantly declined when flavored cigs were banned. Now we have to put the same protections in place for this product. The tobacco industry knows they have to engage and "hook" our youth, as the older smoking population are ultimately paying the price for their long-term smoking with their poor health and loss of their lives. Vaping affects the whole family, as 2nd and 3rd hand smoke/vapor inhalation impacts everyone in contact. Please pass this bill to protect our keiki! Mahalo!

HB-2457-SD-1

Submitted on: 6/30/2020 8:05:40 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I quit smoking cigarettes and tobacco because of vape products, I feel healthier and I feel that it is safer, I believe there shouldn't be a ban on or a raise of taxes on Vape products, I think individuals under 21 should face legal action while in possession of any Cigarettes or Electronic Vape Devices instead!

HB-2457-SD-1

Submitted on: 6/30/2020 10:19:44 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ASHLEY MATTOS	Individual	Oppose	No

Comments:

I OPPOSE THIS BILL!! I do believe that people under the age of 21 should be faced with legal action when in possession of any electronic devices or tobacco products but I do not believe the on raising the taxes on tobacco/vape products.

HB-2457-SD-1

Submitted on: 6/30/2020 10:39:01 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
eduardo rebolios	Individual	Oppose	No

Comments:

I work for a vape shop, and the amount of customers I have had throughout my 4 years of being there are countless. Majority of them were chronic smokers of cigarettes, and now have not touched a cigarette in either months or even years since being introduced to vaping. I have built relationships with these people, and to see them come such a long way from being a 1-3 pack a day smoker, like myself to someone who gets disgusted from the smell of a cigarette has made all these years here worth it. Why ban an alternative for people who are trying to live a better lifestyle than before? Banning something good for most people will just have a negative impact on them. They will start going back to smoking cigarettes and will come across more health complications from doing so. Cigarettes contain hundreds, if not thousands of harmful chemicals to the body while a single bottle of properly e-juice will contain 4 ingredients; vegetable glycerin, propylene glycol, artificial flavoring, and nicotine which is optional.

HB-2457-SD-1

Submitted on: 6/30/2020 10:59:15 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

There should be a controlled law for underage, making sure actions are still be taken but also not taking it away from people of age, who some need it and helps them from a few months to a couple of years from not going back to cigarettes, which is way worse for a person and there body.

HB-2457-SD-1

Submitted on: 6/30/2020 11:07:00 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sabrina Spencer	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 11:51:35 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jhanella Shayne	Individual	Support	No

Comments:

I'm Jhanella Shayne, an upcoming tenth grader at Waipahu Highschool. I strongly support HB2457. As a student I use the city bus. I would always encounter students vaping in the stops and I would avoid them. There was this one time I avoided a student vaping by covering my nose and mouth. A bus driver noticed me avoiding and confronted me saying "It's only vaping. It's not harmful." I couldn't take the fact that adults would encourage our kids to vape and that they are blinded of the harmful effects vaping offers. It's because they think it's just "juices" like those apple juice children drink. But it's more than that. It's targeting our students and the adults are supporting it. That's why I support the flavored tobacco ban. I want to share my voice and let my peers see that they are being targeted and how it's important to know the consequences they may face if they continue to let the tobacco industry and the adults tell them that it's "safe".

This is a great opportunity to empower our youth and spread the word against tobacco. I believe that it's important to have a say on these matters, especially since this affects our generation and the younger ones that follow. I always witness our students being manipulated and affected by the tobacco industry. I want this to stop right now and protect our future generations.

HB-2457-SD-1

Submitted on: 6/30/2020 1:03:19 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
mary santa maria	Individual	Support	No

Comments:

Please be so kind as to pass this bill. It will support our community in regulating the tobacco industry, and make it more difficult to entice youth to try these tobacco products.

While the industry is responsible for targeting youth it is the industry that should be punished.

The youth are victims. Please consider how to do this as a next step in protecting our youth.

Mahalo

Mary Santa Maria, MPH, MS

Maui

HB-2457-SD-1

Submitted on: 6/30/2020 2:09:29 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 2:13:25 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Naomi Muronaka	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 2:19:04 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 2:28:12 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Aloha Board. Please OPPOSE Bill HB2457 I Believe if you support BILL'S ON POSSESSION which means people under the age of 21 will be faced with legal action while in possession of any Cigarettes or Electronic Devices is the ANSWER not a BAN OR RAISING TAXES ON VAPING PRODUCTS. SO PLEASE OPPOSE THIS BILL. Thanks for your time.

HB-2457-SD-1

Submitted on: 6/30/2020 2:31:30 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 2:32:16 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 2:36:08 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I support HB2457 to end the sale of flavored tobacco products in Hawai'i. This much-needed bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable.

HAWAII'S YOUTH VAPING EPIDEMIC

Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-cigarettes in the nation: 15.7% of middle schoolers and 25.5% of high schoolers (Source: Hawaii YRBS, 2017). This is extremely concerning, as nicotine is a highly addictive drug that impacts the adolescent brain. A study published in JAMA Pediatrics found that e-cigarette use is a strong risk factor for eventual cigarette smoking, and for every adult that quits smoking using e-cigarettes, 81 young people will become future smokers. This is an unacceptable trade-off.

WHY FLAVORS?

It's no coincidence that the rise in youth e-cigarette use 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 to kids. Who is the industry really targeting with flavors like Unicorn Milk, Sour Straws, POG, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. Some troubling facts:

- 81% of youth who ever used tobacco products started with a flavored product**
- 97% of youth who vape say they use a flavored product**

WHY MENTHOL?

Tobacco companies use flavored products to keep customers of all ages addicted to their products. However, it's well-documented that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, such as Black and Indigenous communities. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes (Source: Hawaii BRFSS, 2008).

PENALIZE THE TOBACCO INDUSTRY, NOT YOUTH VICTIMS

For far too long, the unregulated e-cigarette industry has profited from the lack of laws that hold them accountable. While on the surface youth penalties may seem like a logical deterrent to prevent youth from smoking or using e-cigarettes, they are actually just a veiled attempt by the tobacco industry to shift the blame from their predatory marketing practices onto the youth that fall victim to their (well-funded!) tactics. The tobacco industry has targeted youth of color and other marginalized populations through increased advertising and number of retailers in low-income areas. This means any laws that penalize use will disproportionately affect these already burdened populations. Instead of punishing the victims already addicted to tobacco, we should protect our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

Thank you,

Andrea Snow

770 Alulike St.

Kihei, HI 96753

HB-2457-SD-1

Submitted on: 6/30/2020 2:42:56 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I am in support of HB2457. Hawaii has among the highest rates of middle school and high school e-cigarette (ESD) use in the nation and it has been declared vaping a youth epidemic by the U.S. Surgeon General.

As a parent and health educator for the State Health Department, this is extremely concerning as there are numerous health impacts from e-cigarettes. Nicotine addiction affects kids' ability to focus and learn at school, it affects their emotions, it affects their relationships, and it affects their self-confidence. The list goes on. Further, once teens become addicted to nicotine, it's very difficult to quit. Teens are also particularly vulnerable to nicotine, which permanently impacts their still developing brain.

It's no coincidence that the rise in youth e-cigarette use has coincided with an explosion of sweet e-liquid flavors used to hook kids. Tobacco companies are making and marketing deadly and addictive products right here in Hawaii that look and taste like our favorite childhood flavors (Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Rolls, and Halawa Guava). They make these flavors to "hook" their next customers... Our youth! And it's not OK. Data has shown that 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes. Menthol flavors are particularly enticing, making menthol cigarettes another popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

We need to protect our keiki. The scientific evidence is clear, flavored tobacco products have the greatest appeal to youth and we must end the sale of these products.

We also need to hold the industry accountable through regulations instead of punishing youth who have fallen prey to their predatory marketing tactics. Penalties on youth for purchase, use, or possession (PUP) do not work at reducing youth tobacco use and can even be counterproductive. As an unintended consequence, PUP laws can stigmatize tobacco use and deter addicted youth from seeking help to quit smoking.

Other policies are proven strategies to reduce youth tobacco use, such as decreasing access to tobacco products, increasing prices of tobacco products, tobacco prevention

and education programs in schools, and increased enforcement of tobacco sales restrictions.

HB-2457-SD-1

Submitted on: 6/30/2020 2:46:19 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shelly Ogata	Individual	Support	No

Comments:

Position: Support

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much needed bill will remove the appealing flavors the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable--not blaming the victim.

It's no coincidence that the rise in youth e-cigarette use 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 Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. Some troubling facts:

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- 97% of youth who vape say they use a flavored product

WHY MENTHOL?

Tobacco companies use flavored products to keep customers of all ages addicted to their products. However, it's well-documented that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a 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 (Source: Hawaii BRFS, 2008).

PENALIZE THE TOBACCO INDUSTRY, NOT YOUTH VICTIMS

For far too long, the unregulated e-cigarette industry has profited from the lack of laws holding them accountable. While on the surface youth penalties may seem like a logical deterrent to prevent youth from smoking or using e-cigarettes, they are actually

just a veiled attempt by the tobacco industry to shift the blame from their predatory marketing practices onto the youth that already fall victim to their tactics. The tobacco industry has targeted youth of color and other marginalized populations through increased advertising and number of retailers in low-income areas, so any laws that penalize use will disproportionately affect these already burdened populations. Instead of punishing the victims already addicted to tobacco, we should protect our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

Stop blaming the victim and help protect our keiki.

Mahalo for all of your time and attention to this pressing matter.

Shelly Ogata, RN, MPH

HB-2457-SD-1

Submitted on: 6/30/2020 3:38:39 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I am in full support of HB2457, which would end the sale of flavored tobacco products in Hawaii. The flavors that these tobacco products use have been shown to entice our youth and enable their addiction to tobacco/nicotine. Instead of punishing our youth, as it is clear that the tobacco industry is targeting them, let's choose to protect them by not allowing these products to be sold. Instead, let's hold the tobacco industry accountable for their clear tactics in targeting youth.

Some facts: Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-cigarettes in the nation- 15.7% of middle schoolers and 25.5% of high schoolers (Source: Hawaii YRBS, 2017)

81% of youth who ever used tobacco products started with a flavored product

97% of youth who vape say they use a flavored product

Testimony Presented Before the Senate Committees on
Judiciary and Ways and Means
Thursday, July 2, 2020 at 10:00 am
By May Rose I. Dela Cruz, DrPH

HB 2457 - Relating to the Youth Vaping Epidemic

Chair Rhoads, Vice-Chair Keohokalole, and members of the Committee on Judiciary and Chair Dela Cruz, Vice-Chair Keith-Agaran, and members of the Committee on Ways and Means:

I am writing to offer my testimony in **support of HB 2457** which would end the sale of flavored tobacco products in Hawai'i. This important bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction.

This bill is integral in protecting the most disparate populations, including Filipinos. Filipinos are the second largest population in Hawai'i and have high rates of diabetes (13%), hypertension (28.7%) and respiratory disease (13% adults, 21% children). In a study that I published last year on tobacco and electronic smoking device use (ESDs) among Filipinos in Hawai'i, we found that 43% of respondents started using ESDs because of the different flavors, 38% were curious about vaping, and 30% viewed vaping as healthier than cigarettes. Smokers reported that they preferred menthol (67%). The study comprised of adults, including those who were under 21 years old (underage) (Corpuz & Dela Cruz, 2019). There is a cause for concern that Filipino youth vape users become adult vape users who have no knowledge of tobacco cessation programs and have no desire to quit. Tobacco-free lifestyles for Filipinos will reduce their risk of coronary heart disease, lung cancer, and other chronic disease which disproportionately impact Filipinos.

The tobacco industry has targeted youth of color, like Filipinos, through increased advertising and number of retailers in low-income areas, so any laws that penalize use will unfairly affect these already burdened populations. Instead of punishing the victims already addicted to tobacco, we should protect our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth. Culturally relevant smoking prevention and cessation intervention services are particularly important for Filipinos.

HB 2457 is the much needed bill that will protect our youth, especially those who are most at risk like Filipinos and other marginalized populations in Hawai'i.

Mahalo/salamat for allowing me to submit testimony.

