

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

**Testimony in SUPPORT of S.B. 2903, S.D.1  
RELATING TO FLAVORED TOBACCO PRODUCTS**

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

Hearing Date: February 19, 2020

Room Number: 211

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

4 **Department Testimony:** The DOH supports Senate Bill 2903, Senate Draft 1 (S.B. 2903,  
5 S.D. 1), which makes it unlawful to sell, offer to sell, or possess with the intent to sell, or offer to  
6 sell, any flavored tobacco product, including menthol and further prohibits the mislabeling of  
7 e-liquid products containing nicotine. This measure addresses the growing and unprecedented  
8 youth electronic smoking device (ESD) epidemic in Hawaii since flavored tobacco products are  
9 heavily promoted to youth with enticing flavors that addict youth to nicotine.<sup>1</sup>

10 Since the 2018 U.S. Food and Drug Administration (FDA) and Surgeon General  
11 declaration of the youth e-cigarette epidemic, use among young people continues to rise. By  
12 2019, 27.5% of high school students nationally reported vaping compared to 20.8% in 2018.<sup>2</sup>  
13 These figures represent a doubling of e-cigarette use between 2017 and 2019 for high schoolers  
14 (11.7% to 27.5%) and tripling of use for middle schoolers (from 3.3% to 10.5%).<sup>3</sup> In total

---

<sup>1</sup> Centers for Disease Control and Prevention: [https://www.cdc.gov/tobacco/basic\\_information/e-cigarettes/Quick-Facts-on-the-Risks-of-E-cigarettes-for-Kids-Teens-and-Young-Adults.html#flavors-marketing-appealing-to-youth](https://www.cdc.gov/tobacco/basic_information/e-cigarettes/Quick-Facts-on-the-Risks-of-E-cigarettes-for-Kids-Teens-and-Young-Adults.html#flavors-marketing-appealing-to-youth). [retrieved 2-17-2020]

<sup>2</sup> 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>

<sup>3</sup> 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

1 numbers, 4.1 million high school youths and 1.2 million middle school youths said they currently  
2 use e-cigarettes.<sup>4</sup> Hawaii youth in 2017 had amongst the highest ESD rates in the nation, with  
3 25.5% high school, and 15.7% middle school students reporting regular use.<sup>5</sup>

4 The recent FDA announcement was not a ban on the availability of all flavored tobacco  
5 products. Instead, products that are not legally on the market are being prioritized by the FDA  
6 for enforcement. Since only flavored cartridge-based ESD products excluding tobacco- or  
7 menthol-flavored are part of the announcement, flavored disposable and refillable ESDs remain  
8 on the market. None of the ESDs on the market now have gone through premarket authorization  
9 to determine public health risks and benefits to the population as a whole, including whether  
10 non-tobacco users will start using the new products.<sup>6</sup>

11 Scientific studies are increasingly documenting that flavors are a major reason that youth  
12 use tobacco. According to the 2013-2014 Population Assessment of Tobacco and Health  
13 (PATH) study, 81% of 12 to 17-year old youth who had ever used a tobacco product, initiated  
14 tobacco use with a flavored product. Additionally, 80% of current users had used a flavored  
15 product in the last month.<sup>7</sup> In 2019, the large majority of youth ESD users reported use of  
16 flavors, with fruit, menthol or mint, candy, desserts, or other sweets being the most commonly  
17 used.<sup>8,9</sup> According to the same research, mint and menthol went from being among the least  
18 popular to among the most popular flavors for high school students over the past four years.<sup>10</sup>

---

<sup>4</sup> 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>

<sup>5</sup> Department of Health, [Hawaii Health Data Warehouse, Indicator-Based Information System](#), 2017 Hawaii Youth Risk Behavior Survey.

<sup>6</sup> U.S. Department of Human Services, FDA, Center for Tobacco Products, Enforcement Priorities for Electronic Nicotine Delivery Systems (ENDS) and Other Deemed Products on the Market Without Premarket Authorization, Guidance for the Industry, January 2020, FDA-2019-D-0661: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/enforcement-priorities-electronic-nicotine-delivery-system-ends-and-other-deemed-products-market>

<sup>7</sup> Ambrose, B. K., Day, H. R., Rostron, B., Conway, K. P., Borek, N., Hyland, A., & Villanti, A. C. (2015). Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. *JAMA*, 314(17), 1871–1873. <https://doi.org/10.1001/jama.2015.13802>

<sup>8</sup> Campaign for Tobacco-Free Kids, Statement of Matthew L. Myers, President, “JAMA Studies Show Youth E-Cigarette Epidemic is Getting Worse and Kids Shifted to Mint/ Menthol After Other Flavors Were Restricted”, November 5, 2019, retrieved from [https://www.tobaccofreekids.org/press-releases/2019\\_11\\_05\\_jama](https://www.tobaccofreekids.org/press-releases/2019_11_05_jama)

<sup>9</sup> 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

<sup>10</sup> 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

1 Data from another 2019 study revealed that the most popular flavor among 10th and 12th grade  
2 Juul users was mint.<sup>11</sup> These data illustrate that trends among youth users of flavored e-cigarette  
3 products change quickly and therefore must be addressed swiftly.

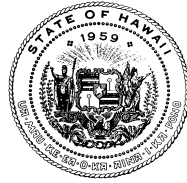
4 It is well documented that flavors facilitate youth initiation of tobacco use, which can  
5 expose the developing brain and body to the harmful effects of nicotine. The former FDA  
6 Commissioner, Dr. Scott Gottlieb stated, “No child should be using any tobacco or nicotine-  
7 containing product. We need to do everything possible to reverse the alarming trend of rising  
8 youth use of novel products like e-cigarettes and help kids who may already be addicted.”<sup>12</sup> The  
9 DOH supports this measure as both a health and social justice issue to protect the next generation  
10 from a lifelong addiction to tobacco use.

11 Thank you for the opportunity to submit testimony on this measure.

---

<sup>11</sup> Leventhal AM, Miech R, Barrington-Trimis J, Johnston LD, O’Malley PM, Patrick ME. Flavors of e-Cigarettes Used by Youths in the United States. *JAMA*. 2019;322(21):2132–2134. doi:10.1001/jama.2019.17968

<sup>12</sup> Press Announcement; Statement from FDA Commissioner Scot Gottlieb, MD, o the agency’s continued efforts to address growing epidemic of youth e-cigarette use, November 2, 2018.



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

**Testimony in SUPPORT of S.B. 2903  
RELATING TO FLAVORED TOBACCO PRODUCTS**

SENATOR ROSALYN H. BAKER, CHAIR  
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

SENATOR KARL RHOADS, CHAIR  
COMMITTEE ON JUDICIARY

Hearing Date: February 13, 2020

Room Number: 016

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

4 **Department Testimony:** The DOH supports Senate Bill 2903 (S.B. 2903), which makes it  
5 unlawful to sell, offer to sell, or possess with the intent to sell, or offer to sell, any flavored  
6 tobacco product, including menthol in the State. This measure addresses the growing and  
7 unprecedented youth electronic smoking device (ESD) epidemic in Hawaii. The DOH offers  
8 amendments to clarify definitions, requirements, and administrative procedures.

9 Since the 2018 U.S. Food and Drug Administration (FDA) and Surgeon General  
10 declaration of the youth e-cigarette epidemic, use among young people continues to rise. By  
11 2019, 27.5% of high school students nationally reported vaping compared to 20.8% in 2018.<sup>1</sup>  
12 These figures represent a doubling of e-cigarette use between 2017 and 2019 for high schoolers  
13 (11.7% to 27.5%) and tripling of use for middle schoolers (from 3.3% to 10.5%).<sup>2</sup> In total  
14 numbers, 4.1 million high school youths and 1.2 million middle school youths said they currently

---

<sup>1</sup> 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>

<sup>2</sup> 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

1 use e-cigarettes.<sup>3</sup> Hawaii youth in 2017 had amongst the highest ESD rates in the nation, with  
2 25.5% high school, and 15.7% middle school students reporting regular use.<sup>4</sup>

3 The recent FDA announcement was not a ban on the availability of all flavored tobacco  
4 products. Instead, products that are not legally on the market are being prioritized by the FDA  
5 for enforcement. Since only flavored cartridge-based ESD products excluding tobacco- or  
6 menthol-flavored are part of the announcement, flavored disposable and refillable ESDs remain  
7 on the market. None of the ESDs on the market now have gone through premarket authorization  
8 to determine public health risks and benefits to the population as a whole, including whether  
9 non-tobacco users will start using the new products.<sup>5</sup>

10 Scientific studies are increasingly documenting that flavors are a major reason that youth  
11 use tobacco. According to the 2013-2014 Population Assessment of Tobacco and Health  
12 (PATH) study, 81% of 12 to 17-year old youth who had ever used a tobacco product, initiated  
13 tobacco use with a flavored product. Additionally, 80% of current users had used a flavored  
14 product in the last month.<sup>6</sup> In 2019, the large majority of youth ESD users reported use of  
15 flavors, with fruit, menthol or mint, candy, desserts, or other sweets being the most commonly  
16 used.<sup>7,8</sup> According to the same research, mint and menthol went from being among the least  
17 popular to among the most popular flavors for high school students over the past four years.<sup>9</sup>  
18 Data from another 2019 study revealed that the most popular flavor among 10th and 12th grade

---

<sup>3</sup> 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>

<sup>4</sup>Department of Health, [Hawaii Health Data Warehouse, Indicator-Based Information System](#), 2017 Hawaii Youth Risk Behavior Survey.

<sup>5</sup> U.S. Department of Human Services, FDA, Center for Tobacco Products, Enforcement Priorities for Electronic Nicotine Delivery Systems (ENDS) and Other Deemed Products on the Market Without Premarket Authorization, Guidance for the Industry, January 2020, FDA-2019-D-0661: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/enforcement-priorities-electronic-nicotine-delivery-system-ends-and-other-deemed-products-market>

<sup>6</sup> Ambrose, B. K., Day, H. R., Rostron, B., Conway, K. P., Borek, N., Hyland, A., & Villanti, A. C. (2015). Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. *JAMA*, 314(17), 1871–1873. <https://doi.org/10.1001/jama.2015.13802>

<sup>7</sup> Campaign for Tobacco-Free Kids, Statement of Matthew L. Myers, President, “JAMA Studies Show Youth E-Cigarette Epidemic is Getting Worse and Kids Shifted to Mint/ Menthol After Other Flavors Were Restricted”, November 5, 2019, retrieved from [https://www.tobaccofreekids.org/press-releases/2019\\_11\\_05\\_jama](https://www.tobaccofreekids.org/press-releases/2019_11_05_jama)

<sup>8</sup> 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

<sup>9</sup> 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

1 Juul users was mint.<sup>10</sup> These data illustrate that trends among youth users of flavored e-cigarette  
2 products change quickly and therefore must be addressed swiftly.

3 It is well documented that flavors facilitate youth initiation of tobacco use, which can  
4 expose the developing brain and body to the harmful effects of nicotine. The former FDA  
5 Commissioner, Dr. Scott Gottlieb stated, “No child should be using any tobacco or nicotine-  
6 containing product. We need to do everything possible to reverse the alarming trend of rising  
7 youth use of novel products like e-cigarettes and help kids who may already be addicted.”<sup>11</sup> The  
8 DOH supports this measure as both a health and social justice issue to protect the next generation  
9 from a lifelong addiction to tobacco use.

10 Thank you for the opportunity to testify.

11 **Offered Amendments:** DOH submits as an attachment a suggested Senate Draft 1 (S.D.  
12 1) to clarify language to the text in S.B. 2903. The summary of amendments are as follows:

13 1. Suggest non-substantive grammatical revisions to the preamble and throughout the  
14 measure.

15 2. Revise Section 2. Page 5, line 7, proposed §712 heading from,

16 “§712- Sale of flavored tobacco products.

17 Revise to: “§712- Sale of flavored tobacco products;  
18 mislabeled as nicotine-free.

19 3. Revise Section 2(3), page 6, starting line 5, by adding for clarity the following: . . .  
20 considered contraband, promptly seized, summarily forfeited  
21 to the State, destroyed by law enforcement following the  
22 conclusion of an administrative or judicial proceeding  
23 finding that a violation of section 712- has been

---

<sup>10</sup> Leventhal AM, Miech R, Barrington-Trimis J, Johnston LD, O’Malley PM, Patrick ME. Flavors of e-Cigarettes Used by Youths in the United States. *JAMA*. 2019;322(21):2132–2134. doi:10.1001/jama.2019.17968

<sup>11</sup> Press Announcement; Statement from FDA Commissioner Scot Gottlieb, MD, o the agency’s continued efforts to address growing epidemic of youth e-cigarette use, November 2, 2018.

1 ~~committed subject to immediate forfeiture and destruction~~  
2 and shall not be subject to the procedures set forth in  
3 chapter 712A.”

- 4 4. Change Section 2(4), page 6, line 9, from: . . . retailer who violate  
5 this section ~~may~~ . . .

6 Revise to: . . . retailer who violate this section shall . . .

- 7 5. Insert in Section 2(6), beginning page 7, line 21, the following definition of “Electronic  
8 smoking device:”

9 . . . means any electronic product that can be used to  
10 aerosolize and deliver nicotine or other substances to the  
11 person inhaling from the device, including but not limited  
12 to, an electronic cigarette, electronic cigar, electronic  
13 cigarillo, or electronic pipe, and any e-liquid, cartridge  
14 or other component of the device or related product.

- 15 6. Insert in Section 2(6), page 9, beginning line 3. add the definition of “Tobacco product:”

16 . . . means any product made or derived from tobacco that  
17 contains nicotine or other substances and is intended for  
18 human consumption or is likely to be consumed, whether  
19 smoked, heated, chewed, absorbed, dissolved, inhaled, or  
20 ingested by other means. “Tobacco product” includes but is  
21 not limited to, a cigarette, cigar, pipe tobacco, chewing  
22 tobacco, snuff, snus, e-liquid, or an electronic smoking  
23 device. “Tobacco product” does not include drugs, devices,  
24 or combination products approved for sale by the United  
25 States Food and Drug Administration, as those terms are  
26 defined in the Federal Food, Drug, and Cosmetic Act.

# S.B. NO. 2903 S.D. 1

---

---

## A BILL FOR AN ACT

RELATING TO FLAVORED TOBACCO PRODUCTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that tobacco use remains  
2 the leading cause of preventable disease and death in the United  
3 States and in Hawai'i. Tobacco use is a serious public health  
4 problem in terms of the human suffering and loss of life it  
5 causes, as well as the financial burden it imposes on society  
6 and our healthcare system. Annually, \$526,000,000 in health  
7 care costs are directly attributed to smoking in the State.