HB-2457-SD-1

Submitted on: 6/30/2020 4:09:22 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

It is time for Hawai'i to restrict the sale of all flavored tobacco products. Hawai'i is facing a resurgence of tobacco addiction that requires dedicated focus. We must act now to ensure that all flavors are restricted, including menthol, mint and wintergreen and that all tobacco products, including e-cigarettes are included. ALSO: this bill does contain language that would put penalties on youth caught with tobacco products. These penalties don't work and can keep kids from coming forward to get help with their nicotine addiction. While we support this bill we OPPOSE any greater penalties on youth. We should hold tobacco companies accountable, not their victims.

Mahalo,

Christine Russo

HB-2457-SD-1

Submitted on: 6/30/2020 4:17:55 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Denny Diez	Individual	Oppose	No

Comments:

Wow!!! HB2457 must have been introduced just to inflame voters.

HB-2457-SD-1

Submitted on: 6/30/2020 4:19:20 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melorie Yuen	Individual	Support	No

Comments:

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much needed bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable.

HB-2457-SD-1

Submitted on: 6/30/2020 4:23:22 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 4:33:47 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tammy Young	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 4:44:53 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Monika Lopez	Individual	Oppose	No

Comments:

Please leave our flavors alone.

HB-2457-SD-1

Submitted on: 6/30/2020 5:03:41 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony McCurdy	Individual	Support	No

Comments:

Aloha Chairs Dela Cruz and Rhoads and Committee Members,

I am writing to you in support of HB2457 as a concerned parent, teacher and community member. Youth vaping is an overwhelming issue and we need to end the sale of flavored tobacco products in our state to help end the scourge of vaping among our keiki.

Please note that I did not say among our youth. I teach in a high school setting and a huge number of students vape on a regular basis, far more than the estimated 25% who admit to vaping. Those students are hooked. Their parents often know and either don't care or refuse to see it, but since they're going to be adults soon, the attitude is that it's their choice.

It's the elementary and middle school age children, our keiki, who we need to protect. When people fight against limits on vaping and tobacco use, they're not seeing the 4th graders puffing away on their mom or dad's vape pen, but we see it. We see the high school students who vape between classes who are shocked when they see the 3rd grader who lives down the street vaping behind their house. We hear from the middle school teachers who talk about regularly having to confiscate vape materials and pens in school.

Enough is enough. Adults can get over themselves for the good of our children. Ban flavored tobacco in our state and do what's right for our keiki.

Thank you for your attention to this crucial issue.

Anthony McCurdy

James Campbell High School, Ewa Beach, Leeward District

HB-2457-SD-1

Submitted on: 6/30/2020 5:05:01 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Individual	Support	No

Comments:

Aloha Chairs Rhoads and Dela Cruz.

Strong support,

The corporate drug pushers are still at it, luring children to try their poisonous drug - nicotine through yet another loophole in the law.

Please pass this bill,

HB-2457-SD-1

Submitted on: 6/30/2020 5:05:29 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Bortle	Individual	Support	Yes

Comments:

I am a parent and a teacher. My wife and I discovered that our daughter was vaping. She is a good kid and has currently has a 3.47 GPA going into her senior year. Although she has good grades and is generally a good kid she got sucked into vaping. She started using in her freshman year and continued to her junior year, though numerous times she was caught. At first she wanted to be accepted by the groups she was around and then she started using it to cope with the stresses of being a teenager. The accessibility to the devices and liquid is far too easy. When we would find a device and the e-liquid, my wife and I would throw it away but then she would get it again shortly after. She would never admit where she was getting her supply. She began to learn, like any other criminal or addict, to hide her e-cigarette devices and e-liquid better. Yet the last time I discovered a bottle in her room was by the sweet smell of the cotton candy flavored e-liquid. She claimed she didn't have a device but the smell was so strong in our house, I could smell it in our living room while the bottle was in her bedroom. I searched her room and couldn't find a device. Although she denied it, I believe that she began putting drops of the liquid in her mouth. The reason why I came to this conclusion was that shortly after this discovery, she began to have chronic gastrointestinal issues. This became so bad that she missed weeks of school, work and social time with friends. Visit after visit to the doctor's office and referrals to a children's GI doctor ended with her to have a scope done. However she had a bad cold and had to reschedule, unfortunately COVID-19 has prevented her from having the procedure done. All of her symptoms however indicated that she had nicotine poisoning. As a parent I looked at what else could I do besides watch my daughter's every move. Then I saw that there was a bill to ban flavored tobacco but it died. So I implore all who read this to support this bill banning flavored tobacco.

Flavored tobacco is too inviting for children. Its packaged to resemble candy and other food or drink products that children enjoy. It smells like candy or shaved ice syrup. If a device is not accessible I feel that kids will drink the liquid like I believe my daughter did. Kids who have access to both will vape. Our youth e-cigarette use numbers are showing that this is the case. Statistical data shows as the number of flavors increase so has youth usage.

If the true intent of e-cigarettes are to help people stop smoking than people can do it without flavors. If we want to lead the nation in stomping out COVID-19 cases then we should be a leader in banning flavored tobacco too. COVID-19 may stick around for a

while or there could be something very similar in the future where pre-existing conditions and unhealthy life choices plays a part on how the virus reacts in the human body. As of right now Hawaii is leading the nation in youth e-cigarette use, this is absolutely atrocious! The technology that has gone into devices to make them undetectable is also horrific. An adult who is trying to stop smoking does not need to hide his or her device. I understand that this ban is focussed on flavors, however this committee should recognize how tobacco companies have targeted teenagers and children in using their products. Schools have been in an uphill battle trying to protect its students from e-cigarettes. They have found it challenging at best to destroy, compensate or throw away devices and the e-liquid due to worry over being sued by parents who claim the items were theirs. This ban will aid schools in confiscating devices and flavored e-liquid for those under 21 and not returning them to the parent. As a teacher, I find e-cigarette trash all across our campus. I can only assume that the custodians are finding more than me, however for the amount I find it is astounding. Every year for the past several years, our school has had students taken away by an ambulance due to an e-cigarette related issue. Flavored tobacco is creating addicts and sick youth. Ironically enough as our nation and islands goes through this horrible virus and through all the closures and lock downs, e-cigarette shops are wide open for business and selling their flavored tobacco, continuing to poison our youth.

Please vote yes for this bill and ban flavored tobacco.

HB-2457-SD-1

Submitted on: 6/30/2020 5:10:37 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bob Bainum	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 5:10:55 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Aloha,

My name is Jostin I am a former smoker of 20 year's, I strongly oppose House Bill HD2457 HD2 SD1, 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 "Juul" and similar ones like it being easily accessible through gas stations, convenience stores ect, at least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21, these vape shops, manufactures and companies who follow the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward. The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because 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 this

Testimony in Opposition:

Since their introduction to the U.S. market in 2007, e-cigarettes and vaping devices—tobacco harm reduction products that are 95 percent safer than combustible

cigarettes—have helped more than three million American adults quit smoking.

1. Economic Impact

According to the Vapor Technology Association, in 2018, the industry created 451 direct vaping-related jobs, including manufacturing, retail, and wholesale jobs in Hawaii, which generated \$18 million in wages alone.[1] Moreover, the industry has created hundreds of secondary jobs in the Aloha State, bringing the total economic impact in 2018 to \$100,745,600. In the same year, Hawaii received more than \$9 million in state taxes attributable to the vaping industry. These figures do not include sales in convenience stores, which sell vapor products including disposables and prefilled cartridges. In 2016, average national sales of these products eclipsed \$11 million.[2]

2. State Health Department Data

As of November 13, 2019, the Hawaii Department of Health (HDH) has reported four cases of vaping-related lung illnesses.[3] HDH notes that two of the patients are adults and “two are adolescents.” There is no further information on gender and/or substances vaped. This is alarming because many state health departments have already linked vaping-related lung illnesses to the use of products containing tetrahydrocannabinol (THC) and provided this information in their own updates. The Heartland Institute gives HDH a grade of D for information available on vaping-related lung illnesses.

3. More Information Needed

The most recent report on youth e-cigarette use in Hawaii is from the 2017 Hawai'i Youth Tobacco Survey.[4] According to the survey, in 2017, 20.9 percent of Hawaii high school students reported using a vapor product at least once, in the 30 days prior to the survey. There is no information on frequent and/or daily use. Only 26.4 percent of Hawaii high school students reported “flavors” as a reason for using e-cigarettes. Further, in 2017, 80.6 percent of Hawaii high school students believed “all e-cigarettes are dangerous.” More data is needed to understand the effects of public health campaigns on youth e-cigarette use.

4. Youth Sales Miniscule

From January 1, 2018 to September 30, 2019, the U.S. Food and Drug Administration (FDA) administered 615 tobacco age compliance inspections in Hawaii, in which the agency used a minor in an attempt to purchase tobacco products.[5] Of those, 26, or 4 percent, resulted in a sale to a minor. Of the violations, 9 (34 percent of violations and 1 percent of all compliance checks) involved the sale of e-cigarettes or vaping devices. The number of violations involving sales of cigars and cigarettes were 2 and 15, respectively, during the same period.

5. Misspent Money

In 2019, Hawaii received an estimated \$160.3 million in tobacco taxes and tobacco settlement payments. In the same year, the state spent only \$4.5 million, or 2 percent on funding tobacco control programs, including education and prevention.[6]

Policy Solution

Electronic cigarettes and vaping devices have proven to be tremendous tobacco harm reduction tools, helping many smokers transition away from combustible cigarettes. Despite recent fearmongering, their use is significantly safer than traditional cigarettes, as noted by numerous public health groups including the Royal College of Physicians,[7] Public Health England,[8] and the American Cancer Society.[9] Rather than restricting their use, and undoubtedly reducing public health gains and millions of

dollars in economic output, lawmakers should dedicate existing tobacco funds on programs that actually reduce youth use.

Key Points:

1. Hawaii's vaping industry provided more than \$100 million in economic activity in 2018 while generating 451 direct vaping-related jobs. The national average of sales of disposables and prefilled cartridges exceeded \$11 million in 2016.
2. As of November 13, 2019, HDH has reported four cases of vaping-related lung illnesses. HDH notes two of the patients are adolescents and two are adults and offers no other information. HDH earns a D for its reporting on vaping-related lung illnesses.
3. In 2018, 20.9 percent of Hawaii high school students reported using vapor products on at least one day in the previous 30 days. Only 26.4 percent of Hawaii high school students cited flavors as a reason for e-cigarette use. More data is needed.
4. Only 1 percent of FDA retail compliance checks in Hawaii resulted in sales of e-cigarettes to minors from January 1, 2018 to September 30, 2019.
5. Hawaii spends very little on tobacco prevention. In 2019, Hawaii dedicated only \$4.5 million or 2 percent of what the state received in tobacco settlement payments and taxes.

References

- [1] Vapor Technology Association, "The Economic Impact of the Vapor Industry HAWAII," 2019, <https://vta.guerrillaeconomics.net/reports/9aa96bb8-b7c8-4100-9611-f0acc6612e31?>
- [2] Teresa W. Wang et al., "National and State-Specific Unit Sales and Prices for Electronic Cigarettes, United States, 2012-2016," Preventing Chronic Disease, Centers for Disease Control and Prevention, August 2, 2018, https://www.cdc.gov/pcd/issues/2018/17_0555.htm.
- [3] Hawaii Department of Health, "Medical Advisory: Additional Cases of Vaping Associated Lung Injury and Diagnostic Algorithm," November 13, 2019, https://health.hawaii.gov/docd/files/2019/11/Med-Advisory-EVALI_13Nov19.pdf.
- [4] Lance Ching, Ph.D., et al., "Data Highlights from the 2017 Hawai'i Youth Tobacco Survey," Hawai'i State Department of Health, June 29, 2018, http://www.hawaiihealthmatters.org/content/sites/hawaii/YTS_2017_Report.pdf.
- [5] U.S. Food and Drug Administration, "Compliance Check Inspections of Tobacco Product Retailers," September 30, 2019, https://www.accessdata.fda.gov/scripts/oce/inspections/oce_insp_searching.cfm.
- [6] Truth Initiative, "Tobacco use in Hawaii," June 28, 2019, <https://truthinitiative.org/research-resources/smoking-region/tobacco-use-hawaii-2019>.
- [7] Royal College of Physicians, Nicotine without Smoke: Tobacco Harm Reduction, April 2016, <https://www.rcplondon.ac.uk/projects/outputs/nicotinewithout-smoke-tobacco-harm-reduction-0>.
- [8] A. McNeill et al., "Evidence review of e-cigarettes and heated tobacco products 2018," Public Health England, February 2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/684963/Evidence_review_of_e-cigarettes_and_heated_tobacco_products_2018.pdf.
- [9] The American Cancer Society, "What Do We Know About E-Cigarettes?" June 19,

2019, <https://web.archive.org/web/20190806152535/https://www.cancer.org/cancer/cancer-causes/tobacco-and-cancer/e-cigarettes.html>.