8           The legislature also recognizes that ninety-five per cent  
9 of all smokers start before the age of twenty-one. Eighty-one  
10 per cent of youth who have ever used a tobacco product report  
11 that the first tobacco product they used was flavored. Flavored  
12 tobacco products promote youth initiation of tobacco use and  
13 help young occasional smokers become daily smokers by reducing  
14 or masking the natural harshness and taste of tobacco smoke,  
15 thereby increasing the appeal of tobacco products.

16           Menthol, in particular, is used by the tobacco industry  
17 because it has a cooling and numbing effect and can reduce the  
18 throat irritation from smoking, thus making menthol cigarettes



# S.B. NO. 2903 S.D. 1

1 an appealing option for youth who are initiating tobacco use.  
2 Candy and fruit flavors improve the taste and reduce the  
3 harshness of tobacco products, making them more appealing and  
4 easier for beginners to try tobacco products and ultimately  
5 become addicted. The popularity of electronic cigarettes among  
6 youth is concerning, as these products contain nicotine. The  
7 United States Surgeon General noted in the 2016 report titled  
8 "E-Cigarette Use Among Youth and Youth Adults" that "because the  
9 adolescent brain is still developing, nicotine use during  
10 adolescence can disrupt the formation of brain circuits that  
11 control attention, learning, and susceptibility to addiction."

12 The legislature further finds that while there has been a  
13 decline in the use of combustible cigarettes over the last  
14 decade, there has been a dramatic increase in the use of  
15 electronic smoking devices (ESDs) by Hawai'i's youth. Vaping in  
16 Hawai'i has reached epidemic levels. Between 2011 to 2015, the  
17 proportion of youth experimenting with ESDs increased six-fold  
18 among middle school youth and four-fold among high school youth.  
19 In 2017, twenty-seven per cent of middle school and forty-two  
20 per cent of public high school students tried ESDs. Today,  
21 sixteen per cent of middle school and more than a quarter of  
22 high school students vape. Current use of ESDs by county is

# S.B. NO. 2903 S.D. 1

1 even more problematic, with figures exceeding thirty per cent on  
2 the islands of Hawai'i, Maui, and Kaua'i. The fact that these  
3 rates are higher than the national average demonstrates a  
4 disturbing trend of youth nicotine use and threatens the  
5 historic decline achieved in combustible cigarette use.

6 The legislature further finds that a 2009 federal law, the  
7 Family Smoking Prevention and Tobacco Control Act, prohibited  
8 characterizing flavors, including fruit and candy flavorings, in  
9 cigarettes but did not ban menthol in cigarettes or the use of  
10 characterizing flavors in other tobacco products. Only  
11 cigarettes, roll-your-own tobacco, and smokeless tobacco are  
12 subject to regulation under this Act. The tobacco industry and  
13 electronic smoking device industry have since significantly  
14 increased the introduction and marketing of flavored non-  
15 cigarette tobacco products, especially ESDs. It is no  
16 coincidence that the number of electronic cigarette flavors have  
17 skyrocketed in recent years, with more than 15,500 unique  
18 e-cigarette flavors identified in a 2018 study. Hawai'i has  
19 experienced the heightened promotion of vape products that offer  
20 candy and local flavors designed to appeal to the State's youth,  
21 such as candy, fruit, chocolate, mint, Kona coffee, Maui Mango,  
22 Shaka strawberry, and Moloka'i hot bread. Additionally, many of

# S.B. NO. 2903 S.D. 1

1 the packages are designed to look like candies popular with  
2 children, such as Jolly Ranchers and Sour Patch Kids. The  
3 legislature additionally finds that young people are  
4 disproportionately using flavored tobacco products, including  
5 menthol. According to the 2010 study, "Smoking and Tobacco Use  
6 in Hawai'i," seventy-eight per cent of Native Hawaiian/Pacific  
7 Islander adult smokers and forty-two per cent of White adult  
8 smokers consume menthol cigarettes. A 2008 study also indicated  
9 the high use of menthol cigarettes among Filipino adults.  
10 Conservative estimates noted in a 2011 paper suggest that over  
11 300,000 deaths nationally can be averted by the year 2050, if  
12 menthol cigarette smoking is eliminated.

13 Given the significant threat to public health posed by  
14 flavored tobacco products, including menthol, a growing number  
15 of jurisdictions, including San Francisco, Berkeley, Chicago,  
16 Minneapolis and Providence, Rhode Island, have introduced and  
17 passed legislation to regulate the sale of flavored tobacco  
18 products. The legislature concludes that Hawai'i should also  
19 take steps to regulate these products to reduce tobacco-related  
20 health disparities and address the youth vaping epidemic.

## S.B. NO. 2903 S.D. 1

1           Accordingly, the purpose of this Act is to prohibit the  
2 sale or distribution of all flavored tobacco products, including  
3 products with menthol, in the State of Hawai'i.

4           SECTION 2. Chapter 712, Hawaii Revised Statutes, is  
5 amended by adding to part IV a new section to be appropriately  
6 designated and to read as follows:

7           "§712-       Sale of flavored tobacco products; mislabeling as  
8 nicotine-free. (1) Beginning January 1, 2021, it shall be  
9 unlawful for any retailer or any agents or employees of the  
10 retailer to:

11           (a) Sell, offer for sale, or possess with the intent to  
12           sell or offer for sale, a flavored tobacco product;  
13           or

14           (b) Mislabel as nicotine-free, or sell or market for sale  
15           as nicotine-free, any e-liquid product which contains  
16           nicotine.

17           (2) A statement or claim directed to consumers or the  
18 public that the tobacco product has or produces a characterizing  
19 flavor, including but not limited to text, color, or images on  
20 the tobacco product's labeling or packaging that is used  
21 explicitly or implicitly to communicate that the tobacco product  
22 has a characterizing flavor made by a manufacturer or an agent

## S.B. NO. 2903 S.D. 1

1 or employee of the manufacturer in the course of the person's  
2 agency or employment, is prima facie evidence that the tobacco  
3 product is a flavored tobacco product.

4 (3) Any flavored tobacco product found in the retailer's  
5 possession that is in violation of this section shall be  
6 considered contraband, promptly seized, summarily forfeited to  
7 the State, destroyed by law enforcement following the conclusion  
8 of an administrative or judicial proceeding finding that a  
9 violation of section 712- has been committed and shall not be  
10 subject to the procedures set forth in chapter 712A.

11 (4) Any retailer and any agents or employees of the  
12 retailer who violate this section shall be sentenced to a fine  
13 not exceeding \$500. Any subsequent offenses shall subject the  
14 offender to a fine of not less than \$500 nor more than \$2,000.

15 (5) Notwithstanding any other law to the contrary, any  
16 county may adopt a rule or ordinance that places greater  
17 restrictions on the access to flavored tobacco products than  
18 provided for in this section. In the case of a conflict between  
19 the restrictions in this section and any county rule or  
20 ordinance regarding access to flavored tobacco products, the  
21 more stringent restrictions shall prevail.

22 (6) For the purposes of this section:

## S.B. NO. 2903 S.D. 1

1       "Characterizing flavor" means a distinguishable taste or  
2 aroma, or both, other than the taste or aroma of tobacco,  
3 imparted by a tobacco product or any byproduct produced by the  
4 tobacco product. Characterizing flavors include but are not  
5 limited to tastes or aromas relating to any candy, chocolate,  
6 vanilla, honey, fruit, cocoa, coffee, dessert, alcoholic  
7 beverage, menthol, mint, wintergreen, herb, or spice. A tobacco  
8 product shall not be determined to have a characterizing flavor  
9 solely because of the use of additives or flavorings or the  
10 provision of ingredient information in the absence of a  
11 distinguishable taste or aroma, or both.

12       "Cigarette" means any roll for smoking made wholly or in  
13 part of tobacco, irrespective of size and shape and whether or  
14 not the tobacco is flavored, adulterated, or mixed with any  
15 other ingredient, the wrapper or cover of which is made of paper  
16 or any other substance or material except tobacco.

17       "Constituent" means any ingredient, substance, chemical, or  
18 compound, other than tobacco, water, or reconstituted tobacco  
19 sheet, that is added by the manufacturer to a tobacco product  
20 during the processing, manufacture, or packing of the tobacco  
21 product.

## S.B. NO. 2903 S.D. 1

1       "Distinguishable" means perceivable by either the sense of  
2 smell or taste.

3       "Electronic smoking device" means any electronic product  
4 that can be used to aerosolize and deliver nicotine or other  
5 substances to the person inhaling from the device, including but  
6 not limited to an electronic cigarette, electronic cigar,  
7 electronic cigarillo, or electronic pipe, and any e-liquid,  
8 cartridge or other component of the device or related product.

9       "E-liquid" means any liquid or like substance, which may or  
10 may not contain nicotine, that is designed or intended to be  
11 used in an electronic smoking device, whether or not packaged in  
12 a cartridge or other container. The term "e-liquid" does not  
13 include prescription drugs; medical cannabis or manufactured  
14 cannabis products; or medical devices used to inhale or ingest  
15 prescription drugs, including devices sold at a licensed medical  
16 cannabis dispensary.

17       "Entity" means one or more individuals, a company,  
18 corporation, a partnership, an association, or any other type of  
19 legal entity.

20       "Flavored tobacco product" means any tobacco product that  
21 contains a constituent that imparts a characterizing flavor.

## S.B. NO. 2903 S.D. 1

1       "Labeling" means written, printed, pictorial, or graphic  
2 matter upon a tobacco product or any of its packaging.

3       "Packaging" means a pack, box, carton, or container of any  
4 kind, or if no other container, any wrapping, including  
5 cellophane, in which a tobacco product is sold or offered for  
6 sale to a consumer.

7       "Retailer" means an entity who sells, offers for sale, or  
8 exchanges or offers to exchange for any form of consideration  
9 tobacco products to consumers. The term "retailer" includes the  
10 owner of a tobacco retail location.

11       "Tobacco product" means any product made or derived from  
12 tobacco that contains nicotine or other substances and is  
13 intended for human consumption or is likely to be consumed,  
14 whether smoked, heated, chewed, absorbed, dissolved, inhaled, or  
15 ingested by other means. "Tobacco product" includes but is not  
16 limited to a cigarette, cigar, pipe tobacco, chewing tobacco,  
17 snuff, snus, e-liquid, or an electronic smoking device.

18       "Tobacco product" does not include drugs, devices, or  
19 combination products approved for sale by the United States Food  
20 and Drug Administration, as those terms are defined in the  
21 Federal Food, Drug, and Cosmetic Act.



# S.B. NO. 2903 S.D. 1

1       "Tobacco retail location" means any premises where tobacco  
2 products are sold or distributed to a consumer, including but  
3 not limited to any store, bar, lounge, cafe, stand, outlet,  
4 vehicle, cart, location, vending machine, or structure."

5       SECTION 3. This Act does not affect rights and duties that  
6 matured, penalties that were incurred, and proceedings that were  
7 begun before its effective date.

8       SECTION 4. If any provision of this Act, or the  
9 application thereof to any person or circumstance, is held  
10 invalid, the invalidity does not affect other provisions or  
11 applications of the Act that can be given effect without the  
12 invalid provision or application, and to this end the provisions  
13 of this Act are severable.

14       SECTION 5. New statutory material is underscored.

15       SECTION 6. This Act shall take effect on January 1, 2021.

16

17                                   INTRODUCED BY: \_\_\_\_\_

18

BY REQUEST

19

# S.B. NO. 2903 S.D. 1

1 **Report Title:**

2 Flavored Tobacco Products; Sale; Ban

3

4 **Description:**

5 Bans the sale of flavored tobacco products. Effective 1/1/2021.

6

7

8

9 *The summary description of legislation appearing on this page is for informational purposes only and is*  
10 *not legislation or evidence of legislative intent.*

11

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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



KIRK CALDWELL  
MAYOR

SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
CLYDE K. HO  
DEPUTY CHIEFS

OUR REFERENCE MK-SA

February 13, 2020

The Honorable Roslyn H. Baker, Chair  
and Members  
Committee on Commerce, Consumer Protection and Health  
The Honorable Karl Rhoads, Chair  
and Members  
Committee on Judiciary  
State Senate  
Hawaii State Capitol  
415 South Beretania Street, Room 016  
Honolulu, Hawaii 96813

Dear Chairs Baker and Rhoads and Members:

SUBJECT: Senate Bill No. 2903, Relating to Flavored Tobacco Products.

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

The HPD supports Senate Bill No. 2903, Relating to Flavored Tobacco Products.

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 urges you to support Senate Bill No. 2903, Relating to Flavored Tobacco Products.

Thank you for the opportunity to testify.

Sincerely,

  
Mikel Kunishima, Captain  
Community Affairs Division

APPROVED:

  
Susan Ballard  
Chief of Police

*Serving and Protecting With Aloha*



## HIPHI Board

Michael  
Robinson, MBA, MA  
Chair  
Hawaii Pacific Health

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

Kilikina Mahi, MBA  
Treasurer & Vice Chair  
KM Consulting LLC

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

Debbie Erskine  
Kamehameha Schools

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

Mark Levin, JD  
William S. Richardson School  
of Law

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

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

Garret Sugai  
Kaiser Permanente

Catherine Taschner, JD  
McCorriston Miller Mukai  
MacKinnon LLP

Date: February 11, 2020

To: Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair  
Members of the Senate Commerce, Consumer Protection, and  
Health Committee

Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair  
Members of the Senate Judiciary Committee

Re: Strong Support SB 2903, Relating to Flavored Tobacco  
Products

Hrg: February 13, 2020 at 9:00 AM at Conference Room 016

---

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute<sup>1</sup> is in **Strong Support of SB 2903** which would end the sale of all menthol and flavored tobacco products in the state.

### **This measure will help to save lives.**

Tobacco use remains a serious threat to public health. Each year, Hawaii spends \$526 million in health care costs and \$141.7 million in Medicaid costs due to smoking. Tobacco products with menthol, sweet flavors, and colorful packaging are designed to attract teens and young adults. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product. A report by the U.S. Food and Drug Administration, issued in 2013, found that menthol cigarettes led to 1) increased smoking initiation among youth and young adults; 2) greater addiction; and 3) decreased success in quitting smoking. Candy flavors such as Fruit Hoops, Sour Straws, and Cookie Monsta are designed to appeal to kids, and make nicotine go down easier. With 81% of youth starting with a flavored product<sup>ii</sup>, regulating the flavors designed to capture and addict new customers prioritizes the health and safety of our community over tobacco's special interests.

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

Hawai'i is experiencing a vaping epidemic among our young people. The State Legislature has worked hard to protect our residents from the harms caused by tobacco use, but the rapid growth of e-cigarette use is alarming. With 42% of all high school students and 27% of middle schoolers reporting ever having used an "electronic vaping product" in 2017, we have an urgent need to act. More troubling is that because of the historic declines in smoking, big tobacco has decided to focus on candy flavors and nicotine delivery solutions. Tobacco giant Altria, maker of Marlboro, is investing in the popular vaping company Juul, which has 76% of the e-cigarette market share and is worth \$16 billion.

### **Help us protect our keiki and vulnerable groups from deceptive marketing practices by the industry.**

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, these products are not being responsibly marketed. The industry selects colorful packaging and ads that appeal to taste and pop culture. Tobacco companies have a long history of using these same tactics to entice new and younger users and make them repeat customers. Addiction is the opposite of freedom. We're fighting to keep our kids free from the deadly addiction to these products. The health of Hawaii's keiki must be protected from the predatory marketing of tobacco companies.

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

In a poll<sup>iii</sup> 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 who would not have considered smoking, will become cigarette smokers, starting with e-cigarettes<sup>iv</sup>. This is not a trade-off we can accept. We need to take action and regulate electronic smoking devices for our kids.

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 SB 2903**.

Mahalo,



Jessica Yamauchi, MA  
Executive Director

---

<sup>i</sup> 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.

<sup>ii</sup> 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

<sup>iii</sup> 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.

<sup>iv</sup> 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<sup>1,2</sup>; Jessica L. Barrington-Trimis, PhD<sup>3</sup>; Thomas A. Wills, PhD<sup>4</sup>; et al *JAMA Pediatrics*. 2017;171(8):788-797. doi:10.1001/jamapediatrics.2017.1488

Thursday, February 13, 2020 at 9:00 AM  
Conference Room 229

**Senate Committee on Commerce, Consumer Protection and Health**

To: Senator Rosalyn Baker, Chair  
Senator Stanley Chang, Vice Chair

**Senate Committee on Judiciary**

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

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

**Re: Testimony in Support of SB 2903  
Relating to Flavored Tobacco Products**

---

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

**I write in support of SB 2903** which would ban the sale of flavored tobacco products and prohibit the mislabeling of any e-liquid product containing nicotine as nicotine-free effective as of January 1, 2021.

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

products and ultimately become addicted. The popularity of electronic cigarettes among youth is concerning, as these products contain nicotine.

E-cigarette use or vaping among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawaii have decreased through the years, ESD use has rapidly increased, threatening significant public health gains through our Tobacco 21 law and tobacco youth access laws. This is particularly concerning because e-cigarettes provide a new way to deliver the addictive drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids. Marketing strategies by the tobacco industry and electronic smoking device industry have significantly increased the introduction and marketing of flavored non-cigarette tobacco products, especially ESDs. Products are glamorized in order to appeal to our youth, using flavors such as candy, fruit, chocolate, mint, Kona coffee, Maui Mango, Shaka strawberry, and Moloka'i hot bread.

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

Thank you for the opportunity to testify.



# 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](mailto: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

January 31, 2020

To: Senator Roslyn Baker  
And members of the Committee on Consumer Protection and Health

## **Testimony in Support of SB 2903 Related to Flavored Tobacco Products**

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports SB 2903 Relating to Flavored Tobacco Products

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

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

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

808novape researchers have found that:

- 26% of Hawai'i high school students are using e-cigarettes
- 94% online purchases of e-cigarettes have been successful amongst teens

- 60% of teens believe occasional use of e-cigarettes does little to of harm
- 70% of middle and high schoolers have recently seen e-cigarette advertising

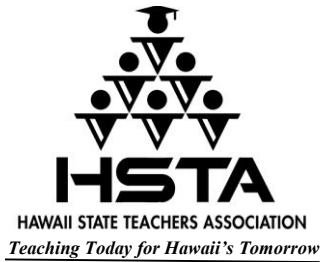
Four of five young people who use tobacco start with a flavored product. Tobacco is one of the leading causes of death and should not be accessible to Hawai'i's youth. Please ban the sale of flavored tobacco products.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive, flowing style.

Judith F. Clark, MPH  
Executive Director



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

**LATE**

TESTIMONY BEFORE THE SENATE COMMITTEES ON  
COMMERCE, CONSUMER PROTECTION, & HEALTH  
and JUDICIARY

RE: SB 2903 - RELATING TO FLAVORED TOBACCO PRODUCTS

THURSDAY, FEBRUARY 13, 2020

COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Baker, Chair Rhoads, and Members of the Committees:

The Hawaii State Teachers Association **strongly supports SB 2903** which bans the sale of flavored tobacco products.

Flavored tobacco products have been proven as the entry point for youth to start smoking. **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 81% of youth who ever used tobacco say they started with a flavored product and 97% of youth who vape say they only use a flavored product.**

The use of e-smoking products among youth is at epidemic levels, especially in Hawaii. According to the 2017 Youth Risk Behavior Survey, **Hawaii has one of the highest rates of middle and high school usage in the nation at 15.7% and 25.5% respectively.** Moreover, 27% of middle school students and a whopping 42% of high school students have tried e-cigarettes. On the neighbor islands, usage trends are particularly concerning—in Hawaii county 34% of students reported they are regular users while on Kauai 32% are regular users.

Adolescence in a time of crucial brain development; it has been documented that nicotine exposure during adolescence and young adulthood can cause addiction and harm the developing brain. Additionally, nicotine is not the only harmful ingredient in electronic smoking devices; other harmful and potentially harmful ingredients include ultrafine particles that can be inhaled deep into the lungs, flavorants such as

diacetyl, a chemical linked to serious lung disease, volatile organic compounds, and heavy metals such as nickel, tin, and lead.

In September 2009, the FDA banned flavored cigarettes. The ban was intended to end the sale of tobacco products with chocolate, vanilla, clove and other flavorings that lure children and teenagers into smoking. According to Dr. Margaret A. Hamburg, commissioner of food and drugs for the FDA from 2009 – 2015 “flavored cigarettes are a gateway for many children and young adults to become regular smokers.” Nevertheless, here we are in 2020 with a proliferation of flavored tobacco in the form of e-liquids luring our children into becoming lifelong and habitual nicotine users.

To reduce the youth vaping epidemic and ensure the long-term health and wellbeing of our keiki, the Hawaii State Teachers Association requests you **support this bill.**



**Testimony to the Senate Joint Committee on Commerce, Consumer Protection, and  
Health, and Judiciary  
Thursday, February 13, 2020; 9:00 a.m.  
State Capitol, Conference Room 016**

**RE: SENATE BILL NO. 2903, RELATING TO FLAVORED TOBACCO PRODUCTS.**  
**Hawaii Primary Care Association**

Chair Baker, Chair Rhoads, and Members of the Joint Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** Senate Bill No. 2903, RELATING TO FLAVORED TOBACCO PRODUCTS.

The bill, as received by your Committee, would:

- (1) Beginning January 1, 2021, prohibit:
  - (A) The retail sale, possession with the intent to sell, or offer for sale of a flavored product; and
  - (B) The mislabeling as nicotine-free, or sale or market for sale as nicotine-free, any e-liquid product that contains nicotine; and
- (2) Make any statement or claim directed to consumers or the public that a tobacco product is flavored prima facie evidence that the product is a flavored tobacco product;
- (3) Allow the seizure, forfeiture, and destruction of any flavored product for electronic smoking devices found in a retailer's possession that is in violation of the above;
- (4) Establish civil penalties of \$500 for the initial violation, and not less than \$500 and not more than \$2,000 for any subsequent violation;
- (5) Provide that if this law conflicts with any rule or ordinance, the more stringent requirement will prevail; and

(6) Take effect on January 1, 2021.

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@hawaiipca.net](mailto:eabe@hawaiipca.net).



**American Heart Association testimony for SB 2903,  
“Relating To Flavored Tobacco Products”**

**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

Jennifer Walker

The American Heart Association SUPPORTS SB 2903 which would enact a ban on sales of flavored tobacco products

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

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

Serving Hawaii since 1948

**Mission Statement:**

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

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.

For more information on the AHA’s educational or research programs, visit [www.heart.org](http://www.heart.org) or contact your nearest AHA office.

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.

Office: (808) 377-6630

Fax: (808) 524-0556

Neighbor Islands:

Served by the Oahu office

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 cessation among adult smokers 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

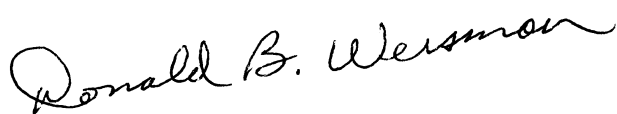


started producing different types of flavored tobacco products that were not subject to the prohibition. This led to the rise in the number of youth using flavored cigars, and especially in Hawaii, e-cigarettes. Both the tobacco industry and youth adjusted to the cigarette flavor ban by moving to other 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.

Some 1,400 Hawaii residents die each year from smoking, and 21,000 kids alive today in Hawaii will die prematurely from smoking if nothing is done to reduce tobacco use.

We encourage your support of SB 2903 which we feel will have a substantial effect in reducing tobacco use among Hawaii's youths.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

Donald B. Weisman

Hawaii Government Relations/Communications Director

**SB-2903**

Submitted on: 2/7/2020 6:23:42 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Younghi Overly	Testifying for aauw of hawaii	Support	No

Comments:

February 10, 2020

**RE: SUPPORT SB2903 Relating to Flavored Tobacco Products**

Dear Members of the Committees:

At Blue Zones Projects we are working to make Hawaii a happier, healthier place to live, work, and play. We support SB2903, which will help to end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes. In Hawaii alone, smoking causes 1400 adult deaths per year and costs \$256 million. Limiting the use of tobacco would result in an extremely effective way to prevent a variety of chronic diseases while lessening the financial burden of these diseases.

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 BRFS, 2008).

We are grateful to the Committee for hearing SB2903 and hope that you will consider passing this important bill.

Sincerely,

*Crystal Robello*

Crystal Robello  
Blue Zones Project-Hawaii

Brought to  
Hawaii by



An Independent Licensee of the Blue Cross and Blue Shield Association

Brought to  
Hawaii by



An Independent Licensee of the Blue Cross and Blue Shield Association



HAWAII SUBSTANCE ABUSE COALITION

## **SB2903 Ban Flavored Tobacco**

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH:

- Sen. Rosalyn Baker, Chair; Sen. Stanley Chang, Vice Chair

COMMITTEE ON JUDICIARY:

- Sen. Karl Rhoads, Chair; Sen. Jarrett Keohokalole, Vice Chair,
- Thursday Feb. 13th, 2020: 9:00 am
- Conference Room 016

## **Hawaii Substance Abuse Coalition Supports SB2903:**

GOOD MORNING 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 tobacco products can help to reduce the danger to children from vaping, which is a growing major public health concern.

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

Date: February 11, 2020

To: The Honorable Roslyn H. Baker, Chair  
The Honorable Stanley Chang, Vice Chair  
Members of the Committee on Commerce, Consumer Protection, and Health

The Honorable Karl Rhoads, Chair  
The Honorable Jarret Keohokalole, Vice Chair  
Members of the Committee on Judiciary

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

Re: Strong Support for SB2903, Relating to Flavored Tobacco Products

Hearing: Thursday, February 13 at 9:00am at Capitol Room 016

---

Thank you for the opportunity to submit testimony in SUPPORT of SB2903, which would prohibit the sale and distribution of flavored tobacco products.

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 gone so far as to declare youth e-cigarette use 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 young people 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.

The banning of flavored tobacco products is an imperative next step in tobacco control, if we are committed to protecting the health and well-being of our communities. Therefore, we urge you to support this measure and prohibit the sale of all flavored tobacco products in the State of Hawaii.

Mahalo,

Student Health Advisory Council

## **Testimony in Support of RE: Relating to Flavored Tobacco Products**

Hawaii Dental Hygienists' Association

Feb 10, 2020

Dear Chair Baker, Chair Rhoads and Respected Members of the Committee on Commerce, Consumer Protection and Health and the Committee on Judiciary:

The Hawaii Dental Hygienists' Association (HDHA) strongly **supports SB 2903** which proposes to amend Chapter 712, HRS by prohibiting the sale or distribution of flavored tobacco products, as well as the mislabeling and selling such products as nicotine-free.

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

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

As the largest association representing Hawaii's licensed dental hygienists', HDHA strongly **supports SB 2903** to ban the sale of flavored tobacco products in Hawaii. Dental hygienists strive daily to educate patients on ways to improve their oral health, which includes discussing the harmful effects of smoking and tobacco related products. We look forward to working with lawmakers toward our common goal of increased health and decreased dental disease in our great State.

Thank you for your time and consideration.

**SB-2903**

Submitted on: 2/10/2020 11:39:31 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elena Cabatu	Testifying for Hilo Medical Center	Support	No

Comments:

Hilo Medical Center stands in strong support for SB 2903.



**SB-2903**

Submitted on: 2/11/2020 2:27:49 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Loren	Testifying for West Hawaii Community Health Center	Support	No

Comments:

As a community health educator, I support the flavor ban on tobacco products in Hawaii.

**Written Testimony Presented Before the  
Senate Committee on Commerce, Consumer Protection, and Health  
and  
Senate Committee on Judiciary**

**Hearing: February 13, 2020, 9:00 AM  
State Capitol, Conference Room 016**

By Hawaii – American Nurses Association (Hawaii-ANA)



**SB 2903 RELATED TO FLAVORED TOBACCO PRODUCTS**

Chair Rosalyn H. Baker, Vice Chair Stanley Chang, and members of the Senate Committee on Commerce, Consumer Protection, and Health, and Chair Senator Karl Rhoads, Vice Chair Jarrett Keohokalole, and members of the Senate Committee on Judiciary, thank you for this opportunity to provide testimony in strong support for SB 2903. This bill seeks to ban the sale of flavored tobacco products.

We are members of the American Nurses Association of Registered Nurses in Hawaii. As a profession, we advocate for the health of vulnerable populations in our community. Measures in this bill will help to protect protect young people in our community from these predatory flavored tobacco products and a lifetime of addiction. Health hazards of tobacco products are well known. This is a place where we can intervene as a community to influence the health habits of our young population. In establishing penalties for the retailers, we believe this bill shifts responsibility to the tobacco retailers for exposing young people to health-hazardous vaping behaviors.

We respectfully request that SB2903 pass out of this committee. Thank you for your continued support for measures that address the healthcare needs of our community.