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

HB-2457-SD-1

Submitted on: 6/30/2020 5:11:55 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Crabbe	Individual	Support	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 5:23:31 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 5:38:01 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

[HB 2457](#) would remove thousands of fruit, candy, and menthol flavored tobacco products and e-liquids that are addicting our keiki. This bill is critical, as even with a global pandemic, the problem of youth vaping persists. With 8 in every 10 kids starting with a flavored tobacco product, and 42% of Hawai'i high school students trying e-cigarettes, we have an urgent need to act.

While ending the sale of flavored tobacco is much-needed, I have concerns about the youth penalties in the bill. We must hold the multi-billion dollar tobacco industry accountable for their actions instead of penalizing youth that are the victims of their predatory marketing practices.

June 30, 2020

Strong Support of HB 2457 RELATING TO THE YOUTH VAPING EPIDEMIC.

To The Senate

Hrg: Thursday, July 2, 2020, 10:00 A.M., Auditorium, State Capitol, 415 South Beretania Street

I strongly support HB2457 RELATING TO THE YOUTH VAPING EPIDEMIC, which bans the sale of flavored tobacco products; prohibits mislabeling of e-liquid products containing nicotine; and establishes fines and penalties for violations.

I oppose penalizing youth. We need to hold the industry accountable through regulations instead of punishing youth who have fallen prey to their predatory marketing tactics.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

Again, I strongly support HB 2457 RELATING TO THE YOUTH VAPING EPIDEMIC and ask you to pass this out of committee.

Sincerely,
Jessica Cambra ~mother of 3 Maui boys
101 Kealohilani Street
Kahului HI 96732
808-280-0055

HB-2457-SD-1

Submitted on: 6/30/2020 5:44:15 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Abe	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 5:46:33 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 6:08:50 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
valerie saiki	Individual	Support	No

Comments:

As a parent, I do not want my kids exposed to candy or fruity flavored tobacco products and its advertisements. I feel youth should not be exposed to these tobacco advertisements especially when playing on their mobile devices. Why are vape companies allowed to advertise in app games that does not have any age restrictions? I understand that many may feel that parents should be monitoring their kids screen time, but the small ads that scroll on the bottom of common “free” games need to also be monitored, and how many parents monitor that in addition to that action on the screen? Have you? I did and I caught an ad for a vape device, but the real question is how many of those ads did I miss because I was only worried about making sure there was no violence in the game instead. These ads are not just about the smoking devices, but use cartoon effects to advertise fruity flavors to make it even more fun looking. With this bill, you have the power to eliminate the sales of flavored tobacco, including fruity, candy, and mint, which will also reduce many of the flavored tobacco and vape juice that are enticing our kids. Remember, 15,500 various flavors will never be for adults to find the perfect flavor, it’s only a guise, as having that many flavors only exists to have people curious to try the tobacco product to see what it tastes like, forgetting it contains nicotine and is the most addictive product on the market, and these people are not just including the youth, but predominantly youth. Kids trying tobacco are getting younger and younger. Many are trying these products before they have learned how to make healthy choices or even have the brain development to have the want to make healthy choices. If they can’t decide what they need to do to keep themselves healthy, are they going to understand paying a fine to correct a behavior? No, which is why I support tobacco education classes for these students who get caught with any type of tobacco product. Give them the opportunity to learn and understand the consequence of their choices versus telling them their choice was wrong.

I hope you take into consideration all my points of view from someone who doesn’t want to see her kids, including my nieces and nephews, distracted by false advertisements of fruity, candy and mint flavors masking a deadly and addictive drug.

An ounce of prevention can equal \$526 million dollars saved in health care costs in Hawaii!

Date: June 30, 2020

To: The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Re: **Strong Support for HB2457 HD2 SD1**, Relating to the Youth Vaping Epidemic

Hrg: July 2, 2020 at 10:00 AM at State Capitol Auditorium

Aloha Senate Committees on Judiciary and Ways and Means,

As a parent, educator and healthcare professional, I am writing in **strong support of HB2457 HD2 SD1**, which bans the sale of flavored tobacco products; prohibits mislabeling of e-liquid products containing nicotine; establishes fines and penalties for violations; authorizes a court to impose, as a penalty on a person eighteen to twenty-one years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine; and, requires a parent or guardian of a minor to select from among the penalties for a minor convicted of possession of a tobacco product or electronic smoking device.

Hawai'i is in the midst of an unprecedented youth vaping (nicotine addiction) epidemic and has one of the highest rates of youth e-cigarette use in the nation. With ultra-potent nicotine salt e-liquids available in a multitude of sweet flavors, these products are highly attractive to, and pose a huge risk of addiction and life-long impaired brain development for, our youth.

The reality is, **flavors hook kids**. 97% of youth in Hawai'i who use e-cigs vape flavored products, including mint and menthol. Menthol is a chemical found naturally in mint plants that is added to many tobacco products and e-liquids to reduce the throat burn caused by inhaled nicotine and to increase satisfaction with smoking and vaping, compounding the addictive nature of nicotine-containing products.

In research comparing vaping patterns, kids who use flavored products puff deeper and more often than when vaping unflavored products. And, more than 80% of kids who use flavored e-cigs say *they wouldn't vape if flavors were unavailable*.

Tobacco industry proponents will say that flavored e-cigarettes should remain available to help smokers quit combustible tobacco cigarettes. The reality is that **for each adult who tries to quit smoking with e-cigarettes, 81 kids who use e-cigs will become daily tobacco cigarette smokers**.

Under the HB2457 HD2 SD1 flavor ban, unflavored and tobacco-flavored e-cigarettes would remain available for adult cigarette smokers seeking to use e-cigs to quit smoking. Research finds that youth are not attracted to unflavored or tobacco-flavored e-cigs.

HB2457 HD2 SD1 promotes factual labeling of e-liquids to make it more likely that both adults and youth will be easily able to determine if a product contains the highly addictive drug, nicotine. This is particularly important for youth, many of whom are unaware that most e-cigs and e-liquids contain nicotine, and, the products most popular with kids contain ultra-potent nicotine salts.

I respectfully oppose the law enforcement/legal system being involved with youth nicotine addiction and penalizing youth who are the victims of sophisticated tobacco/vape industry efforts to entice kids to vape and get hooked on nicotine.

In this current time recognizing that law enforcement is not designed, prepared or resourced to address health issues, but due to existing laws and regulations is often called on to do so (e.g., addiction, mental health, etc.), we need to discern between behaviors that are appropriately and effectively addressed through healthcare and education (e.g., youth vaping/nicotine addiction) and behaviors effectively addressed via regulation and law enforcement (e.g., manufacturers and retailers who promote and/or illegally sell nicotine products to our youth).

Through advertisements aimed at youth, a vast offering of sweet flavors that appeal to kids and other youth-targeting means, the *unregulated vape industry* is responsible for starting and fueling the youth vaping epidemic. This industry, due to predatory marketing tactics targeting our kids, and illegal sales to our youth, should be held accountable through regulation and enforcement, rather than punishing youth who have become addicted to nicotine through unregulated marketing and illegal sales tactics.

Severely reducing access to tobacco products through flavor bans, increasing prices of tobacco products, tobacco prevention and education programs in schools, and increased enforcement of tobacco marketing and sales are proven methods to reduce youth nicotine use.

I strongly support HB2457 HD2 SD1, respectfully ask you remove all youth penalties and include prevention education and treatment for nicotine addiction, and to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Kea'au, HI

HB-2457-SD-1

Submitted on: 6/30/2020 6:31:41 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cindy Nettles	Individual	Oppose	No

Comments:

I strongly oppose ALL of this bill.

Mahalo for your consideration,

Cindy Nettles

HB-2457-SD-1

Submitted on: 6/30/2020 6:35:04 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dallas Nelson	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 6:38:54 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Wheeling	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 7:03:16 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lani Hernandez	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 7:05:20 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Lau	Individual	Oppose	No

Comments:

Flavored vape products are safe and they are helping me stop smoking tobacco.

HB-2457-SD-1

Submitted on: 6/30/2020 7:08:41 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Marten	Individual	Support	No

Comments:

Aloha Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran, and committee members,

Please pass HB2457 to protect our youth from predatory marketing to addict them to nicotine products. By luring children to try flavored nicotine products they are creating lifelong customers from whom they will profit at the expense of their clients' health and the public purse which in the end will bear the costs of increased incidence of cancer and heart disease.

This is something we can do during the budget crisis - it is free.

Mahalo,

Dr. Lisa Marten

HB-2457-SD-1

Submitted on: 6/30/2020 7:27:49 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kyla Kapaku	Individual	Oppose	No

Comments:

Why I Support HB 2457

- 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
- Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

HB-2457-SD-1

Submitted on: 6/30/2020 7:33:43 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 7:37:22 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

In Strong Opposition to this ban.

HB-2457-SD-1

Submitted on: 6/30/2020 7:39:38 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 7:43:18 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael deYcaza	Individual	Support	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 7:44:02 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Madeleine McCurdy	Individual	Support	No

Comments:

Hawaii is in the middle of two crises right now, Coronavirus and the youth vaping epidemic. As a high school student I could not count or keep track of how many times I have seen fellow high school students vaping in school buildings or on school campuses. Not only is vaping bad for the individual but it is bad for everyone around that individual. But it is not like we are stuck, we can change the way of the youth vaping epidemic by passing this bill.

Now the problem starts with the vape products themselves, they are marketed and sold towards minor so that the companies can hook customers for life. These tobacco companies are directly targeting youth by making different vape flavors like bubblegum, apple juice, and war heads. Not to mention they are specifically targeting Hawaii's youth by marketing flavors like POG, mango, and mauna dew. None of this is a coincidence that youth see these flavors and want to try them, it is the whole intent of the companies. I have talked to some high schoolers in my grade and asked them why the vape, and they said because the flavors are cool plus it looks cool.

This bill will not ruin the economy, it will instead save the lives of youth and start the trend to end tobacco use in general. At this point, the bill represents children's lives, you can save them and the future youth by approving this bill.

I hope you take this into serious consideration and chose the side of saving children's future and lives. Thank you.

HB-2457-SD-1

Submitted on: 6/30/2020 7:48:17 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ke Nguyen	Individual	Oppose	No

Comments:

Thought this was a free county. This crazy bill has no place in America.

HB-2457-SD-1

Submitted on: 6/30/2020 7:52:27 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 7:53:57 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 7:56:05 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Naomi C. Liu	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 8:00:18 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Oswald	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 8:06:23 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Castro	Individual	Support	No

Comments:

I support the end of the the sale of flavored tobacco products in Hawaii. These products are designed to ensnare kids and are harmful once hooked. Their health and well-being is more important than the profit one generates from the sales of these products.

HB-2457-SD-1

Submitted on: 6/30/2020 8:06:29 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rosanna ?Anolani Alegado	Individual	Support	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 8:07:00 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Mih	Individual	Support	No

Comments:

As a pediatrician and medical director of the Kapi'olani Smokefree Families Program, I strongly support this bill, 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 mango, bubblegum, gummy bear, and pineapple. The tobacco corporations have intentionally included menthol, which provides a soothing, cooling effect similar to that in cough drops. Menthol reduces the harsh irritation to the lining of the nose, mouth, and airways, which allows smokers and vapers to inhale more easily. This makes it much easier for young people to initiate tobacco use. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

Hawaii has one of the highest rates of middle schoolers (16%) and high schoolers (26%) currently using e-cigarettes—it is twice the national average. Nicotine is a highly addictive drug that impacts the adolescent brain, reducing impulse control and affecting mood. Those who use e-cigarettes are four times more likely to smoke regular cigarettes later on. The e-cigarette industry claims these are cessation devices, but a recent study has shown that even if one adult can quit with these devices, the trade-off is 81 young people who will start the habit in their place. This is completely unacceptable.