Contact information for Hawaii – American Nurses Association  
President: Katie Kemp, BAN, RN-BC  
Executive Director Dr. Linda Beechinor, APRN-Rx, FNP-BC  
phone (808) 779-3001  
500 Lunalilo Home Road, #27-E  
Honolulu Hawaii USA 96825

[president@hawaii-ana.org](mailto:president@hawaii-ana.org)  
[executivedirector@hawaii-ana.org](mailto:executivedirector@hawaii-ana.org)



**SB-2903**

Submitted on: 2/10/2020 8:10:21 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

Comments:

The Hawaii Chapter of the American Academy of Pediatrics supports 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.

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.



American Cancer Society  
Cancer Action Network  
2370 Nu`uanu Avenue  
Honolulu, Hawai`i 96817  
808.432.9149  
[www.acscan.org](http://www.acscan.org)

Committee on Commerce, Consumer Protection, and Health  
Senator Rosalyn Baker, Chair  
Senator Stanley Chang, Vice Chair

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

**SB 2903 – RELATING TO FLAVORED TOBACCO PRODUCTS**

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

Thank you for the opportunity to provide testimony in support of SB 2903, which prohibits the sale of flavored tobacco products beginning January 1, 2021.

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

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

Flavored Tobacco Products

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

While cigarette smoking rates have declined significantly in recent years, the use of electronic cigarettes has been skyrocketing, especially among youth. During the one-year period between 2017 and 2018, among high school students who currently used e-

cigarettes, use of flavored e-cigarettes increased as well. Use of any flavored e-cigarette went up among current users from 60.9 percent to 67.8 percent, and menthol use increased from 42.3 percent to 51.2 percent among all current e-cigarettes users – including those using multiple products – and from 21.4 percent to 38.1 percent among exclusive e-cigarette users. Flavors in tobacco products are frequently listed as on the top three reasons youth use e-cigarettes. Additionally, kids whose first tobacco product was flavored are more likely to become current tobacco users than those whose first product was tobacco flavored. Furthermore, evidence indicates that many young people who use e-cigarettes also smoke cigarettes. There is some evidence that young people who use e-cigarettes may be more likely to smoke cigarettes in the future. Using nicotine in adolescence may also increase risk for future addiction to other drugs.

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

#### Menthol use in tobacco products

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

For these reasons we support this measure. Thank you for the opportunity to provide testimony on this important matter.



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

***Empowering Filipino Women in Leadership is our Core Value***

February 10, 2020

Senate Committee on Commerce, Consumer Protection and Health  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Senate Committee on Judiciary  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

**RE: Support for SB2903, Relating to Flavored Tobacco Products**

Dear Chairs Baker and Rhoads, Vice Chairs Chang and Keohokalole, and Members:

The Filipino Business Women's Association of Hawaii **supports SB2903, Relating to Flavored Tobacco Products, which would ban the sale of flavored tobacco products**

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 SB2903, Relating to Flavored Tobacco Products**, and other measures aimed at curbing the e-cigarette epidemic among our youth.

Very sincerely,

Fe Edita M. Velasco  
President



**LATE**



## FILIPINO NURSES ORGANIZATION OF HAWAII

### EXECUTIVE OFFICERS 2019-2021

Amie Guillermo, RN, CM  
**President**

Charmen Valdez, BSN, RN, CM  
**President-Elect**

Donalyn Baldeviso, BSN, RN  
**1st Vice President**

Myra Baided, BSN, RN  
**2nd Vice President**

Meynard Duyao, BSN, RN, CM  
**Secretary**

Melkarth John Raqueno MSN/Ed, RN  
**Assistant Secretary**

June Racela BSN, RN  
**Treasurer**

Merlyme Goze-Lim BSN, RN  
**Assistant Treasurer**

Windel Yabes BSN, RN  
**Auditor**

### BOARD OF DIRECTORS

Amy Dela Cruz, BSN, RN, RNC

Agnes Reyes, RN, CM

Flordeliza Supnet, BSN, RN, CM

Josephine Rojas, RN

Luanne H. Long, BSN, RN, CM

Lolita E. Ching, APRN-RX, FNP-BC, MSN, CCRN, RN

Margie Berueda, RN, CM

Nora Palma BSN, RN, CM

Rosalinda Malalis, RN, CM

Stephanie Chung DNP, RN

Arceli Quibar

**The Late Ines Cayaban, RN**  
**FNOH Founder**

### Accountant

CS Accounting and Tax Services

Stephen E. Callo, CPA

Matthew Smith, CPA

### Legal Counsel

Durrett & Lang, LLLP

Jonathan S. Durrett, Esq

Adam G. Lang, Esq

### 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 SB2903, Relating to Flavored Tobacco Products

Dear Legislators:

The Filipino Nurses Organization of Hawaii supports SB2903, Relating to Flavored Tobacco Products.

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 SB2903, Relating to Flavored Tobacco Products, and other measures aimed at curbing the e-cigarette epidemic among our youth.

Sincerely,

Amie Guillermo, RN  
President



## HAWAI'I COMMUNITY FOUNDATION

February 11, 2020

Senate Committee on Commerce, Consumer Protection, and Health

Senate Committee on Judiciary

Hearing: 9:00 a.m., February 13, 2020

Hawaii State Capitol Room 16

Re: SUPPORT for SB 2903, Relating to Flavored Tobacco Products

Aloha Chair Baker, Chair Rhoads, Vice-Chairs Chang 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 strongly supports SB 2903. 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.<sup>1</sup> Among students 12-17 years old who ever used a tobacco product, 81% started with a flavored product.<sup>2</sup> Marketing of flavors to our keiki is being used to create a new generation of nicotine dependents, with long-term adverse health consequences to our state.

HCF strongly recommends including menthol as a prohibited flavor in SB 2903. Menthol in combustible cigarettes makes the smoke smoother and less harsh on the throat so that the smoke is easier to inhale deeply. 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 SB 2903, 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 negative health outcomes for certain island populations.

---

<sup>1</sup> 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.

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

**SB-2903**

Submitted on: 2/10/2020 11:19:49 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

Comments:

**Strongly Support SB 2903**

- 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.

Protect our keiki from corporate exploitation and addiction.

[www.WeAreOne.cc](http://www.WeAreOne.cc)

**SB-2903**

Submitted on: 2/11/2020 5:04:23 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

Comments:

We are strongly opposed to SB2903 that would take freedom of choice away from adult smokers or vapers.

[www.hawaiismokersalliance.net](http://www.hawaiismokersalliance.net)



**TO:** The Honorable Rosalyn H. Baker, Chair  
The Honorable Stanley Chang, Vice Chair  
Senate Committee on Commerce, Consumer Protection & Health

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

**FROM:** Philip J. Bossert, Executive Director  
Hawaii Association of Independent Schools

**RE:** SB 2903 - RELATING TO FLAVORED TOBACCO PRODUCTS – In Support

**DATE:** Thursday, February 13, 2020; 9:00 AM, Conference Room 016

Aloha Chairs Baker and Rhoads, Vice Chairs Chang and Keohokalole, and Members of the Committees:

The Hawaii Association of Independent Schools (HAIS) supports SB 2903.

HAIS is a membership organization that currently represents 102 of Hawaii’s independent K-12 schools; and, through its subsidiary, the Hawaii Council of Private Schools (HCPS), licenses all 119 private K-12 schools in the State.

Approximately 38,000 children attend these 119 private schools and all of them – especially those students of middle school and high school age – are endangered by the current vaping epidemic sweeping the country. Vaping not only endangers the health of students in the present, but likely also for the rest of their lives.

HAIS and its member schools support SB 2903 because, in banning the sale of flavored tobacco products – including menthol-flavored tobacco products – and increasing the penalties for the purchase of e-cigarettes by persons under the age of 21, it will make vaping both less attractive and more difficult to pursue by elementary and secondary school students and help to protect the current and future generations of Hawaii’s citizens.

Thank you for the opportunity to submit testimony and we look forward to working with you as this important measure moves through the legislative process.



Testimony of Kimo Haynes,  
President of the Hawaii Petroleum Marketers Association

**OPPOSING SENATE BILL 2903, RELATING TO FLAVORED TOBACCO PRODUCTS**

Senate Committee on Commerce, Consumer Protection & Health  
The Honorable Rosalyn Baker, Chair  
The Honorable Stanley Chang, Vice Chair

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

Thursday, February 13, 2020 at 9:00 a.m.  
Hawaii State Capitol, Conference Room 016

Chairs Baker and Rhoads, Vice Chairs Chang and Keohokalole, and members of both Committees,

I am Kimo Haynes, president of the Hawaii Petroleum Marketers Association (“HPMA”). HPMA is a non-profit trade association comprised of members who directly market liquid motor fuel products across the Hawaiian Islands. Our membership includes individuals and companies who operate as independent marketers, jobbers or distributors of petroleum products and who buy liquid motor fuel products at the wholesale level and sell or distribute products to retail customers, other wholesalers, and other bulk consumers.

Senate Bill 2903 would ban the sale of flavored tobacco products, effective January 1, 2021.

HPMA supports the strict enforcement of laws that limit access to tobacco products by underage persons and penalize violators who sell tobacco products to underage persons. **However, HPMA specifically opposes provisions in SB 2903 that prohibit the sale of all flavored tobacco products to persons who are of legal age.**

HPMA prefers language that prohibits the sale or distribution of flavored tobacco products, *except menthol or mentholated cigarette, e-liquid and smokeless tobacco products*, in the state of Hawaii.

In addition, while HPMA favors strict enforcement of laws regulating access to tobacco products, we are concerned that granting individual counties the ability to pass ordinances that are stricter than State law will result in varying restrictions from county to county that make

Opposition to SB 2903, Relating to Flavored Tobacco Products  
Senate Committee on Commerce, Consumer Protection & Health  
Senate Committee on Judiciary  
Hawaii State Capitol, Room 016  
Thursday, February 13, 2020 at 9:00 a.m.  
Page 2

compliance for retailers difficult. We respectfully recommend having a uniform statewide law and suggest deleting the following section from the Proposed HD 1: **§712 - \_\_\_\_ Sale of flavored tobacco products, (5)**, *“Notwithstanding any other law to the contrary, any county may adopt a rule or ordinance that places greater restrictions on the access to flavored tobacco products than provide for in this section. In the case of a conflict between the restrictions in this section and any county rule or ordinance regarding access to flavored tobacco products, the more stringent restrictions shall prevail.”*

Thank you for allowing HPMA the opportunity to submit written testimony on this bill.

**SB-2903**

Submitted on: 2/11/2020 12:38:38 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Azuma	Testifying for Vape Kings LLC	Oppose	No

Comments:

I strongly OPPOSE SB2903. Vape Kings LLC, which I own and operate, consists of two branches and 10 employees. Our mission is to aid Adult Smokers (21+), first in replacing combustible cigarettes, and eventually to reduce nicotine consumption altogether. At no point do we encourage underage use, and actively verify age upon entry and purchase for 100% of the products we sell. We do not manufacture any E-liquids or ENDS and rely on FDA compliant suppliers to provide the highest quality products currently on the market. FDA compliance includes, but is not limited to, Marketing Restrictions on Packaging and Warning Labels, as well as labeling with regard to printed Nicotine content.

The bottom line is that flavors matter. As a bar with only one flavor of alcohol, and no mixers of any kind would fail. We too would be rendered out of business with the passage of any type of "flavor ban" which is what this bill essentially is. Following this thought, as we do not "mix" or alter any E-liquids prior to sale, we offer only the highest quality end-product to our customers. Black Market products are dangerous, and in our absence, consumers will have no other option. Reasonable regulation, which includes the 21+ age restriction, along with FDA guidance, rather than prohibition, is undoubtedly the best practice.

Washington State, which issued emergency action to combat deaths associated with Black Market (Vitamin E Acetate containing cannabis products) have included amendments following further due diligence, to include flavors, given that regulation is far safer for the consumer than prohibition itself.

Thank you for your time and consideration.



Paul Azuma

Owner

Vape Kings LLC

1915 S. King Street

Honolulu, HI 96826

**SB-2903**

Submitted on: 2/9/2020 5:37:21 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

## Comments:

We Strongly oppose bill SB2903. First of all, this bill infringes on the freedom of ADULTS. Vaping/Smoking is an adult activity. The freedom of adults should not be infringed upon due to under aged people breaking the law, and bad parenting! Alcohol use is nearly identical to vaping use among Hawaii high school students according to a 2017 report by the Hawaii Department of Health. Although vaping use is identical to drinking alcohol among teens in Hawaii, Alcohol is never a target. Why? Alcohol has just as many or more flavors and vape products. Adults like flavors also!

Secondly this bill mentions the vaping injury's of 2019. If the authors of this bill researched properly, they would find that in November 2019 the US Center for Disease Control has found that the vaping injuries were linked to Vitamin E Acetate that were in illegal black market THC vape cartridges not store bought items. Illegal THC products caused the mass vape hysteria in 2019 not legal store bought vape.

Also SB2903 would take the livelihood away of hundreds of people in Hawaii that are employed by vape shops. The vape shops in Hawaii are run by small mom and pop stores not owned by big tobacco. This bill would devastate these businesses forcing all of them to close including my native Hawaiian owned business and my 30 employees. This is not fair to businesses such as my own that works hard to keep ecig and tobacco out of the hands of minors. We are doing the right things to prevent minors from acquiring tobacco/vape products! We just spent over \$25,000 for specialized software at our chops that scan IDs to further support our employees finding under age and fake IDs. Doing business in Hawaii is very hard due to over regulation, competition from Big Box stores, Online competition, and others. Hawaii ranks near dead last when it comes starting a business. Please support small business in Hawaii with sensible legislation!

Finally just a couple of years ago legislators answer to underage smoking and vaping was to raise the age to purchase tobacco products to 21. Did it work? NO! This legislation took freedoms away from adults, has failed horribly and has made the problem worse. Why hasn't any legislator mentioned or taken responsibility for this failed law? SB2903 will only hurt Hawaii business, take away peoples freedoms and open up the black market on flavored vapes. This is INSANE! Prohibition does not work!

Stop taking away peoples freedoms and find real solutions! A good start is SB2049. Start punishing underage people for using vape. Do not punish adults and businesses for the actions of teens. Teen texting and driving is illegal but happens very often. Are adults banned from driving due to this? Please make sensible laws and stop infringing on the rights of adults.

Thank you for your time in reading this testimony. Support FREEDOM of adults, small business and do not take away freedoms due to minors breaking the law and bad parenting.