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.

Please also consider a revision to hold tobacco and e-cigarette companies responsible for this problem. They hope to shift the blame from this billion-dollar industry onto the young people that they have targeted with their deadly and highly addictive product. Comprehensive tobacco retailer licensing policies place responsibility on retailers rather

than young consumers. With appropriate funding and enforcement, these retailer licensing policies have proven more effective in reducing youth initiation of tobacco and nicotine.

On behalf of the keiki and young people of Hawaii, I urge you to support this bill.

Mahalo for your consideration and support of this important measure.

Sincerely,

Bryan Mih, MD, MPH, FAAP

Pediatrician

HB-2457-SD-1

Submitted on: 6/30/2020 8:44:52 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 8:50:30 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kira Roberts	Individual	Support	No

Comments:

I have two young children and I don't want them to be exposed to unhealthy vaping or any other tobacco products. Adding attractive flavors would lure them into an addicting behavior. I support prohibiting attractive flavors for all tobacco products.

HB-2457-SD-1

Submitted on: 6/30/2020 9:02:42 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I support this bill as written and testified live at a finance committee as well have submitted written testimony

HB-2457-SD-1

Submitted on: 6/30/2020 9:07:48 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rhea Maddox	Individual	Support	No

Comments:

It is absolutely necessary to restrict the sale of kid-friendly flavors that appeal to youth. Nicotine addiction is well documented to be detrimental to a persons health and we need to take measures to protect our youth from a lifetime of nicotine addiction.

HB-2457-SD-1

Submitted on: 6/30/2020 9:07:58 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Spencer	Individual	Oppose	No

Comments:

This legislation is an overreach, and bad for the economy. Many small businesses will be hurt by this legislation. It is up to parents to teach their children not to vape. You may as well ban all flavored or sweetened alcohol drinks as well. It is up to adults to choose to vape or not, and it is not the government 's place to take this could from them. Have fun with all the additional lung cancer the state health system will have to pay for what the healthier option is taken away. Leave vspers alone, and leave Hawaii's many vape shops in business, especially now.

HB-2457-SD-1

Submitted on: 6/30/2020 9:18:04 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christy Werner	Individual	Support	No

Comments:

- 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
- Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

HB-2457-SD-1

Submitted on: 6/30/2020 9:24:21 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Aloha,

I just want to say that banning Vaping completely or the use of electronic nicotine delivery systems including e-liquids will kill off many local businesses. People who work hard to provide for their ohana. Taking away their way and means to make ends meet. During these current times of hardship already folks struggling to get by. Unemployment benefits and just trying to file is a joke. Guarantee if you did a study on how peoples lives are affected by this pandemic it's higher then vaping? Anyways off track. I STRONGLY OPPOSE HB2457.

Mahalo,

Shannon Stevenson

HB-2457-SD-1

Submitted on: 6/30/2020 9:25:08 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Aloha Honorable Representatives,

I strongly oppose HB2457. Please vote against HB2457. This proposed bill is unfair and places a heavy burden on small business owners.

Respectfully submitted,

Theresa Revell

HB-2457-SD-1

Submitted on: 6/30/2020 9:30:42 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kimi Makaiau	Individual	Support	No

Comments:

I am a mother and fully support this bill. The marketing of flavored tobacco products is misleading and enticing to underage youth. This is not acceptable.

HB-2457-SD-1

Submitted on: 6/30/2020 10:37:25 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Fujiwaki	Individual	Oppose	No

Comments:

My name is Robin Iriarte and I oppose this bill, as it would take away my rights as an adult to vape flavored eliquids. The CDC has portrayed the Vape industry in such a negative way has really put a bad name on the industry and greatly impacted many vape stores both large and small as well as eliquid manufacturers. By completely banning flavors it has already been proven with other states that this is not the root cause of our teens to get ahold of these. I understand that this is a new thing in the market but, however we need more education on why this is a healthier alternative. The UK has been prescribing vape mods and eliquids to individuals whom are trying to quit traditional cigarettes for some time now. People were not dying or getting sick from eliquids manufactured in a lab from reputable companies, they were getting sick from people making their own eliquid and thc cartridges and not knowing the right type of ingredients that are used to formulate it. If these teens choose to get them they will find a way to do so. We need enforcement rather than completely banning flavors, this will greatly impact jobs, revenue causing more hurt than good. Please understand that by completely banning flavors will cause people to resort back to conventional cigarettes and risk their health inhaling all the other carcinogens opposed to vaping which has four ingredients.

HB-2457-SD-1

Submitted on: 6/30/2020 10:42:08 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

My name is Cyrus Dagdagan, a student from Kalihi, on the island of Oahu. I am testifying and support HB245 (Relating To The Youth Vaping Epidemic), which would end the sale of flavored tobacco products in Hawai'i.

I support the banning of flavored tobacco products because I saw many teens near or outside the school I recently graduated from vaping. Every time I walked to school or go home, most of the time, the smell of flavored vapors, such as Strawberry and Bubblegum, suddenly appear, and it is distinguishable that it is from an electronic cigarette. My friends and I would always cover our noses and mouths to avoid inhaling the vapor since studies show that the vapers affect our lungs and even the brain. Seeing these youth breathing-in flavored tobacco products makes me worried for them. Many of them might not be thinking or know the negative consequence of vaping. The worst thing is when my friends, my sister, and I are at the bus stop waiting for the bus. There are times when an individual, or several of them, is vaping at the bus stop, and often we have no choice but to leave where we are, away from all the vapors. It is displeasing. Besides this experience, I conducted an educational presentation to health classes in the high school I recently graduated from, and their experiences of encountering flavored tobacco seem to be the same. The most common experience students had is finding that e-cigs and e-juice are displayed next to candies in convenient stores, and the sweets appear identical to the tobacco product. Flavored tobacco products are affecting the youth, including me, in our community, and something needs to happen.

In addition to my experiences, Hawaii's youth vaping epidemic is on the rise. Our state is one of the smallest states in our country, yet the youth vaping is one of the highest rates. According to the Hawaii YRBS (2017), about 15.7% of middle schoolers, and 25.5% of high schoolers are currently vaping in our small state. This statistic is high and concerning because electronic cigarettes contain dangerous chemicals such as nicotine. As we all know, nicotine is a highly addictive chemical that can impact the lungs and the adolescent brain. Apart from the nicotine and other dangerous drugs, the youth vaping rates in our state and other areas are high due to the number of flavors that exist in the market. There are over 15,500 flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava, currently being irresponsibly sold in the market. The flavors are for sure attracting the youth to try different ones, but one thing they do not know is that the nicotine has hooked them in a dangerous path.

As a future healthcare worker, the health of the youth and future generations is important. It bothers me that the Tobacco companies are focused on targeting the youth. I am in full support of this bill- HB2457 - for the safety of the youth and the future generation.

HB-2457-SD-1

Submitted on: 6/30/2020 10:51:51 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Tabata	Individual	Support	No

Comments:

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much needed bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable.

HB-2457-SD-1

Submitted on: 6/30/2020 10:59:10 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maya Maxym	Individual	Support	No

Comments:

As a physician who cares for the sickest children in Hawai'i when they're hospitalized, I strongly support this bill to limit the predatory marketing tactics and manipulation of our state's young people. Some reasons why I support the banning of flavors in tobacco products:

- 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
- Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

However, I encourage all legislators to amend the bill to support youth in battling an addiction rather than imposing harsh penalties upon them. Indeed, it is the vape products and tobacco companies who should be penalized most harshly for the manipulation they have engaged in over the last years, convincing consumers that vaping is a safer option while increasing the nicotine content in their liquids to make them even more addictive than cigarettes.

Thank you for your consideration of my testimony in support of this bill and in support of Hawaii's keiki to live healthy and unaddicted lives.

Maya Maxym, MD

HB-2457-SD-1

Submitted on: 6/30/2020 11:11:37 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Star Alameda	Individual	Support	No

Comments:

- 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
- Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

Come on, this is so common sense. We suppose to take care of our Keiki, not support companies trying to ruin their futures!!!!

HB-2457-SD-1

Submitted on: 6/30/2020 11:42:09 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Riley	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 6/30/2020 11:45:58 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Robello	Individual	Support	No

Comments:

To whom it may concern,

I support HB2457 because it would end the sale of flavored tobacco products in Hawai'i. This is a much needed bill that will remove the appealing flavors that the tobacco industry uses to entice youth. I am concerned about the youth because I have three children, two of which are in middle school, and talk about tobacco products because they have been exposed to it through peers. I do have concerns about punishing Hawaii's youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable. If this bill is supported, then the youth will not be able to have so much exposure to what they are unsure about. It protects them from being targets. This is why I strongly support HB2457.

Mahalo,

Crystal Robello

HB-2457-SD-1

Submitted on: 7/1/2020 7:08:35 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Hayashi	Individual	Support	No

Comments:

HB-2457-SD-1

Submitted on: 7/1/2020 7:08:52 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Vanessa Joy Cabjuan	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 7/1/2020 7:41:24 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Takitani Leahey	Individual	Support	No

Comments:

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much needed bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable.

HAWAII'S YOUTH VAPING EPIDEMIC

Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-cigarettes in the nation - 15.7% of middle schoolers and 25.5% of high schoolers (Source: Hawaii YRBS, 2017). This is extremely concerning, as nicotine is a highly addictive drug that impacts the adolescent brain. [A study](#) found that e-cigarette use is a strong risk factor for eventual cigarette smoking, and for every adult that quits smoking using e-cigarettes, 81 young people will become future smokers - an unacceptable trade off.

WHY FLAVORS?

It's no coincidence that the rise in youth e-cigarette use 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 Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. Some troubling facts:

- **81% of youth who ever used tobacco products started with a flavored product**
- **97% of youth who vape say they use a flavored product**

WHY MENTHOL?

Tobacco companies use flavored products to keep customers of all ages addicted to their products. However, it's well-documented that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a 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 (Source: Hawaii BRFSS, 2008).

PENALIZE THE TOBACCO INDUSTRY, NOT YOUTH VICTIMS

For far too long, the unregulated e-cigarette industry has profited from the lack of laws that hold them accountable. While on the surface youth penalties may seem like a logical deterrent to prevent youth from smoking or using e-cigarettes, they are actually just a veiled attempt by the tobacco industry to shift the blame from their predatory marketing practices onto the youth that already fall victim to their tactics. The tobacco industry has targeted youth of color and other marginalized populations through increased advertising and number of retailers in low-income areas, so any laws that penalize use will disproportionately affect these already burdened populations. Instead of punishing the victims already addicted to tobacco, we should protect our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much needed bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable.

WHY MENTHOL?

Tobacco companies use flavored products to keep customers of all ages addicted to their products. However, it's well-documented that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a 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 (Source: Hawaii BRFSS, 2008).

WHY FLAVORS?

It's no coincidence that the rise in youth e-cigarette use 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 Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. Some troubling facts:

- 81% of youth who ever used tobacco products started with a flavored product
- 97% of youth who vape say they use a flavored product

Thanks for considering my testimony and please stay safe and healthy. By supporting this bill you keep our keiki and ohana safe and healthy.

HB-2457-SD-1

Submitted on: 7/1/2020 8:02:23 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
P Kuromoto	Individual	Oppose	No

Comments:

Members of the committee, I testify in **STRONG OPPOSITION to HB2457 HD2 SD1.**

For smokers, **ecigarettes are a miracle** – in the vaping community I have seen countless individuals seriously improve their health, including documented medical improvements in lung function and imaging, by switching from smoking to vaping. People are beating multi-decade cigarette habits, sometimes literally overnight, with vaping. **Many in early stage COPD have REVERSED the damage by switching to vaping.** It is an utter mystery why any government or health organization would not support this miracle and instead consign so many people to worse health outcomes and death. In fact, the level of disinformation surrounding this literally lifesaving product borders on criminal.

Flavors are an integral component of tobacco harm reduction vaping, the **vast majority of legal adult vapers use and prefer non-tobacco flavors.** Banning them would destroy a legal, vastly healthier alternative to tobacco smoking, destroying many businesses in Hawaii while leading tens of thousands of Hawaii residents back to smoking.

Vaping is not smoking, it is the SOLUTION to smoking, yet every year the legislature tries to ban it again. It is past time for the state to recognize that vaping is one of the best harm-reduction technologies ever invented and embrace it.