# HUI NO KE OLAPONO

95 Mahalani St. Rm #21

Wailuku, HI 96793

P - (808)244-4647, F – (808)442-6884

**Hui No Ke Ola Pono strongly supports** banning the sale of flavored tobacco products for these reasons:

Lack of tobacco regulations on e-cigarettes has led to astronomical levels of youth vaping in Hawai'i. In order to reverse the alarming trend, Hawai'i must enact policies that create uniform regulations across all tobacco products, as well as allowing counties to create local solutions.

The tobacco industry claims that they're not targeting kids, but with more than 15,500 flavors, who is the industry really targeting. With flavors like "Blue Raspberry Sour Straws", "Cookie Monsta," or "Maui Mango" the answer is clear. Flavors are designed to appeal to kids, while nicotine gets them hooked for life.

## **Some troubling facts:**

- In 2017, 25.5% of Hawai'i high schoolers reported ever using an electronic smoking device.
- Hawaii has the highest reported vaping rate among middle schoolers (15.7%) and the second highest vaping rate among high schoolers in the nation, just behind Colorado (Source: Hawaii YRBS, 2017)
- **32.3%** of Maui County high school students and **18.3%** of Maui County middle school students reported current use of e-cigarettes (2017)
- **41.7%** of Maui County Native Hawaiian high school students and **27.8%** of Maui County Native Hawaiian middle school students reported current use of e-cigarettes (2017)
- Only **4.7%** of adults in Hawaii reported current use of e-cigarettes (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
- 90% of adult smokers started by age 18, and 95% started by 21. The tobacco industry is quoted as saying that, "The base of our business is the high school student."

## **ACTIONS HAWAII CAN TAKE TO REDUCE YOUTH VAPING**

### **TAX E-CIGARETTES AS TOBACCO PRODUCTS**

E-Cigarettes are the only tobacco products without a tobacco tax. These products often contain nicotine, which is derived from tobacco, and have not been approved by the FDA for cessation. Thus, they should be regulated via taxation as a tobacco product.

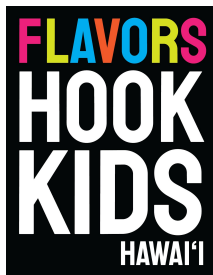
### **END THE SALE OF FLAVORED TOBACCO PRODUCTS**

Appealing flavors are driving the youth vaping epidemic. With thousands of kid-friendly flavors on the market and little regulation, the industry has no incentive to stop selling flavors like Strawberry Milk Moo or Blue Raz Cotton Candy.

#### **RESTORE COUNTY AUTHORITY TO TAKE ACTION**

Counties need and want the ability to address youth vaping in their communities, but are prevented by state law. Changing the state law to give counties the authority to regulate the sale of e-cigarettes will allow for local solutions.

Mahalo a nui loa for your time and consideration.



To: Senator Rosalyn Baker, Chair Commerce Consumer Protection & Health  
Senator Karl Rhoads, Chair Judiciary

Re: Support: SB2903, Relating to Flavored Tobacco Products

Hearing: Thursday, February 13, 2020 at 9:00am in Room 016

Dear Chairs, Vice Chairs, and Members of the Committees,

The Flavors Hook Kids HI Campaign is pleased to submit this written testimony in **STRONG SUPPORT of SB2903** to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawai'i.

Flavors Hook Kids Hawai'i is working to protect our keiki by prohibiting the sale of all flavored tobacco products, including menthol, to prevent the tobacco industry from enticing children with these flavors. Endorsed by more than 200 organizations, community leaders and advocates, this 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."<sup>1</sup> 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%.<sup>2</sup> It is clear that we must act and we must act now.

---

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

<sup>2</sup> CDC, "Tobacco Use is Rising" February 2019 Report.

**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.<sup>3</sup>

**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."<sup>4</sup>

**Flavored Tobacco Products Are Prevalent** A 2009 federal law, the Family Smoking Prevention and Tobacco Control Act, prohibited the sale of candy and fruit flavored cigarettes, but did not include menthol or tobacco flavors. While overall cigarette sales have been declining since the 2009 law, the number of smokers using *menthol* cigarettes, which was excluded, has been increasing.<sup>5</sup> Menthol cigarettes made up 36 percent of the market in 2018.<sup>6</sup>

As of 2017, researchers identified more than 15,500 unique e-cigarette flavors available online.<sup>7</sup> 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

---

<sup>3</sup> 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.

<sup>4</sup>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>

<sup>5</sup> Villanti, A., et al., "Changes in the prevalence and correlates of menthol cigarette use in the USA, 2004–2014," *Tobacco Control*, 25(Suppl 2):ii14-ii20, 2016.

<sup>6</sup>U.S. Federal Trade Commission (FTC), *Cigarette Report for 2018*, 2019,  
<https://www.ftc.gov/system/files/documents/reports/federal-trade-commission-cigarette-report-2018-smokeless-tobacco-report-2018/p114508cigarettereport2018.pdf> [data for top 5 manufacturers only].

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

used in the past for marketing conventional tobacco products to youth and young adults.”<sup>8</sup> 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.<sup>9</sup>

**Flavored Tobacco Products Are Popular Among Youth** 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. 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.*

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.<sup>10</sup> 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.<sup>11</sup> Another national survey found that 97% of current youth e-cigarette users have used a flavored e-cigarette in the past month.<sup>12</sup> 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.”<sup>13</sup>

The Surgeon General has concluded that, “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”<sup>14</sup> The manufacturer of JUUL, the most popular e-cigarette, claims that each JUUL pod contains as much nicotine as a pack of twenty cigarettes. Youth use of e-cigarettes also increases the risk for trying more dangerous combustible products. A 2018 report from the National Academies of Science, Engineering & Medicine found that “There is substantial evidence that e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults.”<sup>15</sup> It is critical for any policy restricting sales of flavored tobacco products to include e-cigarettes.

---

<sup>8</sup>HHS, *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.

<sup>9</sup>Marynak, 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>.

<sup>10</sup>FDA, “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](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).

<sup>11</sup>Cullen, KA, et al., “e-Cigarette Use Among Youth in the United States, 2019” *JAMA*, published online November 5, 2019.

<sup>12</sup>FDA, “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>.

<sup>13</sup>FDA, “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>.

<sup>14</sup>HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*.

<sup>15</sup>National 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>.



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.<sup>16</sup>

**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. Youth are penalized 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. These young people are now addicted for life. 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.** Prohibiting the sale of all flavored tobacco, including menthol cigarettes and mentholated flavors in general is an important step toward protecting our keiki from the tobacco industry's aggressive efforts to hook children to a deadly, addictive product.

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](mailto:liza@flavorshookkidshi.org)

---

<sup>16</sup>TPSAC, *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  
Cassiopia 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  
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



**LATE**

Testimony in SUPPORT SB 2903 Relating to Flavored

To: Committee on Commerce, Consumer Protection and Health  
Senator Rosalyn Baker, Chair  
Senator Stanley Chang, Vice Chair

Re: Testimony in SUPPORT of SB 2903 Relating to Flavored Tobacco Products

Keiki Injury Prevention Coalition (KIPC) supports SB 2903 which bans the sale of flavored tobacco products.

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

E-cigarettes, particularly JUUL products that come with appealing flavors are very popular with tweens and teens. Marketing and peer pressure have led to this popularity. Flavoring and the sweet odors of these products mask the dangers of using JUUL and other products that contain flavored tobacco. Consuming these potent addicting products can lead to live-long illnesses. Vaping entrepreneurs have been using strategies from tobacco companies to market their products directly to children. Add-on products like flavored tobacco make the product very appealing to tweens and teenagers. Friends and younger siblings are eager to try a new cool activity, this increases peer pressure of being a part of the “in group” which might lead a teen’s decision to use tobacco products.

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

If this bill passes, Hawai’i will lead the nation in showing how we value our children’s health and safety by banning flavored tobacco products. Please pass this bill, SB 2903.

Mahalo,

Lisa Dau, RN  
Injury Prevention Coordinator  
Keiki Injury Prevention Coalition



February 13, 2020  
State Capitol, Conference Room 016

**To:** Senator Rosalyn Baker, Chair  
Senator Stanley Chang, Vice Chair  
Committee on Commerce, Consumer Protection, and Health

Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

**From:** Maile Ketelsen, Program Coordinator  
Kapi'olani Smokefree Families: Tobacco & Nicotine Cessation Program

**Re: Strong Support of SB 2903, Relating to Flavored Tobacco Products**

Kapi'olani Smokefree Families, the tobacco & nicotine cessation program at Kapi'olani Medical Center for Women & Children, **strongly supports SB 2228 to ban the sales of flavored tobacco products and prohibit the mislabeling of e-liquid products containing nicotine.**

At Kapi'olani Medical Center for Women & Children, we often treat pediatric and adult patients who are adversely affected by tobacco products in multiple ways. For the past few years, we have seen an increasing number of teenagers and young children coming in who are screening positive for e-cigarette or vape use.

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

One of the biggest concerns with e-cigarettes is the lack of longitudinal studies on health and safety of these products. It took decades for the harmful side-effects of combustible cigarettes to become well-known, and we do not want our youth to be the ones to suffer from any potential health effects of e-cigarettes or vape products. We cannot sit by as a generation of adolescents becomes addicted to nicotine because of these flavored products.

In the best interest of our local youth, we would like to request your **support of SB 2903** to ban all flavored tobacco products. If the products cease to be appealing, are made more inaccessible, and more education is provided to our keiki about the health risks of using these products, we may help to avoid the damage caused by the tobacco and vaping industries. Thank you for the opportunity to provide testimony on this measure.

February 12, 2010

**RE: SB 2903**

**Relating to Flavored Tobacco Products**

Dear Senators:

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

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

E-cigarette manufacturers are aggressively marketing their products to our most vulnerable community members including kids, teens, and young adults.

We strongly support of **SB 2903**, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes. As such, we urge you to pass this Bill.

Thank you very much for allowing us to testify.

Sincerely,

Paula Adams  
Amy Asselbaye  
Michael Broderick  
Joy Barua  
Susie Chun Oakland  
Jennifer Dang  
Stacy Evensen

Ray L'Heureux  
Daniel Leung  
May Okihiro  
Diane Tabangay  
Tina Tamai  
Jordan Smith

**SB-2903**

Submitted on: 2/11/2020 4:10:03 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jasha	Testifying for Tobacco Free	Support	No

Comments:

It's very plain and simple, we need to protect the people we care about. I support the flavor ban on tobacco products in Hawai'i.

**SB-2903**

Submitted on: 2/11/2020 3:29:16 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
DOC	Testifying for Irie Hawaii Waimea	Oppose	No

Comments:



**SB-2903**

Submitted on: 2/11/2020 4:09:34 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Liana Kelen	Testifying for Youth Tobacco Free	Support	No

Comments:

As a freshman at Kealakehe High School, I strongly support to ban tobacco.



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



# VOLCANO®

February 12, 2020

To: The Honorable Rep Chris Lee, Chair  
The Honorable Rep San Buenaventura, Vice Chair  
Committee on Judiciary

**LATE**

From: Cory Smith, VOLCANO eCigs  
CEO and Owner

RE: SB 2903 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes is the largest independent retailer & wholesaler of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 15 locations statewide and employ over 80 full-time workers to support sales of our products not only here in Hawaii, but to most USA states as well as over 30 International countries. We stand in opposition to SB 2903 for the following:

- Most recently, the FDA has issued updated guidance on vapor products which limit a flavor restriction to prefilled pods such as the Juul device which has been proven in the recent CDC Youth Tobacco Risk Survey to be the #1 brand choice for youth usage. This is a measured approach to an issue The FDA purposefully left the “open tank” market off their guidance for flavor restrictions because they want to keep the adult users and industry participants insulated from a blanket ban that would send adults back to cigarettes and put 15,000 small businesses out of business & 100,000 people out of work nationally.
- SB 2903 will deny current combustible tobacco smokers vital products needed to help them quit smoking. Furthermore, a flavor ban would no doubt force the closure of over 50+ businesses in Hawaii and immediate loss in employment as well as retail leases and supporting businesses. It's the small independent vape shops which play a vital role in helping adults make a successful transition off tobacco cigarettes, not convenience stores.
- To date there is no manufacturer that sells as successful line of unflavored eliquid to legal adult users 21+. These products rely heavily on their ability to offer flavor diversity to adults to increase their success in secession rates from tobacco cigarettes.
- A flavor ban would force a black market “Do it yourself” experimental market due to the massive adult population who currently use these products in Hawaii. Currently, all products being distributed by Hawaii vape shops are third party batch tested and registered with the FDA with assigned TP numbers. The factories manufacturing the products that currently sit on the shelves are quality controlled. The black-market conditions which would arise from the passing of this bill would inflict a huge quality void in the market and expose the adult population to greater risks. The unintended consequences of this bill outweigh the hypothetical gain.
- Flavored alcohol products remain in plentiful abundance at every retail outlet even with high rates of youth usage, associated death and disease, in addition to all the addiction and abuse of those items as well. The vapor category is being held to a different standard in regards to flavors on the



retail market. Its potential to be a risk reduction tool is proven to assist adults in a path off of using the known killer of tobacco cigarettes and should be supported instead of denied the single largest public health with of our lifetime.



- Vapor products and e-liquids contain NO tobacco, often times contain NO nicotine, and ultimately emit NO smoke when vaporized; yet SB 2903 deceptively refers to vapor products as “Electronic Smoking Devices” to mislead the public and creates a false perception of the nature of these products. This misclassification establishes the idea that vapor products are the same as tobacco products and thus, should be viewed, controlled, and perceived the same way as traditional tobacco products. This is a complete disregard of the fact that vapor products are fundamentally different from tobacco products in every way.

- SB 2903 states in its justification that the bill and its regulations are needed to curb youth usage. However, it fails to mention the latest available CDC report that shows youth use of all tobacco products, including e-cigarettes are at the lowest levels ever. Furthermore, a study done the following year at the University of Michigan found that the majority of youth who have reported using e-cigarettes are not using e-liquids that contain nicotine - further suggesting that youth who do use e-cigarettes are doing so to replace the use of traditional tobacco.

o <https://www.cdc.gov/media/releases/2017/p0615-youth-tobacco.html>



- The most Recent CDC report has shown e-cigarettes have supplanted all other traditional nicotine replacement therapies and are now the most commonly used product by consumers to quit using traditional tobacco cigarettes

- [http://www.journalnow.com/business/business\\_news/local/cdc-report-shows-moresmokers-try-to-quit-with-e/article\\_a33383f3-5300-5178-9f14-28b52884c45c.html](http://www.journalnow.com/business/business_news/local/cdc-report-shows-moresmokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html)

- A recent study published by the New England Journal of Medicine concluded that ECigarettes are twice as effective for smoking cessation than traditional nicotine replacement therapy products which are not taxed or controlled the same way this bill proposes to tax and control E-Cigarettes. The state should be creating easier access for these products, not tighter regulations that steers vapers back towards tobacco cigarettes

- <https://www.nejm.org/doi/full/10.1056/NEJMoa1808779>

- A recent study by the National Academy of Sciences, Engineering, and Medicine stated: "there is conclusive evidence that completely substituting e-cigarettes for combustible tobacco cigarettes reduces users' exposure to numerous toxicants and carcinogens present in combustible tobacco cigarettes." The findings add to the already weighty body of evidence showing vaping to be far less hazardous than smoking.