- **Most youth do not cite flavors as the primary reason they tried ecigarettes on the 2019 National Youth Tobacco Survey.** Only 22% cited flavors, versus 55% citing simple curiosity and 30% citing a friend or family member using them.
- The so-called "youth epidemic" is overblown. **The vast majority of youth reporting in the 2018 and 2019 youth tobacco surveys are not habitual users,** and of the ones that are, the great majority are or were tobacco users. And as the statistics show, youth smoking is down. This means that vaping, while novel and interesting to experimenters being an ascendant technology, is in fact doing the same thing in youth as it is in adults -- displacing smoking. This is good.
- **Nicotine ecigarette risk is assessed at least 95% less than smoking cigarettes,** and a recent study confirmed it to be **twice as effective for quitting smoking as patches, gum, and other similar products.** This is why the UK's

public health system embraces ecigarettes as smoking harm reduction and even places vape shops in hospitals.

- Regular commercial, **legal nicotine (or no-nicotine) e-cigarette use or vaping is not linked to lung injury, let alone death.** The CDC has conclusively linked the recent outbreak of illness to specific chemicals used by illegal THC/cannabis/marijuana concentrates dealers. These are two very different products and markets. The state department of health must be aware of this and must not lie about it.

HB-2457-SD-1

Submitted on: 7/1/2020 8:05:52 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
I. Robert Nehmad	Individual	Support	No

Comments:

All forms of tobacco products should not be marketed/sold to our youth.

HB-2457-SD-1

Submitted on: 7/1/2020 8:09:42 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much needed bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable.

HB-2457-SD-1

Submitted on: 7/1/2020 8:15:14 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Swartz	Individual	Support	No

Comments:

HB-2457-SD-1

Submitted on: 7/1/2020 8:28:33 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Hi my name is Mayra Mendoza and I'm a Junior at Konawaena High School. I strongly support the ban of flavored tobacco in our state because it is affecting so many individuals and they have no idea what it's doing it to them. Im concerned about the people who use flavored tobacco to be cool because it is really not and they are doing it because they know people who do it. Also, some people want to use it to stop smoking cigarettes but it is worse, and it is not helping them at all. Even people who don't use flavored tobacco are being affected because of second hand smoke and that is what hurts me the most because they are just random people who shouldn't suffer the consequences that other people are causing. I wouldn't want any of my little siblings or my family to be around those environments and that is why I am advocating against flavored tobacco. Even at my school I see vaping constantly and it is getting way out my hand. Bathrooms are getting closed down, and people who are at the wrong place at the wrong time are getting punished for things they didn't even do. The kids who valed don't know any better because of all the advertising they see and it is not their fault, no kids should face any penalties. The companies who spend millions of dollars a day marketing their products are the ones who are at fault for this vaping epidemic. So overall, I would like for this bill to get passed because it is really important for it to get passed. Lots of people would benefit from this and we would all be healthier. I wholeheartedly support this bill because it will do no harm, it would only help everyone in our society and cause better habits in our lives.

HB-2457-SD-1

Submitted on: 7/1/2020 8:37:26 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 7/1/2020 8:52:39 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Paige McCurdy	Individual	Support	No

Comments:

I support bill HB2457 HD2 SD1 because it directly correlates with the lives of Hawaii's youth. Everyone knows about the dangers of cigarettes and chewing tobacco and has probably seen a relative suffer in some way from it, but thats from decades of cigarettes going unregulated. If we can start to regulate vape products now, we can end generations of suffering and death.

Some may say that the flavors are for adults who want to enjoy the taste while vaping, but the truth is that the vape companies are targetting the youth. Yes, some adults may see a vape flavored like apple juice and be intrigued, but there are a number of youth who will then want to try it. 81% of youth who ever used tobacco products started with a flavor product. If we can stop 81% of youth from dealing with an addiction and the effects of tobacco, we should!

There is no fully stopping youth from vaping or using other tobacco products, but this is taking away the incentive. Think of it like a cough syrup, no body wants to take it until theres some flavor. If you have the power to, you should make vaping like a cough syrup, only those who need it should be taking it. Another positive of prohibiting the selling of flavored products is helping adults! I usually talk about youth more because they are more impressionable and succceptable to the marketing of vape companies. But adults have risks too! I understand that they are of legal age and it is there choice, but the risks are still there and if we can take someone who is on the fence about quitting and the lack of flavor is something that pushes them over that edge, we just saved a life.

Vape companies know what they are doing when marketing the vape products and flavor . If we do not stop them there will be another generation addicted to tobacco and suffering and dieing. We need to do everything we can to protect and help Hawaii's youth! Prohibite the sale of flavored tobacco!!!!

HB-2457-SD-1

Submitted on: 7/1/2020 8:57:57 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Thank you for the opportunity to present testimony on this important measure.

As a retired public health professional who headed the DOH Tobacco Prevention and Control program for 19 years, I believe this measure advances a critical element to reduce both experimentation and use of dangerous products that targets youth.

I support HB2457 as it is currently written specifically with the language regarding the fines and penalties provided. I believe this is a necessary compromise toward a more equitable balance of creating a system, similar to the one now in place for cigarettes and other tobacco products, where the sellers are licensed, penalties are in place for violations, and enforcement is ongoing.

Any further escalation of fines and penalties would likely involve unnecessary commitment of law enforcement, the courts and impact valuable time in class for the student and parents. Increasing fines and penalties which targets in this case a minor, would overly focus on the consumer rather than the industry which promotes the product.

I encourage the committees to consider these points and advance the bill with its current language as written. Mahalo.

Julian Lipsher

HB-2457-SD-1

Submitted on: 7/1/2020 9:01:20 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 7/1/2020 9:05:51 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

As a parent, nurse, and teacher, I am strongly in SUPPORT of HB2457, the Flavored Tobacco Ban. We have an epidemic in youth vaping/e-cigarette use in Hawaii and statistics show that 81% of youth who vape say that they started with a flavored product. The sweet flavors- some of them locally themed like Maui Mango and Hawaiian POG and coming in deceptive packaging that looks like candy- lure kids in, decrease perception of harm, and then they become addicted to nicotine. The health risks of e-cigarettes are well documented as are the disruptions to classes and schools.

It is critical that changes adding youth penalties be avoided. The tobacco industry needs to be held accountable instead of subjecting our kids to punishment. Some research has suggested that these types of laws can actually be counterproductive, and they are inequitable because they disproportionately affect youth of color and low income. It is not the right approach to penalize and stigmatize our youth. As a nurse who provides tobacco cessation services, I have seen how hard it is to quit tobacco products; the solution clearly lies in preventing addiction in vulnerable populations in the first place, not by punishing them once they do become addicted.

We have an opportunity to intervene in this unfolding public health crisis in Hawaii by passing a bill banning flavored tobacco products to protect our youth without criminalizing them. As the parent of a child starting middle school this Fall, there is no time to delay.

Mahalo,

Kathleen Hagan, MS, APRN, ANP-BC

Paia, Maui

HB-2457-SD-1

Submitted on: 7/1/2020 9:09:15 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Levin	Individual	Support	No

Comments:

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i. This much needed bill will remove the appealing flavors that the tobacco industry uses to entice youth, but I do have concerns about punishing our youth instead of the tobacco industry that has targeted and enabled their addiction. If we want to protect our youth, then we must focus on holding the tobacco industry accountable.

DOH and a number of community organizations are sharing more detailed and expert insights that I hope you will listen to. I will just add my sentiments that for someone with 25+ years of experience in tobacco control at the state, national, and international level, the vaping epidemic is tragic. The re-emergence of nicotine addiction with corresponding impacts on health and welfare of our citizens is terribly sad to see. And time matters here. We need you to take legislative action as quickly as possible.

This is all about ADDICTION. What we now call a *youth* vaping epidemic is nothing more than the vaping industry's stunning success in hooking their market for consumers for decades to come. Absent effective prevention and cessation support, our state's addicted youth will be addicted adults -- despite the losses we know will be evident in their lives and the lives of people around them.

Punishing youth for industry malfeasance is an unfortunate aspect of this bill as currently drafted. Instead of punishing the victims already addicted to tobacco, we should protect our youth by focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines could then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

Now is the time for action. Please pass HB2457, which would end the sale of flavored tobacco products in Hawai'i, saving lives and making Hawai'i's future better.

Mahalo.

I am submitting written testimony in support of HB2457 to Prohibit the Sale and Distribution of Flavored Tobacco Products. As a long-time pediatrician on Kauai, I have been very discouraged by the rise in the use of vaping products among intermediate and high school students. Others of my patients complain that they are unable to use the rest rooms in school due to the widespread vaping done in the bathrooms. This is particularly disheartening after all of the extensive and successful efforts of the past 20 plus years to cut down on teen smoking.

It is well-established that youth are attracted by tasty flavors and clever colorful packaging of e-cigarette products. This is a deliberate strategy by tobacco companies to mislead teens as to the “risk-free” nature of these products. Local tobacco manufacturers have resorted to flavors such as Hawaiian Sweet Rolls, Halawa Guava, and Hawaiian POG, among others. Over 80% of young people who use vaping products begin with flavored liquids. In addition, another fact well-known to the public health community is that lower income smokers, especially Hawaiians and Pacific Islanders, start with and continue smoking menthol cigarettes. Cigarette companies are well-aware of this phenomenon and target these groups specifically with menthol advertising. In effect, flavored and menthol tobacco products are starter drugs, as nicotine is one of the most addicting substances.

It cannot be stressed enough that vaping products contain much higher nicotine concentrations than cigarettes, yet another strategy to hook vulnerable teens and maintain the nicotine dependence. E-cigarettes are marketed as a “tobacco cessation” product, but in fact are even more highly addictive and toxic than cigarettes and are manufactured to assure more and more need for the addicting nicotine in the vaping liquid. Smokers who believe they have “quit smoking” are only exchanging one poison delivery system for another.

In summary, there are no redeeming reasons for allowing flavored and menthol tobacco products, and many to make them illegal. It is time to protect our keiki from deadly substances and stand up to the tobacco industry. I implore you to vote for HB2457.

Linda Weiner, MD
Pediatrics, Kauai

HB-2457-SD-1

Submitted on: 7/1/2020 9:11:32 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jill Stensrud	Individual	Support	No

Comments:

I am writing in strong support of HB2457 HD2 SD1, RELATING TO THE YOUTH VAPING EPIDEMIC. With news reports that e-cigarette companies like Juul bought ads on Cartoon Network, Nickelodeon and other children's web sites, it's impossible to believe claims that they are not targeting our kids. The New York Times: Juul Bought Ads Appearing on Cartoon Network and Other Youth Sites, Suit Claims The case, brought by Massachusetts after a lengthy investigation, presents some of the strongest evidence the vaping company was marketing to teenagers. <https://www.nytimes.com/2020/02/12/health/juul-vapinglawsuit.html> The latest craze, Puff Bars, come in 24 sweet flavors like Lychee, Mango and Lush ICE. I see these disposables vape devices and knockoffs littering parks and sidewalks around schools. They are cheap, come in brightly colored packaging and are often displayed right next to candy at gas stations and convenience stores. Not targeting kids??? While there may be multiple devices our kids are using to vape, there is one common factor, flavors. Enough is enough, please end the sale of all flavored tobacco including e-cigarettes to protect our keiki. Thank you for your support.

HB-2457-SD-1

Submitted on: 7/1/2020 9:12:54 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Morikawa	Individual	Comments	No

Comments:

While I support a measure against marketing flavored vaping products to minors, I **do not support all outright ban on all flavored tobacco** as that would place a ban on **'hookah' and 'shisha'** products which primarily adults purchase for recreational use, and has not had a large impact on youth culture and health the way vaping has.

HB-2457-SD-1

Submitted on: 7/1/2020 9:21:24 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Freeman	Individual	Support	No

Comments:

Aloha,

I Support HB 2457 because:

- 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.Â Â
- Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

The more and more I learn about flavored vaping tobacco, and how it has increased youth addiction to tobacco, is very unsettling and I urge you to take appropriate action for the health and wellbeing of our communities and the children of Hawai'i. I have heard from others within my community that parents and grandparents buy this for their children and grandchildren, not knowing it has tobacco in it, thinking it is just flavor. Kids who use this become easily addicted and kids as young as elementary age, are using the products. If you start using tobacco while your brain is still developing, it greatly increases the likelihood of that individual to be addicted for the rest of their life.Â I started smoking cigarettes when I was 16. I am now 34 and even though I have stopped smoking, I still think about tobacco almost every day.Â

I know this will effect businesses negatively within our community using a recession. However, this is a business based on addiction and the detriment of health of our community members. If you smoke, you are at a higher risk of getting COVID-19. The State should not allow businesses that risk our publics health, and especially the long term health of our children.