- <http://www.washingtonexaminer.com/landmark-e-cigarette-report-explodes-myththat-vaping-is-as-toxic-as-smoking/article/2646804>

- [http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-ecigarettes.aspx?utm\\_source=Hootsuite&utm\\_medium=Dashboard&utm\\_campaign=SentviaHootsuite](http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-ecigarettes.aspx?utm_source=Hootsuite&utm_medium=Dashboard&utm_campaign=SentviaHootsuite)

- SB 2903 States in its justification that the use of licensing and permit fees will help “protect consumers, such as requiring retailers of e-liquids to obtain a retail tobacco permit”. We fail to see how requiring retailers to obtain a permit will translate to ‘protecting the public’. Rather, it will simply burden the 50+ small businesses operating in the vapor products industry with unnecessary fees and bureaucratic hurdles.

- Vapor Products are not the same as tobacco products, and thus, should not be regulated in the same fashion. Vapor products have not been demonstrated to have the same detrimental effects of combustible tobacco products and have otherwise been shown in recent studies to be as much as 95% less toxic than traditional Cigarettes. Creating extraneous regulations that aim to limit access only serves to protect deadly tobacco markets.

- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457102/ECigarettes\\_an\\_evidence\\_update\\_A\\_report\\_commissioned\\_by\\_Public\\_Health\\_England\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457102/ECigarettes_an_evidence_update_A_report_commissioned_by_Public_Health_England_FINAL.pdf)

- SB 2903's justification states that without taxing vapor products, “smokers may be tempted to purchase less expensive products such as e-liquid”. This is false. Virtually all e-cigarette starter kits and bottles of e-liquid are already higher priced in comparison to tobacco cigarettes. An average reusable electronic cigarette starter kit ranges in price from \$30 to upwards of \$300 depending on the device. Furthermore, a 15ml bottle of e-liquid (the smallest bottle size currently offered) is currently retailed at \$12.99 at all of our locations, which is nearly 33% more costly than a standard pack of cigarettes, yet it provides nearly the same amount of puffs.

- Most troubling is the fact that by subjecting vapor products to this proposed tax, the additional costs to consumers will likely result in the state seeing less tax revenue, and even worse, former smokers



returning to tobacco use. The tax will result in current vapor users purchasing from online vendors who would not be subject to state taxes. Local manufacturers, wholesalers and retailers would be put at a massive competitive disadvantage and most retail customers would send their money out-of-state effectively lowering the tax revenue already being generated by sales of vapor products here in the state. We would be unable to compete in other out-of-state and international markets with competitors who are not subjected to the same tax, which would put our local operations in severe jeopardy meaning an immediate loss of jobs and existing revenues. This bill would also effectively reduce access to a modified risk product that has been a public health win and would simply prop up and protect the proven deadly tobacco market.

It is our belief that this continuing unjustified classification and requirements are not in the best interests of the State of Hawaii. Thank you for your time and consideration. If you have any questions, please feel free to contact me directly.

Sincerely,

Cory N. Smith  
CEO & Owner  
VOLCANO eCigs  
197 Sand Island Access Rd. #213  
Honolulu, HI 96819  
[cory@volcanoecigs.com](mailto:cory@volcanoecigs.com)

February 10, 2020

To: Chair Baker  
Vice Chair Chang  
Senate Committee on Commerce, Consumer  
Protection, and Health

Chair Rhoads  
Chair Keohokalole  
Senate Committee on Judiciary

Re: **Strong Support** for **SB2903**

Aloha Chair Baker, Vice Chair Chang, members of the Senate Committee on Commerce, Consumer Protection, & Health, Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary:

Thank you for your dedication to community health and this opportunity to provide testimony in **strong support** for **SB2903**.

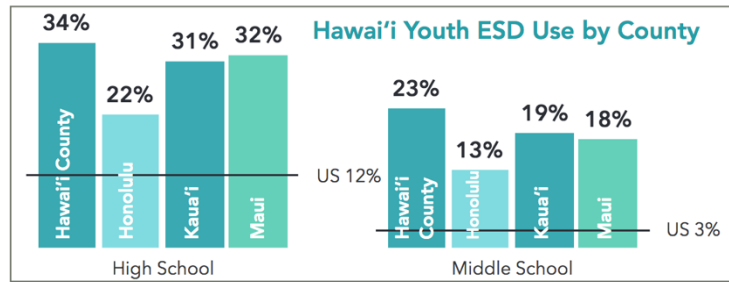
Kaho'omiki, the Hawai'i Council on Physical Activity and Nutrition, is a local non-profit that supports and encourages lifelong healthy lifestyles and closely works with organizations across the state to better the lives of all people—keiki to kūpuna.

It is clear that ESD use by youth is on an upward trend, and overwhelming data from local and national sources, including the Centers for Disease Control and Prevention (CDC), cite numerous safety and public health concerns with its use. The CDC notes that “young people who use e-cigarettes may be more likely to smoke cigarettes in the future.”<sup>1</sup>

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

---

<sup>1</sup> 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.



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

Thank you for this opportunity to testify in support of **SB2903**.

Sincerely,

Colby Takeda, MBA, MPH  
President, Kaho'omiki



**SB-2903**

Submitted on: 2/7/2020 6:47:54 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
24hourvapes	Individual	Oppose	No

Comments:

To whom it may concern,

I oppose this bill, because i have two Vapes shops with 9 employees and all of us have quit smoking with flavored eliquids, if this bill passes we all will be out of jobs, going back to smoking and I'll be stuck with my leases.

# Petition to Submit Testimony in Support of SB2903

Petition summary and background:	As Registered Dental Hygienists in the state of Hawaii, we are concerned that electronic smoking device (ESD) use among youth in Hawaii has reached epidemic levels. The toxic combination of nicotine and enticing flavors have made ESD use a preferred choice when compared to other tobacco products (ex. cigarettes). As oral health educators, it is our duty to inform our patients of the risks caused by smoking/vaping tobacco products (oral cancer, periodontal disease, tooth loss). We can avoid future nicotine addiction of our youth by addressing the problem now.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now to SUPPORT SB2903 and ban the sale of flavored tobacco products in an effort to stop this addicting behavior for the sake of our youth.

Printed name	Signature	Address	Comment	Date
Christopher Gamboa, RDH	<a href="mailto:gamboac@hawaii.edu">gamboac@hawaii.edu</a>			
Jennifer Takata, RDH	<a href="mailto:jen.takata@gmail.com">jen.takata@gmail.com</a>			
Catherine Nakamura, RDH	<a href="mailto:katynak@yahoo.com">katynak@yahoo.com</a>			
Darlee Motosue, RDH	<a href="mailto:dkmotosue@yahoo.com">dkmotosue@yahoo.com</a>			
Justin Larson, RDH	<a href="mailto:stanton6@hawaii.edu">stanton6@hawaii.edu</a>			
Jason Wolf, RDH	<a href="mailto:wolfrdh@gmail.com">wolfrdh@gmail.com</a>			
Linda Austin, RDH	<a href="mailto:wlmtbooks@gmail.com">wlmtbooks@gmail.com</a>			
Ariel Ita, RDH	<a href="mailto:ariel1214@yahoo.com">ariel1214@yahoo.com</a>			
Shyla Fermahin, RDH	<a href="mailto:shylakf@hawaii.edu">shylakf@hawaii.edu</a>			
Kristin Gastineau, RDH	<a href="mailto:rdh@gmail.com">rdh@gmail.com</a>			
Teri Matsumura, RDH	<a href="mailto:tealent@aol.com">tealent@aol.com</a>			
Michelle Sherman, RDH	<a href="mailto:michelleraesherman@gmail.com">michelleraesherman@gmail.com</a>			
Marcie Wong, RDH	<a href="mailto:marz656@hotmail.com">marz656@hotmail.com</a>			
Daphne Yoshikawa, RDH	<a href="mailto:aleasfrd@yahoo.com">aleasfrd@yahoo.com</a>			
Lori Tamayori, RDH	<a href="mailto:misoyucky@gmail.com">misoyucky@gmail.com</a>			
Lindsey Serapion Peralta, RDH	<a href="mailto:serapionperalta@gmail.com">serapionperalta@gmail.com</a>			
Rhonda Tengan, RDH	<a href="mailto:rhondah212@gmail.com">rhondah212@gmail.com</a>			
Grace Gamboa, RDH	<a href="mailto:strwbrymochi@gmail.com">strwbrymochi@gmail.com</a>			
Kim Schneider, RDH	<a href="mailto:kschneider@hawaii.rr.com">kschneider@hawaii.rr.com</a>			
Marilyn Nonaka, RDH	<a href="mailto:texaninhawaii@gmail.com">texaninhawaii@gmail.com</a>			
Stacy Matsuyama Sekioka, RDH	<a href="mailto:stsekioka@gmail.com">stsekioka@gmail.com</a>			

Printed name	Signature	Address	Comment	Date
Tabitha Kukahiko, RDH	<a href="mailto:tabitha4avon@yahoo.com">tabitha4avon@yahoo.com</a>			
Holly Williams Hernandez, RDH	<a href="mailto:Holly11williams@gmail.com">Holly11williams@gmail.com</a>			
Christina Rocetes, RDH	<a href="mailto:christinalc57@gmail.com">christinalc57@gmail.com</a>			
Anna Akaka, RDH	<a href="mailto:annaakaka@gmail.com">annaakaka@gmail.com</a>			
Candace Kawakami, RDH	<a href="mailto:denniskawakami@hawaii.rr.com">denniskawakami@hawaii.rr.com</a>			
Tori Clegg, RDH	<a href="mailto:tclegg09@gmail.com">tclegg09@gmail.com</a>			
Alissa Lee, RDH	<a href="mailto:lalissalee@gmail.com">lalissalee@gmail.com</a>			
Barbara Pfuhl, RDH	<a href="mailto:barbarapfuhl@gmail.com">barbarapfuhl@gmail.com</a>			
Adrienne Ragasa, RDH	<a href="mailto:ragasaadrienne@gmail.com">ragasaadrienne@gmail.com</a>			
Tracy Furukawa, RDH	<a href="mailto:alanandracy@hawaiiintel.net">alanandracy@hawaiiintel.net</a>			
Charlyn Loria, RDH	<a href="mailto:charlyn.loria@yahoo.com">charlyn.loria@yahoo.com</a>			
Theresa Brown, RDH	<a href="mailto:terri4brown@aol.com">terri4brown@aol.com</a>			
Mavis Gushiken, RDH	<a href="mailto:mavisg808@hawaii.rr.com">mavisg808@hawaii.rr.com</a>			
Lauren Kam-Felipe, RDH	<a href="mailto:lkamfelipe@gmail.com">lkamfelipe@gmail.com</a>			
Megan Akamine, RDH	<a href="mailto:akaminemegan@gmail.com">akaminemegan@gmail.com</a>			
Ashley Lopez, RDH	<a href="mailto:aklopezz@yahoo.com">aklopezz@yahoo.com</a>			
Jessica Busby, RDH	<a href="mailto:jessica_mowder@hotmail.com">jessica_mowder@hotmail.com</a>			
Eileen Quinn, RDH	<a href="mailto:eileenquinn@gmail.com">eileenquinn@gmail.com</a>			
Yvonne Cobb, RDH	<a href="mailto:yfcobb@gmail.com">yfcobb@gmail.com</a>			
Nahokuheleiakeahuolu Keala, RDH	<a href="mailto:nahokukeala@gmail.com">nahokukeala@gmail.com</a>			
Jaimie Yuen, RDH	<a href="mailto:jyuen001@hawaii.rr.com">jyuen001@hawaii.rr.com</a>			
Kimi Yagi, RDH	<a href="mailto:kannyagi@gmail.com">kannyagi@gmail.com</a>			
Natasha Galarza, RDH	<a href="mailto:fongn@hawaii.edu">fongn@hawaii.edu</a>			
Nancy Tran, RDH	<a href="mailto:trann@hawaii.edu">trann@hawaii.edu</a>			
Kristine Aguon, UH student	<a href="mailto:kaguon@hawaii.edu">kaguon@hawaii.edu</a>			
Katy Nakamura, RDH	<a href="mailto:katynak@yahoo.com">katynak@yahoo.com</a>			
Nora Macaraeg, RDH	<a href="mailto:noramac1500@yahoo.com">noramac1500@yahoo.com</a>			
Emeraude Thai, RDH	<a href="mailto:amythai@msn.com">amythai@msn.com</a>			
Dawn Hillary Pascual, RDH	<a href="mailto:dawnhillaryp@gmail.com">dawnhillaryp@gmail.com</a>			
Leanne Higa, RDH	<a href="mailto:higalea@hawaii.edu">higalea@hawaii.edu</a>			
Kristine Osada, RDH	<a href="mailto:kmosada@gmail.com">kmosada@gmail.com</a>			
Jessica Lozano, RDH	<a href="mailto:jes_lozano@yahoo.com">jes_lozano@yahoo.com</a>			

Printed name	Signature	Address	Comment	Date
Gayle Chang, RDH	gchang50@gmail.com			
Mikiel Lina Agoy, RDH	m.linardh@gmail.com			
Lisa Forbes, RDH	lisa.forbes411@gmail.com			
Christen Coloma, RDH	christen.coloma@gmail.com			
Diana Santiago, RDH	dianafs7@hawaii.edu			
James Ruiz, RDH	james.amdc@gmail.com			
Michelle Ah Sam, RDH	mdahsam@hawaii.edu			
Kaylee Rafol, UHDH student	kayleer2@hawaii.edu			
Lisa Lee, UHDH student	lee48@hawaii.edu			
Julee Omore, RDH	juleeomori@gmail.com			
Gerraine Hignite, RDH	gerrainehignite@gmail.com			
Cassandra Miyashiro, RDH	cmiyashiro21@gmail.com			
Sandra Boggects, RDH	girlfriend1969@aol.com			
NeShone Gardner, RDH	kiananay@gmail.com			
Lehua Bolton, RDH	lehuakaala@yahoo.com			
Yvette Like, RDH	kaiulanu67@yahoo.com			
Vicki Phan, RDH	vickikuu@gmail.com			
Jackolyn Valenzuela, RDH	aloha.rdh@juno.com			
Kathy Oide, RDH	gkoide@hotmail.com			
Nicole Pikini, RDH	nicole.pikini64@gmail.com			
Nancy Wu, RDH	cmfact742002@gmail.com			
Mindy Otake, RDH	mindybatt54@gmail.com			
Tami Ryan, RDH	tamiryan808@gmail.com			
Lenora Marks, RDH	<a href="mailto:leimarks@yahoo.com">leimarks@yahoo.com</a>			
Janet Ancheta, RDH	janetancheta9@gmail.com			
Joycelyn Swan, RDH	jwan02@hotmail.com			
Beverly Duyan, RDH	duyan@hawaii.edu			
Dollcy Gebauer, RDH	dollcy@lonihomes.com			
Antonia Harrison, RDH	<a href="mailto:ninasant@hotmail.com">ninasant@hotmail.com</a>			
Melinda Lau, RDH	mellau@gmail.com			
Jennifer Pirie, RDH	<a href="mailto:jrpirie@gmail.com">jrpirie@gmail.com</a>			
Loreizl Cahinhinan, RDH	<a href="mailto:loreizl1@gmail.com">loreizl1@gmail.com</a>			





**LATE**

**SB-2903**

Submitted on: 2/12/2020 9:01:24 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rebecca Powell	Individual	Oppose	Yes

Comments:

I, like most good liberals OPPOSE this kind of bill. Being a liberal democrat is about people having a choice, in things such as abortion, LGBT status, and freedom to choose what products we want to enjoy. This ban bill goes against our basic values.

Vote Bernie 2020 :).

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:09:05 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kawaiolaakealoha Sanita	Individual	Support	No

Comments:

Hi I am Kawaiolaakealoha Sanita a 8th grade student ant Hana High and Elementary School. I'm here to say that tobacco products are very bad for not just minors but also adults to. Vapes, weed, cigaretts ec. are all very bad and for your phycical and metal health. I know the side affects that affect minors and adults. Smoking weed can sometimes cause certian peopls brain to react differently which can cause depression and suicidal thoughts. "Marijuana use has also been linked with depression and anxiety, and with suicidal thoughts among teens" says the Center for Disease Control and Pervation. What I read from them tells me that smoking can really harm everyone espesally teens. We as a comunnity need to stop tobacco and drug abuse for our generation.



Representative John Mizuno, Chair  
Chair Representative Bertrand Kobayashi, Vice Chair  
Members of the House Committee on Health

Thursday, February 13th, 2020 at 9:00 a.m.  
Hawaii State Capitol, Conference Room 016

### **In Strong Support for S.B. No. 2903, Relating to Flavored Tobacco Products**

Aloha chair Baker, Vice chair Chang and members of the committee. My name is Kaitlin Hazama and I am a graduate student at the Myron B. Thompson School of Social Work With a concentration in health. It has always been a deep passion of mine to advocate for vulnerable populations and for issues that I feel strongly about. With this being said, I am writing in strong support of S.B. No. 2903 which will ban flavored tobacco products.

It is clear that vape juice companies create fun packaging and fruit scented products in attempts to lure in youth. Although electronic cigarettes and flavored products were originally created as an alternative for cigarette smokers, they have fallen into the wrong hands. In recent years, Hawaii has seen a rapid growth in the number of teens utilizing electronic cigarettes. In the 2017 risk behavior assessment, Hawaii teens ranked second highest in the nation when it comes to the utilization of electronic cigarette products (CDC, 2017). These numbers will continue to skyrocket if immediate action is not taken.

Recently, there has been concerning evidence that suggests that flavored vape products can have a negative impact on an individual's health. These products have the ability to cause nicotine addiction in youth, lung issues, cancer and can even potentially lead to COPD (CDC, 2020). Because of this, I am extremely concerned for the health of our keiki. If we fix this issue now, future generations of Hawaii's keiki will have the opportunity to grow & live healthy lives, go on to pursue their goals and aspirations and make valuable contributions to society.

In the near future, it is also my hope that further action can be taken to educate Hawaii's youth on the various health risks of utilizing flavored electronic cigarette products.

To reduce the youth vaping epidemic and ensure the long-term health and wellbeing of our keiki, I urge you to pass SB HB 2903.

Thank you for this opportunity to testify.

Kaitlin Hazama  
1402 Piikoi St. Apt. 604,  
Honolulu, HI, 96822  
808-291-1661

## References

Center for Disease Control and Prevention. (2017). Youth Risk Behavior Survey Data.

Retrieved from <http://nccd.cdc.gov/youthonline>

Center for Disease Control and Prevention. (2020, January 28). Outbreak of Lung Injury

Associated with the Use of E-Cigarette, or Vaping, Products.

[https://www.cdc.gov/tobacco/basic\\_information/e-cigarettes/severe-lung-disease.html](https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html)

**SB-2903**

Submitted on: 2/11/2020 2:41:05 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Santiago	Individual	Oppose	Yes

Comments:

Stop trying to violate my rights!

**SB-2903**

Submitted on: 2/7/2020 6:15:12 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
bryson	Individual	Oppose	No

Comments:

Flavored E Juice helped me quit smoking cigarettes. If you ban the sale of flavored e juice it will force a lot of people to go back to cigarettes.

To whom it may concern,

I am opposing the current bill 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 we 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 or juice.

The questions we should be asking is HOW are these teens getting their hands on these devices? Where are their parents? Who's giving them money to try and purchase these devices? It's obviously not the vape shops who are allowing this to happen in fear of heavy fines. 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 smoking cigarettes 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.

**SB-2903**

Submitted on: 2/7/2020 6:25:59 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Vin Kim	Individual	Oppose	No

Comments:

Banning flavors will not fix the issue. Adults use flavor's as a way to quit tobacco cigarettes. Making them go back to tobacco flavors only do not help them to quit smoking.

**SB-2903**

Submitted on: 2/7/2020 6:31:34 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Erin R.	Individual	Oppose	No

Comments:

Dear respected 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 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.

**SB-2903**

Submitted on: 2/7/2020 6:42:07 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dyson Chee	Individual	Support	No

Comments:



**SB-2903**

Submitted on: 2/7/2020 6:39:22 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
francis luu	Individual	Oppose	No

Comments:

Hello, I oppose this bill because i quit smoking from vaping flavored eliquids, if you ban the flavors it would make me go back to cigarettes.

**SB-2903**

Submitted on: 2/7/2020 6:46:45 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rafael Montero	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/7/2020 6:47:30 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Travis Bagano	Individual	Oppose	No

Comments:

I have quit smoking cigarettes for 5+ years thanks to flavored vape/e-cigarette juices. I wish to stay off of smoking with the help of these products.

**SB-2903**

Submitted on: 2/7/2020 6:48:37 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jonathan kuroiwa	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/7/2020 7:58:42 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Loren Yazawa	Individual	Oppose	No

Comments:

To whom it may concern,

**I strongly oppose this bill for the following reasons.**

**1)** Flavors are NOT the primary reason most youth take up vaping. Please refer to the 2019 National Youth Tobacco survey (given to youth from grades 6 to 12 in all 50 states). The survey is publicly available for everyone to review.

The main reason youth begin to vape (55.3% of youth vapers), is because "I was curious about them". The second reason (30.8% of youth vapers) is because "friend or family members used them". The third reason was because of flavors (22.4%)

The survey didn't include an option for "because of the buzz or effect of vaping", and if it had, the percentage of youth vaping for flavors would likely be much smaller.

**2)** The general public is constantly being told "30% of our youth are vaping". While that is true, it is INCREDIBLY misleading. Once you break down the actual statistics you will find that the vast majority of this 30% of youth vapers are NOT regularly using e-ciggs, suggesting that they aren't actually addicted to the product. The vast majority of the 30%, are youth who have vaped 1-5 times in the last month and it also includes 18 year old who are legally able to purchase nicotine vape products in their respective states. The 30% also includes youth who have smoked combustible tobacco previously.

According to the National Youth Tobacco Survey, only **0.8%** of tobacco naive youth regularly use e-cigarettes. **0.8%** of tobacco naive youth using vape products is indeed an issue we should be concerned about, but that number doesn't suggest we have an actual youth epidemic at hand.

Compare that to the 2018 youth risk survey which confirms that 11.4% of underaged youth binge drink alcohol. What's next, taking all flavored alcohol off the shelves?

**3)** Prohibition is never the most efficient method. Banning flavored e-liquid will only result in creating a brand new black market for e-liquid. Flavored e-liquid is extremely easy to create from scratch with simple, widely available ingredients. If flavored e-

liquid is banned, there is no doubt that vape consumers will produce their own flavored e-liquid to be sold on the black market.

**4)** Adults enjoy flavors too! Over 95% of adults (trying to quit cigarettes) choose a flavored e-liquid over a tobacco e-liquid. Adult smokers who want to quit are trying to get away from tobacco, so why would you only leave tobacco flavored e-liquids available for them? That's like giving a recovering alcoholic, vodka flavored water.

**5)** Nicotine vaping (what this bill seeks to destroy) is not objectively linked to a single case of EVALI, or other types of lung injury. Popcorn lung? Anti-vaping myth. Not a single vaper has EVER gotten popcorn lung in the history of vaping, yet it is still used against the industry. Formaldehyde in vape aerosol? Cigarette smoke literally contains over 100x the amount of formaldehyde than vape aerosol.

There is a reason why Public Health England and The Royal College of Physicians authorized vape shops to open in multiple hospitals in the UK. To encourage cigarette smokers to switch to vaping, after conducting the most comprehensive e-cigarette study in the world which concluded that vaping is 95% less risky than smoking cigarettes.

FDA approved nicotine replacement therapy? Here is a study showing the vaping had nearly double the success rate than FDA approved NRT such as gum, patches, and Chantix. <https://www.nejm.org/doi/full/10.1056/NEJMoa1808779>

**6)** To our legislatures: Our state has collected over \$3.1 BILLION in cigarette commission sales since 1998 from the Tobacco Master Settlement Agreement (that figure does NOT include cigarette SIN tax). This money was meant to be primarily used for tobacco damage control, enforcement, and education. Why is it then, that only approximately \$800,000 has been spent for the original intended purpose of tobacco control and education? That is only 2.5% of cigarette commission funds from in the state of Hawaii used for its intended purpose.

Adult cigarette smokers wanting to quit should have easy access to these products. Parents, it is NOT the government's job to watch over your kids. That is your job! These products are already illegal for our youth.. is making something "double illegal" really going to have the desired effect you are looking for?

Thank you for your consideration,

Loren Yazawa

**SB-2903**

Submitted on: 2/8/2020 1:53:54 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dara Carlin, M.A.	Individual	Support	No

Comments:

**SB-2903**

Submitted on: 2/8/2020 2:51:52 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ellen benton	Individual	Oppose	No

Comments:



**SB-2903**

Submitted on: 2/8/2020 3:02:28 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
dillon rellez	Individual	Oppose	No

Comments:

I oppose this bill because you are taking away the right for people to quit smoking cigarettes and other stuff and it has been proven that e cigarettes have helped people get off of their addictions. Please take the people into consideration. Thank you for your time.

**SB-2903**

Submitted on: 2/8/2020 3:13:42 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
laraine snyder	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/8/2020 3:15:15 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Naomi Muronaka	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/8/2020 3:18:17 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Frank	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/8/2020 3:49:59 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Monique gunn	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/9/2020 8:11:06 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andy Takaaze	Individual	Oppose	No

## Comments:

I oppose taking away the rights of law abiding ADULTS. I oppose any ban on flavored 'tobacco' products. E-Cig products are not a tobacco product, they are a nicotine product containing ZERO tobacco. E-Cig products have not been proven to have the same adverse health effects as tobacco products. Lumping flavored E-Cig products in with regular tobacco products is unlawful and misleading.

**SB-2903**

Submitted on: 2/9/2020 8:31:46 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jericho Tobin	Individual	Oppose	No

Comments:

Flavored vaping products have only helped me and our communities quite cigarettes. I oppose this bill completely.

**SB-2903**

Submitted on: 2/9/2020 1:20:18 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Rhoads and Members of the Joint Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary,

I am writing in support on SB2903 which bans the sale of flavored tobacco products. Effective January 1, 2021.

We need to have progressive public health laws that end the sale of flavored tobacco products, including e-cigarettes. Too many of our young people are experimenting with e-cigarettes thinking that they are safer than regular cigarettes, which is not true. Young people who are vaping are showing up in hospitals with serious lung damage. This needs to stop and the State of Hawaii needs to take a stand by prioritizing health and safety.

Please pass this bill.

Mahalo,

Caroline Kunitake



**SB-2903**

Submitted on: 2/9/2020 5:46:51 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Revell	Individual	Oppose	No

## Comments:

I strongly oppose SB2903. I remember a time when parents were held accountable for the actions of their children. No days not so much. I and the rest of the public should not be held accountable for the actions of kids who break the law. Vaping is a choice that adults make we like flavors also! How many flavored alcoholic beverages are on the market today? Have any of you attached the alcohol industry over flavors? The use of alcohol is equal to the use of vape according to the state health department 2017 study. If flavors are so bad why are you not attaching big pharma companies they have flavored nicotine gum you know!

Stop taking away our rights and come up with real solutions! Stop taking the easy way out by banning things you have no expertise or insight on. I'm an adult I like flavors I am not responsible for kids and their parents breaking the law! Enforce the law do not prohibit law abiding adults!

**SB-2903**

Submitted on: 2/9/2020 8:21:33 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sheldon Miyakado	Individual	Oppose	No

Comments:

Hi

I STRONGLY OPPOSE this bill for numerous reasons.

1. Its not the product but the users. If Kids were not vaping they would be smoking regular cigarettes. After reading all the testimonies under HB2347 HD1 no one can say that what the kids were vaping even contained nicotine. In those examples where were the adults or school administrators to enforce the no smoking rules in that school.

2. Instead of setting laws to make it illegal we should be enforcing or educating the so called kids using this product. Its the kids that are the problem not the product. There are also kids who are out there drinking alcohol, driving and committing crimes while intoxicated. Ecig flavored juices care not associated with driving accidents or committing crimes.

3. Second hand smoke is worse for the general public, while the vapor given off by flavored tobacco ecig products is just that a vapor that dissipates without effecting anyone.

4. Flavored tobacco products has helped smokers quit smoking regular cigarettes which in turn has reduced the amount of lung cancer related to smoking incidents.