Thank you for your time,

Mahalo,

To Chair Rhoads, chair De La Cruz, and the rest of Judiciary and ways and means committees:

Aloha and thank you for this opportunity to testify as a community member.

As a Tobacco Health Education Program Manager on Kauai I support HB 2457 because we must take action today to start slowing down this epidemic of youth tobacco use. Part of my work advocating for tobacco cessation in the state includes asking people when and how they started using tobacco, and the flavor in tobacco has been a major contributor to people getting started and soon after that, addicted. While I support this bill, I am quite concerned about adding penalties to the victims of the Tobacco industry, which are the young people that start consuming the product. I spent several years in Northern California, first as a volunteer, then as a member of the Board of Directors at Restorative Resources in Santa Rosa California. While there, I saw our organization's work diminish school expulsions from 200 per year to 3 total per year, using indigenous ancient practices, including Native Hawaiian, to use problem solving and healing conversations rather than the school-pipe-to-prison model based on retribution and isolation. I highly suggest that the people who live in Hawaii should use this model. Restorative Resources is a volunteer-based operation that not only it is cost effective but saves tens of thousands of dollars by sending young offenders to conversation circles instead of sending them to costly court and jail system. Education works and it makes a bigger impact on young lives. That is what we need. Punishing the youth will only create a darker future for our state. And further affect disadvantaged families. The focus must be in taking away the initial lure of flavored tobacco in any products if you really want to create a better future for all People in Hawaii. Thank you.

Ramon F Meraz

Tobacco Health Education Manager

Malama Pono Health Services

[4370 Kukui Grove Street, Suite 3-115](#)

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HB-2457-SD-1

Submitted on: 7/1/2020 9:41:38 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Riemenschneider	Individual	Support	No

Comments:

Aloha,

I am the parent of two children ages 12 and 14. My children are good students, active in athletic activities and come from a very stable home. We are a non smoking non vaping family. We don't have friends or family that vape or smoke and we all look at smoking of any kind as a very undesirable behavior. SO..... Imagine my surprise when I hear my kids say things like "Mom the smoke looks so cool" and "Mom it smell soooo good". It literally boils my blood to think that my kids are being tempted by vape smoke that smells like cotton candy or bubble gum. My kids love candy and love sweets, just like most kids their age and younger. CLEARLY these products are being marketed to children and that is beyond reproach. Nothing could be more wrong. PLEASE DO THE RIGHT THING FOR OUR KEIKI AND BAN THE SALE OF THESE FLAVORED NICOTINE PRODUCTS.

Thank you,

Jenny Riemenschneider

HB-2457-SD-1

Submitted on: 7/1/2020 9:42:31 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 10:05:23 AM
Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

Hello My Name Is Taeleipu Ku'ulei Liliu Jr.

I am opposing this flavored ban. I am opposing it because adults love flavors too. I am opposing it because it helps us quit smoking and vaping all together .

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 10:13:26 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB-2457-SD-1

Submitted on: 7/1/2020 10:39:47 AM

Testimony for JDC on 7/2/2020 10:00:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Kourtney Kwok	Individual	Support	No

Comments:

To Whom This May Concern,

The sale of flavored tobacco should be banned in Hawaii. My name is Kourtney Kwok and I am a recent graduate from Punahou School. I was always aware of the problem around tobacco, but it wasn't until a year ago that I first realized how troublesome the issue was becoming. When I learned that more than half of my younger cousin's class vaped, I knew this was a serious issue. She was only in middle school and yet kids her age were using drugs. A couple months later, news regarding e-cigarette related illnesses and deaths were happening almost every week. It was surprising and concerning to see the numbers skyrocket on TV. I remembered those kids my cousin mentioned and felt a need to do something about it. I didn't want them to get sick, and I definitely didn't want any of my younger siblings or relatives to be involved with tobacco.

Tobacco, whether it's in the form of a cigarette or vaping liquid has significant effects on a child's brain development and overall health. There are hundreds of different carcinogenic and dangerous chemicals found in tobacco products, such as arsenic, formaldehyde, cadmium or lead. Young kids end up using these products mainly because of the various flavors offered, and in fact, 81% of youth who have ever used a tobacco product started with a flavored one. E-cigarettes, for example, offer over 16,000 unique flavors. For kids unaware of these harmful effects, this is what can hook them into using this dangerous product. Big Tobacco companies use this to their advantage by marketing flavors in ways that are familiar to children. They use packaging and designs similar to name brand candies, cereals, or local flavors to appeal to a younger audience. For example, there are products named "Hawaiian POG" or "Halawa Guava".

By banning the sale of flavored tobacco, it would prevent kids from getting hooked into using these products. The law may state you need to be 21 and over to purchase these items, but those who are underage still manage to get a hold of them. Hawaii has one of the highest vaping rates in both middle and high school for the United States; ending the sale of these addicting and enticing flavors would stop kids from continuing or joining. Education does play a role in prevention, but so does stopping the source as well. Without cool flavors to choose from, many youth would be discouraged from starting in the first place. This is why completely stopping the sale of flavored tobacco is important.

Whichever side of the argument you fall on, at the very least this action should be taken. Yes, this decision will affect businesses and adults who choose to use tobacco, but it will also save the lives of children in our community. Placing this bill into law will prevent kids from ever getting the opportunity to try using tobacco and protects them from a lifetime of nicotine addiction. While it is inevitable for there to be economic repercussions, I believe it is a necessary sacrifice we should all be making. When it comes to the health of those around us, especially of those in the next generation, it is an issue we should take seriously. By enforcing this bill, we can be one step closer to ending this epidemic.

Sincerely,

Kourtney Kwok

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 10:38:44 AM
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Spitz	Individual	Support	No

Comments:

Please pass this bill! Vaping and COVID-19 should never mix. Anything that harms your lungs could make you more vulnerable to the coronavirus. Hawai'i has among the highest rates of middle school and high school e-cigarette use in the nation; the U.S. Surgeon General has declared youth e-cigarette use an epidemic. This is extremely concerning. There are numerous health impacts from e-cigarettes. Teens are particularly vulnerable to nicotine, which permanently impacts the developing brain. We need to protect our kids! Mahalo.

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 11:07:41 AM
Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

HB2457 is a bigoted pile of crap. Our rights need protection.

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 12:35:27 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jon Fia	Individual	Oppose	No

Comments:

I oppose this bill as it is currently written especially when it encompasses all tobacco products. Premium cigars should be exempt from this bill as they are not targeted toward youth with candy flavors or youthful packaging depicting candy flavors etc that other categories obviously do engage in. The premium cigar category is too expensive for youths and they are into vaping not premium cigars. It is not fair that this industry and its retailers are lumped in with another group that is the target of this bill. Premium Cigar enthusiasts tend to be more affluent and at a more mature age where they are very aware of their choices.

Thank you for your time.

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 12:36:27 PM
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Azuma Chrupalyk	Individual	Support	No

Comments:

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 1:29:49 PM
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Individual	Support	No

Comments:

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 1:43:18 PM
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelly King	Individual	Support	No

Comments:

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 2:20:53 PM
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joanne Kimua	Individual	Support	No

Comments:

I am a Special Education Teacher at Pearl City High School. I support HB2457 because I have seen and heard first hand how high school students view vaping products. They have been falsely misled to think that vaping products are safe because it is primarily made with water and do not contain "bad" things like cigarettes. I feel the students truly believe this because many of the ones who do vape say they would never smoke a cigarette because it is bad for you. I have tried to convince many of them that vaping is different but in many ways there are similar and if not worse consequences from vaping than cigarette smoking. Most feel that I am saying this because it is a school rule and I am ignorant of the truth they have been told by those who sell the products (the experts). I think there are several reasons for this: 1) As with most teenagers there is always the "cool" factor 2) Many forms of vaping are now easily concealed and the added cool factor is that you can vape openly and most likely "get away with it" (kids will vape during the class period and the newer versions are easily concealed and have less visible "smoke" that dissipates faster) 3) Many students say they do not smoke cigarettes because it says on the label "Smoking causes Cancer" and no dangerous health warnings are being clearly stated on vaping products. Plus the vendors of vaping products advertise vaping as a safe alternative to smoking cigarettes 4) Lastly the students most often state that it tastes and smells good. Cigarettes smell and taste nasty.

I believe all these reasons for high school vaping need to be addressed to curb the epidemic of youth vaping. I believe that HB2457 is a beginning.

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 3:12:33 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Collins	Individual	Support	No

Comments:

07-01-20

RE: HB2457

My Position: Support

I support HB2457, which would end the sale of flavored tobacco products in Hawai'i.

This much

needed bill will remove the appealing flavors that the tobacco industry uses to entice youth. I do,

however, have concerns about punishing our youth instead of the tobacco industry that has

targeted and enabled their addiction. If we really want to protect our youth, then we must focus

on holding the tobacco industry accountable for their actions and marketing.

HAWAII'S YOUTH VAPING EPIDEMIC

Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-

cigarettes in the nation - 15.7% of middle schoolers and 25.5% of high schoolers

(Source:

Hawaii YRBS, 2017). This is extremely concerning, as nicotine is a highly addictive drug that impacts the adolescent brain.

WHY FLAVORS?

I believe it is no coincidence that the rise in youth e-cigarette use 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 Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. Some troubling facts:

81% of youth who ever used tobacco products started with a flavored product

97% of youth who vape say they use a flavored product

WHY MENTHOL?

Tobacco companies use flavored products to keep customers of all ages addicted to their

products. However, it's well-documented that menthol flavors are particularly enticing to teens

and adults who haven't previously used tobacco. Menthol has cooling properties that mask the

harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product.

The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable

groups; in Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes

(Source: Hawaii BRFSS, 2008).

PENALIZE THE TOBACCO INDUSTRY, NOT YOUTH VICTIMS

For far too long, the unregulated e-cigarette industry has really profited from the lack of laws

that hold them accountable. While on the surface youth penalties may seem like a logical

(mean-spirited) deterrent to prevent youth from smoking or using e-cigarettes, they are actually

just a not too veiled attempt by the tobacco industry to shift the blame from their predatory marketing practices onto the youth who are already falling victim to their tactics. The tobacco industry has targeted youth of color and other marginalized populations

through increased advertising and number of retailers in low-income areas, so any laws that

penalize use will disproportionately affect these already burdened populations. Instead of

punishing the (youth) victims already addicted to tobacco, we should protect our youth by

focusing on increased fines and enforcement against the tobacco industry and retailers that continue to market and profit off of vulnerable youth. These fines should then be appropriated to programs that can provide tobacco prevention, education, and cessation services for our youth.

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 3:37:50 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marion McHenry	Individual	Support	No

Comments:

I strongly support this bill. It is very sad to see the recent increase in young students smoking and vaping. We need to protect their health over the profits of these businesses.

HB-2457-SD-1

Submitted on: 7/1/2020 3:48:49 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Dustin Andrews	Individual	Oppose	No

Comments:

HB-2457-SD-1

Submitted on: 7/1/2020 3:55:59 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

LATE

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

Comments:

This asinine bill won't change anyone's mind except to make them resent those who voted for it.

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 4:14:19 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bethann J Paul	Individual	Oppose	No

Comments:

Aloha,

I am writing as a Hawaii citizen opposed to HB2457. This bill imposes strong restrictions on the companies to the detriment of adults, over legal age the state, to consume tobacco legally. My partner had smoked cigarettes for 10 years. He recently quit smoking and switched to vaping 8 months ago. He has tried countless other quitting tools, to no avail. He uses vaping as a tool to reduce his nicotine intake. He now consumes roughly 1/10th of the nicotine he consumed while smoking 1 pack of cigarettes a day. I love my partner, and I love our life together. This bill would effectively shorten his life and our time together on this earth. This is terrifying to us both, and takes away the constitutional right to make one's own decisions regarding consuming legal drugs such as caffeine or nicotine. Vaping is a personal choice that does not infringe on the rights of others, and removing that choice will turn those who use it to illegal methods of obtaining these items, such as shipping them from other states or countries, or more dangerous methods of intake, such as smoking cigarettes. Data shows that over-regulation of such items does not reduce the use of an illicit substance, it makes it more valuable. Do not further criminalize what is legal through much more dangerous means.

Thank you for your time,

Bethann Paul

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 4:39:35 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

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

Comments:

I strongly support HB 2457 because flavored products put our youth at risk for tobacco-related diseases. Our recent study on the current rates of tobacco and electronic smoking device use among Filipinos in Hawaii shows that vape users began vaping because they liked the different flavors. We also found that 96% of our respondents continue vaping for the same reason. Our community is worried that vape users may have no desire to quit and this bill can have a huge impact on preventing individuals from starting to vape. I urge you to support this bill to protect our community from a lifetime of nicotine addiction.

LATE

HB-2457-SD-1

Submitted on: 7/1/2020 6:38:51 PM

Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
KENNETH E MORRISON	Individual	Oppose	No

Comments:

It is inappropriate to deny adults access to flavorful recreational substances simply because the state is finding difficulty in educating children on the harm associated with nicotine. Should we go this route with vape juice, would we not do the same with other tasty substances harmful to children? Would anyone voting to restrict nicotine also vote to end Mai Tais in Hawaii? I highly doubt so. Vape Juice is being targeted because it is more popular among a young adult demographic which is less experienced in defending its interests in the political realm. To the elected officials receiving this testimony, do not be hypocrites and limit one substance and not another more popular substance when both substances are equal in harm level and equal in saturation of abuse among minors. This is not the way.

Bernadette Dario Fajardo
94-404 Punono Street
Mililani, HI 96789

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Bernadette Fajardo, and **I support HB2457, Relating to the Youth Vaping Epidemic.** I am the immediate past president of the Filipino Women's Civic Club Foundation, and have served as president of the Filipino Business Women's Association, Filipino Chamber of Commerce of Hawai'i, and the Candonians of Hawai'i.

As a leader in the Filipino community, and as a wife, mother, and grandmother, I am very concerned about the health of the next generation. Statistics have shown that Hawai'i has the highest reported vaping rate among middle schoolers (15.7%) and the second highest vaping rate among high schoolers (25.5%) in the nation. This is unacceptable.

Our young people are being preyed upon by big tobacco companies who are using flavors such as mango, lychee, *ube*, and more. These flavors are designed specifically to appeal to the younger demographic, and have lured in too many of our young *kababayans*. Studies show that these flavors make it much more likely that users will move onto other tobacco products: more than 80 percent of who have used tobacco started with a flavored product such as e-liquids or nicotine pods.

I am also concerned that within the Filipino community, too many of our young people are falling victim to social pressures to vape. They perceive it as "cool" or "safe," when in reality it is neither. A California study found that among Filipino youth, 86% of e-cigarette users began because their friends started to vape. The same study also found that Filipino youth were vaping at twice the rate of their other Asian American peers.

Something must be done, and so on behalf of my family and the Filipino community, **I urge you to pass HB2457, Relating to the Youth Vaping Epidemic, and other measures aimed at curbing the e-cigarette epidemic among our youth.**

Sincerely,


Bernadette Fajardo

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Keali‘i McClellan. I grew up in the Ko‘olaupoko area of O‘ahu and currently live in Pūowaina.

As a Native Hawaiian, I believe it is important for the legislature to take action on the youth vaping epidemic. Specifically, by targeting vulnerable young Native Hawaiians, the vaping epidemic will and has become a gateway to other drug abuse and medical problems.

Being an uncle to many young ‘ōpio, there is a great concern for the impact that vaping has on the development of their lungs and overall health. While they won’t feel the effect initially, they don’t understand the last health impact that it has on their young developing bodies.

Therefore, I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Keali‘i McClellan
kealiiaimoku@gmail.com
Pūowaina, O‘ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Patrick Branco. I grew up in and still reside in Kailua, O'ahu, and am a member of the Kailua Hawaiian Civic Club.

As a Native Hawaiian, I believe it is important for the legislature to take action on the youth vaping epidemic, since vaping is causing the next generation to become highly addicted to nicotine.

Specifically, I am concerned about my brother who vapes and is highly addicted. He hasn't been able to stop, despite several attempts to stop.

Therefore, I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Patrick Branco
ptrck.branco@gmail.com
Kailua, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Makamae Shook. I grew up in Kapolei, and currently live in Kailua.

As a Native Hawaiian, I think that it's important for legislature to take action on the youth vaping epidemic because we already face many health challenges. We need to educate the youth on being *pono* mentally, spiritually and physically. Hawaiians used food and plants as medicine and nourished themselves with what's around them. Right now, the power of association and social media have such a big influence on our youth and the lack of regulation for things like vaping it perpetuates an unhealthy population of native Hawaiian youth.

I have numerous friends, family and even my spouse who actively vape. For some they used to smoke cigarettes and transitioned to vaping. For most, they picked it up because someone they know does it, they tried it and now it's a habit/addiction for them.

When I was in high school, mods (what you can vape from) were so popular, and it was a cool thing to show and tell about the juice/liquid, no matter how much nicotine was in it. Ripping someone's mod became a way for people to bond and it led to students as young as freshmen smoking all over campus. No matter how many stories show up on the news of people being hospitalized because of vaping, kids are still buying it anyway thinking that it won't happen to them. This goes for my friends and family too.

I think that if it's regulated heavier, it'll decrease the chances of youth touching it, and then we can prolong that and educate them on the dangers of using it and making healthier decisions.

Therefore, I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Makamae Shook
makamaeshook@gmail.com
Kailua, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Allan Silva. I grew up in Kailua, and currently live in Kāneʻohe.

I am a Native Hawaiian, a parent, and a grandparent. The legislature must take action on the youth vaping epidemic because of the well-being of our future leaders. I have had a teenage family member that got involved with vaping and got sidetracked from school studies and behavior.

We must take action and **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Allan Silva
hawaiiteam@gmail.com
Kāneʻohe, Oʻahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Makana McClellan. I am a Native Hawaiian parent, and a member of the Pearl Harbor Hawaiian Civic Club. I grew up in Kāneʻohe, and currently live in Pacific Palisades.

We must unite against vaping as a threat to the future generations of our Native Hawaiian community. We can no longer allow companies to prey on our keiki and strip them of their health & well-being.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Makana McClellan
Pacific Palisades, Oʻahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Antoinette Lee. I currently live in Pacific Palisades, and am a member of the Pearl Harbor Hawaiian Civic Club.

As a Native Hawaiian, a parent, and a grandparent, I believe it is important for the legislature to take action on the youth vaping epidemic because we spend a lot of money educating our youth; we need to keep them alive and healthy; and we look forward for them to be the leaders of tomorrow.

Therefore, I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Antoinette Lee
Pacific Palisades, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Candace Puailihau. I am a Native Hawaiian who grew up in Makakilo, and currently live in Kapolei.

I believe the legislature must take action on the youth vaping epidemic. It's killing our keiki because companies are marketing flavors that are attractive to young adults/teens.

In my 'ohana, my brother vapes and we are so worried about him.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Candace Puailihau
Kapolei, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Legislators:

My name is Hokulani McKeague. I am a Native Hawaiian who grew up in Hilo, and currently live in Honolulu. **I support HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Hokulani McKeague
hbm3@hawaii.edu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Pua Silva. I grew up in Kailua and currently live in Waipi'o.

As a Native Hawaiian, a mother of 5 adult children, and grandmother to 6 keiki under the age of 7, I worry constantly about the health and safety of my family. When my children were growing up it seemed like every few years there was another drug or disease we had to worry about. Now, with vaping, my grandchildren are being marketed to by companies that have the audacity to sell juice-flavored poison and claim they aren't targeting my mo'opuna. We can not allow these death dealers to steal another generation of our keiki. Please support this legislation to make it wholly illegal to target kids with any flavored tobacco and e-cigarette products.

I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Pua Silva
maryellensilva@yahoo.com
Waipi'o, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Edwina Branco. I am a Native Hawaiian who grew up in Kailua, O'ahu, and now live in Waimea on the Big Island.

As a Native Hawaiian and a parent, I believe the legislature must take action on the youth vaping epidemic. Vaping is harmful to humans. In my 'ohana, my son vapes and I don't want him to harm himself.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Edwina Branco
Waimea, Hawai'i Island

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Lydia Kuiee. I grew up in Honolulu, and now live in Salt Lake. I am a member of the Pearl Harbor Hawaiian Civic Club.

As a Native Hawaiian, a parent, and a grandparent, I believe the legislature must take action on the youth vaping epidemic because of the health issues it is causing. In my 'ohana, my nephew had an e-cigarette burst in his hand.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Lydia Kuiee
Salt Lake, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Benjamin Baker. I grew up in Papakōlea, and I am a member of the Moku‘aina A Wakinekona Hawaiian Civic Club.

As a Native Hawaiian, a parent, and a grandparent, I believe the legislature must take action on the youth vaping epidemic to prevent a lifelong drug addiction among our young people.

I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Benjamin Baker
benjaminbaker@comcast.net
Member of Moku‘aina A Wakinekona Hawaiian Civic Club

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Rae DeCoito. I grew up in Kaimukī, and currently live in Maunaloa, O'ahu. I am a member of the Pearl Harbor Hawaiian Civic Club.

As a Native Hawaiian and a parent, I believe the legislature must take action on the youth vaping epidemic, because anything that negatively impacts the health of our youth should be eliminated. Social media and trends from the mainland take over the youth of Hawai'i. An education campaign and legislation should be in place to protect them.

In my 'ohana, my daughter's friends were vaping and when I learned of it, I sat them down and told them of the dangers. I also took away the vaping pipe for the duration of the school year. My daughter and her friends are very intelligent high achievers, so I was surprised to learn that they were vaping.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Rae DeCoito
rdecoito@msn.com
Maunaloa, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Debra Bohol. I grew up in Kailua, and currently live in Kahalu'u.

As a Native Hawaiian, a parent, and a grandparent, I believe the legislature must take action on the youth vaping epidemic. Peer pressure is out there on many platforms, and vaping endangers our keiki and should be addressed.

In my 'ohana, my 33 year old son occasionally has used e-cigarettes at BBQs, but he stopped once he heard about the health risks and because of my input as well.

I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Debra Bohol
bohol.debra@gmail.com
Kahalu'u, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Sarah Pacheco. I grew up in Hawai'i Kai, and currently live in Kahala.

As a Native Hawaiian, I believe the legislature must take action on the youth vaping epidemic. The health consequences associated with vaping and e-cigarettes are, for lack of a better word, tragic, especially in young populations where their lungs and brains are still developing. Inhaling irritants at such large quantities that vaping allows destroys young lungs, while exposure to mass amounts of the chemical nicotine creates a future of addiction.

Native Hawaiians already face multiple health challenges – diabetes, heart disease, asthma, obesity, depression – all of which can be exasperated by vaping ... is this the future we want for our population?

I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Sarah Pacheco
Kahala, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Teresa Pa Shook, and **I support HB2457, Relating to the Youth Vaping Epidemic.** As a Native Hawaiian, and as a mother and grandmother, I am very concerned about the health of the next generation.

I am alarmed by the statistics that show how prevalent vaping is in our middle schools and high school. Because of the availability of e-cigarettes and vaping products, and the allure of flavored juices and pods, Native Hawaiian youth are vaping at much higher rates than their peers. Studies have shown that 78% of current Native Hawaiian and Pacific Islander smokers are using flavored products. This alarming epidemic must end.

Research has shown that Native Hawaiians suffer from higher rates of lung cancer than other groups, and I am afraid that the prevalence of e-cigarettes and vaping products among our young people will lead to a lifetime of lung damage among our 'ōpio.

Please vote to support HB2457, Relating to the Youth Vaping Epidemic.

Mahalo nui,

Teresa Pa Shook
Kapolei

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Malie McClellan. I grew up in Puna on the Island of Hawai'i and now live in Honolulu, O'ahu. I support HB2457, Relating to the Youth Vaping Epidemic.

Vaping seems to come across as attractive through the advertising for these products, including all the flavors and scents. I think this has had a wide-ranging reach to the young people of Hawai'i, resulting in a high level of usage in this population. I really think that the advertising is so focused and targeted that it's hard for young people to ignore it forever, even if they do abstain at first.

I know a few people who vape, and with the hospitalizations that have occurred I'm increasingly worried about the long-term effects of vaping. I believe it was first sold as safer than cigarettes, which now seems to be undeniably false.

I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Malie McClellan
malieesp@gmail.com
Honolulu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Tin Myaing Thein, and I am a resident of Hawai'i Kai. I support HB2457, Relating to the Youth Vaping Epidemic.

As a parent and grandparent, I feel that the legislature must take action on the youth vaping epidemic now, otherwise the problem will be too big to solve. I have seen the effects of vaping first-hand: I caught kids that visited us trying it, but we were able to stop them from going further by explaining how it hurt their lungs.

I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Tin Myaing Thein
myaing@msn.com
Hawai'i Kai

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Kehau Pe'a. I grew up in Pana'ewa and now live in Pauoa. I am Native Hawaiian and a member of the Pearl Harbor Hawaiian Civic Club. I write to support HB2457, Relating to the Youth Vaping Epidemic.

I feel that the legislature must take action on the youth vaping epidemic now. I also wish there were ample fun, clean and rather inexpensive community or after-school activities for our keiki to engage in so they don't opt to vape.

I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Kehau Pe'a
lonoheahe@gmail.com
Pauoa

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Charlynne McGinnis, and I am a resident of 'Aiea. As a Filipino and Pacific Islander parent, I support HB2457, Relating to the Youth Vaping Epidemic.

I believe that the legislature must take action on the youth vaping epidemic now. How productive will the youth be if they are addicted to vaping now? They must be protected and educated on the dangers of vaping. If not now, then when? If not us, then who?

I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Charlynne McGinnis
cmaemcginnis@yahoo.com
'Aiea

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Zeny Yasuda, and I grew up on Molokai and currently reside in Kapolei. As a parent, a medical professional, and a member of the Filipino community, I support HB2457, Relating to the Youth Vaping Epidemic.

As we learn more about vaping's effect on health, undoubtedly our youths will end up with lifelong and costly medical problems the medical community has to manage. The tobacco companies are taking advantage of their innocence with attempts to entice youths at any expense. Immediate action is needed now.

As a parent representative at my daughter's high school, it concerns me that my daughter is exposed to alarming cases of vaping amongst high schoolers at her school. The teachers are unaware about the vaping paraphernalia and often unable to identify them being used in classrooms.

Therefore, I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Zeny Yasuda, R.N.
zktyasu@gmail.com
Kapolei

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Brett Carey, and I am a resident of Kona. As a medical professional, I strongly support HB2457, Relating to the Youth Vaping Epidemic.

Medical evidence suggests that vaping harms the developing brain and links to various forms of cancer have been suggested. Today as an experiment - I ordered and then canceled an online order for a vape pen and cartridges just to see if it were possible to order such substances without and kind of formal background check. Any youth with access to electronic forms of payment can purchase vaping supplies. The legislature needs to take action as vaping can even be considered a gateway drug to other tobacco products. Let's let our youth enjoy childhood without the introduction to chronic addiction and disease.

As former Chairman for the West Hawaii Community Health Centers and private practice owner in Kona, I have come across many young people addicted to vaping. They were under the belief that this practice was a healthy form of nicotine consumption. Many of these children developed asthma-like symptoms that were difficult to diagnose and treat as often children are not honest about their vaping behaviors.

Therefore, I respectfully request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Brett Carey
bcare001@gmail.com
Palisades, Kona

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Richard Taaffe, and I am a resident of Kailua Kona. As a medical professional and a parent, I strongly support HB2457, Relating to the Youth Vaping Epidemic.

Vaping is detrimental to the health of our youth and the development of their brains. Future health care costs will increase unless something is done.

I respectfully request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Richard Taaffe
rtaaffe@westhawaiiichc.org
Kailua Kona

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Alex Teece, and I am a resident of Pauoa.. As a teacher, I strongly support HB2457, Relating to the Youth Vaping Epidemic.

Protect our keiki by passing **HB2457, Relating to the Youth Vaping Epidemic!**

Mahalo,

Alex Teece
alex.teece@gmail.com
Pauoa

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Debra Nelson-Kelii. I grew up in McCully and am now a resident of 'Ewa Beach. As a Native Hawaiian, a parent, and a grandparent, I strongly support HB2457, Relating to the Youth Vaping Epidemic.

We need to give our youth the tools to grow up in a clean environment that will continue throughout their lifetime.

Simply looking at the amount of smoke that vaping generates, one can see that the tobacco effects could be 6 times as much as our ancestors generated when they simply smoked cigarettes.

I respectfully request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Debra Nelson-Kelii
nelsonkelii@yahoo.com
'Ewa Beach

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Jane Ka‘ala Pang. I grew up in Pauoa and am now a resident of Pālolo Valley-Kaimukī. As a parent and grandparent, and as a member of the ‘Āinahau o Kaleponi Hawaiian Civic Club, I strongly support HB2457, Relating to the Youth Vaping Epidemic.

It takes advocacy to bring about legislation to abolish e-cigarettes and flavored tobacco products. Native Hawaiians and Pacific Islanders experience disproportionately health disparities of cancers, heart disease and other severe lung disease at a younger age with high mortality at a younger age than their peers.

Over the last decade, in partnership with Cal State Fullerton and Claremont Graduate University, NHPI Communities throughout Southern California conducted several community-based participatory research as WINCART (Weaving a Network for Cancer Awareness, Research and Training) showing NHPI experiences large amounts of vaping and e-cigarette use with high data on youthful depression and anxiety. So there is an impact on NHPI youth health not only physical and medical, but also behavioral and mental health.

Therefore, I respectfully request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Jane Ka‘ala Pang
kaalasplace@yahoo.com
Pālolo Valley-Kaimukī

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Dorien McClellan. I am a resident of Mā'ili, and I am a parent and a grandparent. I strongly support HB2457, Relating to the Youth Vaping Epidemic.

Addiction can be irreversible or, at best, a lifelong struggle. Nicotine in any form is addictive. Enticing youth to vape sets them up for lifelong health challenges. It is a danger to them, to their families, and to our state health services and economy.

In my 'ohana, I'm concerned about a nephew who vapes, especially because he has 3 very young children who are internalizing his modeling.

I respectfully request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Dorien McClellan
doriencell@hawaii.rr.com
Mā'ili

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Laurie Hope. As a Native Hawaiian, I strongly support HB2457, Relating to the Youth Vaping Epidemic. The legislature must take action on the youth vaping epidemic for the future generations that will perpetuate our culture. Therefore, I respectfully request that you pass **HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Laurie Hope
mana_olana@yahoo.com

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Christal Simanski. As a member of the Filipino community and as a resident of Chinatown, I strongly support HB2457, Relating to the Youth Vaping Epidemic.

There are several proven negative health effects of vaping. Vaping can cause developmental effects on our youth's brains and can increase other forms of addiction later in life. It's imperative that we protect our youth's future and by ensuring that vaping regulations and other stringent controls are in place.

Therefore, I respectfully request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Christal Simanski
christalasilanski@gmail.com

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is April West-Baker. I am a parent and grandparent, and I am also a member of the Moku‘aina A Wakinekona Hawaiian Civic Club.

Vaping impacts Hawaiian youth everywhere and only getting more pervasive. Too many believe it is safe and a healthy alternative to smoking. My oldest granddaughter vapes and being a caregiver for her 7 younger siblings, I worry about them being influenced by her behavior or mistakenly accessing her vaping materials and being seriously injured.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

April West-Baker

aprilwestbaker@comcast.net

Member of Moku‘aina A Wakinekona Hawaiian Civic Club

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Karen Alamida. I grew up in Kaimukī and currently live in Kahalu'u.

As a Native Hawaiian, a parent, and a member of the Pearl Harbor Hawaiian Civic Club, I believe it is important for the legislature to take action on the youth vaping epidemic because Native Hawaiians already face many health challenges, and we must stand strong against another threat to our community's well-being.

My daughter vapes, and she started vaping in high school. Although she knows that it's not good for her, I think it's hard for her to stop. My husband also vapes, and I think that it's sad. People feel that if they vape CBD oil, it's okay, but I don't think it's okay.

Therefore, I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Karen Alamida
alamidak001@hawaii.rr.com
Kahalu'u, O'ahu

LATE

HB-2457-SD-1

Submitted on: 7/2/2020 8:55:10 AM

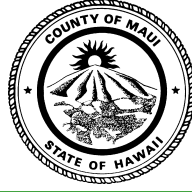
Testimony for JDC on 7/2/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
natasha lorenzo	Individual	Oppose	No

Comments:

I have been apart of the vaping industry for many years. I have personally watched vaping change people lives for the better. I have physically helped adults find flavors that they can vape daily so that they crave the flavors more than they do the cigarettes. Some of them start with nicotine and some of them eventually work their way to lowering their nicotine intakes and than eventually not vaping at all. When people look to quit cigarettes they don't want to do something that tastes like it. So they choose things like strawberry cotton candy & that helps kill the urge that they would normally have for cigarettes. Flavors play a big role in helping the adult quit regular cigarettes. I think instead of banning flavors a little more strict on shops caught selling to teens or adults caught purchasing for teens might work out a little better.

MICHAEL P. VICTORINO
Mayor



DON S. GUZMAN
Prosecuting Attorney

ROBERT D. RIVERA
First Deputy Prosecuting Attorney

ANDREW H. MARTIN
Second Deputy Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
150 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7777 • FAX (808) 270-7625

LATE

TESTIMONY
ON
H.B. 2457 HD2 SD1- RELATING TO
THE YOUTH VAPING EPIDEMIC

July 2, 2020

The Honorable Karl Rhoads
Chair, Senate Committee on Judiciary
The Honorable Jarrett Keohokalole
Vice Chair, Senate Committee on Judiciary

The Honorable Donovan Dela Cruz
Chair, Senate Committee on Ways and Means
The Honorable Gilbert S.C. Keith-Agaran
Vice Chair, Senate Committee on Ways and Means

Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran, and Members of the Committees:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments concerning H.B. 2457 HD2 SD1, Relating to the Youth Vaping Epidemic. We would like to express our general support for H.B. 2457 HD2 SD1. We agree with the Kauai and Hawai'i County Departments of the Prosecuting Attorney, as well as the Honolulu Police Department, that the public health concerns related to flavored tobacco products warrant the passage of this bill.

For these reasons, the Department of the Prosecuting Attorney, County of Maui supports the passage of H.B. 2457 HD2 SD1. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries.

Thank you very much for the opportunity to provide testimony on this bill.

HB-2457-SD-1

Submitted on: 7/2/2020 9:43:57 AM

Testimony for JDC on 7/2/2020 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Jesse Poston	Individual	Oppose	No

Comments:

97% OF THIS BILL IS GREAT! THE 3% IS THE WHOLE REASON FOR OPPOSITION,

1.THE FLAVORED VAPOR PRODUCTS STILL SHOULD REMAIN ON THE MARKET FOR LEGAL ADULTS TO PURCHASE FROM VAPE SHOPS ONLY!

2.FLAVORED VAPOR PRODUCTS SHOULD BE BANNED FROM CONVENIENCE STORES AND GAS STATIONS.

3.ADULTS LIKE FLAVORS! AND WE SHOULD HAVE THAT RIGHT AND CHOICE!

EXAMPLE:(FLAVORS)

-WATER w/LEMON

-JUICES

-SODAS

-ALCOHOL

-MILKS

-COFFEE

-BEERS AND SELTZERS

100% ARE ALL FLAVORED, AND YOUTH USE THEM IF CAN BE OBTAINED!

AND YOU CANNOT DISAGREE!! BECAUSE WE 1000% WERE ALL THERE AS YOUTH!!!

IF THIS BILL GOES THROUGH, YOU GUYS ARE ALL AIDING TO KILLING 480,000 MINIMUM PEOPLE IN THE STATES ALONE. THIS CIRCUIT WILL KNOWN TO BE

KILLERS! AND IT IS ILLEGAL, SHOULD ANYONE BE TAKING THE RIGHT OF CHOICE AWAY FOR ADULTS.