I do understand the recent news articles have dramatically hyped up the usage of cigarettes in a bad way, but you have to review both sides and all the studies. Increasing taxes on a product doesn't curb the usage or demand but it further increases the use of black mark items which spurred up all the illnesses. If 1.3M more teens are really using the product wouldn't you think that the health issues would have come up in the past? The problem is not the product but the illegal usage by underage users. Instead of taxing and penalizing small businesses which are already struggling to make ends meet penalize the end user, if they are underage issue a still penalty, if someone sells to an underage user penalize them, same with cigarettes and alcohol. If you compare the usage in the Bill \$1.3M teens started or are using compared to all the teens in the US that number is very small. Its like all the teens doing drugs and alcohol which is higher than that compared to ecigs.

I do support tougher laws/ penalties for those who break the laws as it punishes the guilty party. There have been recent studies that show that e-cigarettes have helped people quit smoking regular cigarettes (reducing second hand smoke) and contrary to popular belief it doesn't cause lung disease or other illnesses as stated by the CDC.

Here is another articles that references ecigs from the CDC.

**[https://reason.org/commentary/cdc-survey-shows-flavors-arent-driving-youth-vaping/?fbclid=IwAR051bwZRSZB4hhH2J\\_Id\\_Hqr\\_9SQafJRaBGrwjWND852H6UvaznRBBfKKY](https://reason.org/commentary/cdc-survey-shows-flavors-arent-driving-youth-vaping/?fbclid=IwAR051bwZRSZB4hhH2J_Id_Hqr_9SQafJRaBGrwjWND852H6UvaznRBBfKKY)**

. I ask the Represenatives to vote Nay.

Best Regards

Sheldon Miyakado

Register voter.

**SB-2903**

Submitted on: 2/10/2020 8:50:51 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kelli Buenconsejo	Individual	Support	No

Comments:

I am in Support of the banning the sale of flavored tobacco products. Hawaii has a higher rate of teenage usage of e-cigarettes than the national average. Flavored tobacco products entice teens and younger individuals to try vaping or continue vaping. Vaping experimentation is occurring in our middle schools and even in elementary schools. According to the CDC, an estimated 5.4 million middle and high school students used e-cigarettes in 2019. In 2019, America faced a national outbreak of vape -related lung Injuries that led to 2,711 hospitalizations and 60 deaths.

With an incident of a Michigan teenager who vaped nicotine and THC requiring a double lung transplant, banning the sale of flavored products could curb the usage of e-cigarettes.

Please vote to ban the sale of flavored tobacco products. It comes down to improving the health of our population.

Thank you

**SB-2903**

Submitted on: 2/10/2020 9:06:30 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashlee Klemperer	Individual	Support	No

Comments:

February 10th, 2020

Re - Support SB2903: Relating to Flavored Tobacco Products

Senate Judiciary Committee and Committee Chair,

I am submitting testimony in great support of SB2903. As a prevention worker in Maui County I have seen first hand the harms and consequences of flavored tobacco products. Surveys of local youth across the state indicate that over 40% of Hawaii's youth start using tobacco and vaping products because of the flavors. This epidemic has swept across our state with such swiftness that parents, schools, law enforcement, and community members are unable to keep up.

I ask the committee to please support the ban of flavored tobacco products and pass this bill as it would be a firm step in curbing the impacts of the tobacco industry who seek profits over health and do not care for the wellbeing of our people. This bill will save lives, help families, alleviate stress on schools, and give the community a real fighting chance at improving our health and wellness,

Please pass this bill.

Thank you,

Ashlee Klemperer, MSW

851 S Kihei Road, Apt O103

Kihei, HI 96753

**SB-2903**

Submitted on: 2/10/2020 10:23:04 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chien-Wen Tseng	Individual	Support	No

Comments:

To our representatives,

I fully support a ban on flavored tobacco products. As a family physician, for nearly two decades I have cared for people dealing with the health consequences of nicotine addiction. Flavored tobacco products, including menthol, are shown to increase smoking and vaping nicotine. In just the last couple of years, there is growing evidence on the health risks of inhaling nicotine products. Use of e-cigs versus no e-cigs is associated with a higher risk for stroke, heart attack, wheezing, related respiratory symptoms, and COPD. Vaping flavored e-cigs is not just a fun, harmless, recreational activity. We now know that vaping nicotine into lungs can have short-term health consequences, and the long-term harm to health is unknown but important since nicotine is addictive. Passing or not passing this ban on flavored tobacco products will have a health impact on our community, especially for our youth. I would like to see this ban passed now instead of waiting another year or two until while another generation is exposed. Mahalo.

**SB-2903**

Submitted on: 2/10/2020 11:07:05 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathryn Braun	Individual	Support	No

## Comments:

I am a professor of Public Health, testifying as an individual. My husband has Chronic Obstructive Pulmonary Disease, caused by smoking cigarettes from age 14 to age 34. When he started at age 14, he had no idea that he was causing damage to his lungs. Now, he is a high utilizer of our healthcare system!

About 80% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers (including my husband) use menthol cigarettes. About 42% of Hawai'i high schools students report trying e-cigarettes, and this is a proven pathway to tobacco addiction. With flavors like Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum, the industry is clearly targeting our children! It's well-documented that menthol flavors are particularly enticing to teens who haven't previously used tobacco, as it has cooling properties that mask the harshness of tobacco smoke and nicotine, making them easier to start and harder to quit. Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of addiction and subsequent disease, which is costly to families and to the state.

**SB-2903**

Submitted on: 2/10/2020 11:36:29 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Scharnhorst	Individual	Support	No

Comments:

This is a terrible injustice to the core of the public health mission: to tempt children to develop lifelong habits that lead to poor health. Flavored tobacco products cater to youth and should be strictly forbidden.

- 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.

Please stand up to protect our kids!

Mahalo.



**SB-2903**

Submitted on: 2/10/2020 11:43:09 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Weiner	Individual	Support	No

Comments:

I am submitting written testimony in support of SB2903 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 SB2903.

Linda Weiner, MD

Pediatrics, Kauai

**SB-2903**

Submitted on: 2/10/2020 11:44:20 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shelly Ogata	Individual	Support	No

Comments:

Chairs Baker & Rhoads and members of the Committees on Commerce, Consumer Protection & Health & Judiciary:

As a registered nurse and concerned community member, I am in support of SB2903 for the following reasons:

- 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.

Please help take the logical step to protect our keiki and the future generation.

Mahalo,

Shelly Ogata, RN, MPH

**SB-2903**

Submitted on: 2/10/2020 12:13:22 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laksmi M Abraham	Individual	Support	No

Comments:

Aloha and Good Morning –

The boom of youth e-cigarettes usage in our community is nothing short of disturbing. Maui County, only second to Hawaii Island County leads the state in youth vaping, with 32% of high school teens and 25% of middle school students actively using. The statistics are increasingly concerning when you consider that 47% of our teenagers, here on Maui are experimenting with e-cigarettes.

This is a growing, national concern, which prompted a statement from FDA Commissioner Gottlieb, on steps to address the national epidemic of youth e-cigarette use. The commissioner quotes, “I use the word “epidemic” with great care. E-cigs have become an almost ubiquitous – and dangerous – trend among teens. The disturbing and accelerating trajectory of use we’re seeing in youth, and the resulting path to addiction, must end.”

I’m sharing this with you because we, as a community are facing this epidemic right here in Maui County, rearing some of the highest youth vaping usage rates in the nation.

I believe we need to support legislation to protect our keiki from tobacco products and continue to encourage smoke-free lifestyles and preventive measures for youth vaping.

Flavored tobacco products are intended to attract and addict youth to tobacco, which is wrong. It’s as simple as that. Please support SB2903 and ensure our keiki are protected from big tobacco and help us work to decrease youth vaping in Hawaii. Mahalo!

Laksmi Abraham - Waikapu, Maui

**SB-2903**

Submitted on: 2/10/2020 12:20:47 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
mary santa maria	Individual	Support	No

Comments:

I SUPPORT the passage of SB 2903 which would ban all flavors in tobacco products including menthol. Research evidence makes clear that flavors hook children, youth and adults on tobacco products, whether electronic smoking devices or regular cigarettes. Youth are targeted with flavors. This ban would help protect our keiki, and adults who are tricked into addiction. I recently heard of a medical provider who wanted to know how to help a 10 year old overcome their addiction to using electronic cigarettes. On Maui!! Please pass this bill.

Sincerely with aloha

Mary Santa Maria M.S., M.P.H.

**SB-2903**

Submitted on: 2/10/2020 12:25:10 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
C. Azelski	Individual	Support	No

Comments:

Hawai'i is already experiencing a youth vaping epidemic. With 8 in every 10 kids starting with a flavored tobacco product, and 42% of Hawai'i high schools students trying e-cigarettes, we have an urgent need to act. With over 15,500 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

[SB 2903](#) will remove the thousands of fruit and candy-flavored tobacco products and e-liquids that are addicting our keiki, including menthol cigarettes, flavored smokeless tobacco, and flavored cigars

**SB-2903**

Submitted on: 2/10/2020 12:37:22 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Miriam Mendoza Martinez	Individual	Support	No

Comments:

**My name is Miriam Mendoza Martinez and I am a student at Konawaena High school. I am in favor of this bill which bans the sale of flavored tobacco in Hawaii. The tobacco consumption rates on this Island are extremely high. Today the youth is suffering due to the marketing of these products because they appear just like our favorite candy flavors. Just at my school alone many teens vape in the bathrooms and even in classrooms around other students making it seem cool when maybe they're just that addicted or hooked up to the nicotine that it is very hard to just spend a few minutes without vaping. Additionally, teens are now hanging out in the bathrooms vaping for whole class periods so this is not only affecting their health but affecting their education. As part of my coalition I support this ban because I have seen people that want to quit and it is extremely hard to quit. These products are causing severe health issues throughout our island and even nation wide. Also, I have seen and talked to many people that want to stop especially with all the recent deaths but can't because they need help and also sometimes they're parents don't even know what they are going through so they don't have the emotional support to quit making it so hard for them. Overall, Hawaii should ban the sale of flavored tobacco products because it is taking control of many people especially the youth affecting their lives in many negative ways there are no benefits with these harmful products to society so why should we keep them if all they do is cause more and more harm.**

**SB-2903**

Submitted on: 2/10/2020 12:49:08 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristin Mills	Individual	Support	No

Comments:

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.



**SB-2903**

Submitted on: 2/10/2020 12:55:41 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shay Chan Hodges	Individual	Support	No

Comments:

We need SB 2903!

Hawai'i is already experiencing a youth vaping epidemic. With 8 in every 10 kids starting with a flavored tobacco product, and 42% of Hawai'i high schools students trying e-cigarettes, we have an urgent need to act. With over 15,500 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

- 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.

Mahalo!

**SB-2903**

Submitted on: 2/10/2020 1:21:24 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenny Welham	Individual	Support	No

Comments:

Every year I am seeing more and more patients who are vaping starting as early as elementary school age. Hawai'i is experiencing a youth vaping epidemic. Almost half of Hawai'i high schools students have tried e-cigarettes and the majority, 8 in every 10 keiki, started with a flavored tobacco product. They often smoke on school campuses and in restrooms because the kid-friendly flavors and smells, like cotton candy, make it hard for adults to detect vaping. Many of these children then start to "dab" (use e-cigarettes to vape marijuana and other substances). The substance have been implicated in vaping deaths on the mainland and Hawai'i.

We need to act urgently before more keiki become addicted to nicotine and it leads to other substance abuse. With over 15,500 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction and other health problems. Supporting this bill will protect our keiki, our future, and can ultimately save more of our state and taxpayers' money from paying the price of the long term consequences of nicotine and substance addiction. Please support this bill.

Mahalo,

Jenny Welham, MD, Pediatrician and owner of Island Pediatrics of Honolulu

**SB-2903**

Submitted on: 2/10/2020 1:50:52 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alana Busekrus	Individual	Support	No

Comments:

I support SB 2903 as a nurse, educator, mother, and concerned community member. Youth are easily influenced and enticed to engage in risky behaviors, with the often bold and ego-centric perception that they will be safe and healthy, even if others are not. Tobacco products that flavored and colorfully packaged appeal to already vulnerable youth. Let's not sell our youth the idea that tobacco use is attractive in any way! Thank you for considering my testimony, which is also supported by research which shows that:

- 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.

**SB-2903**

Submitted on: 2/10/2020 1:21:41 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Johnathon G. Myers	Individual	Oppose	No

Comments:

I am writing in STRONG OPPOSITION to this proposed Bill.

Any regulation of flavors should occur at the federal level - Congress empowered FDA to establish tobacco product standards such as restricting flavors only if FDA determines that such action would be appropriate for the protection of the public health based on science and evidence.

Potential Harm Reduction Should Be Considered - E-vapor category is relatively new, some public health and tobacco control researchers have reached the preliminary conclusion that e-vapor products may present a compelling risk reduction opportunity compared to combustible cigarettes. Mitch Zeller, Director of the Center for Tobacco Products at FDA, along with many scientific experts, has recognized the promise tobacco harm reduction and potentially reduced risk products may hold for public health. In a recent letter to the World Health Organization, 53 global experts on nicotine policy stated that policies that are excessively restrictive or burdensome on lower risk products can have the unintended consequence of protecting cigarettes from competition from less hazardous alternatives and cause harm as a result. In a recent survey of 4,618 e-vapor consumers, almost half of participants said that a lack of variety of flavors would make reducing or completely switching from smoking cigarettes less likely.

Approximately 90% of adult e-vapor consumers report using flavored products. Hawaii should respect the preferences of adult consumers to use flavored products, especially when they could play a role in reducing tobacco-related harm. We believe regulators and legislators should tailor public policies to reflect the uniqueness of this category, including the fact that these products emit vapor, not smoke.

A ban on characterizing flavors could contribute to the growth of the “Do-It-Yourself.” DIY involves purchasing separately, and then mixing, liquid nicotine, propylene glycol, glycerin, and flavors to make an e-liquid for an open device. Details on how to mix flavors and liquid nicotine are readily available online. Materials for DIY – some of which are of unknown quality and origin – are inexpensive and widely available. FDA has not yet explored issues raised by the separate sale, and home-mixing, of nicotine and flavorings.

21 Age Restriction Already in Place. Hawaii already has put a 21 and older ban on sales of vapor products in place. Kids should not use any nicotine product and not have access to such products, including those with characterizing flavors. No manufacturer should use children's cartoons or youth-oriented candy trademarks to market their products. When its rulemaking is final, FDA will have comprehensive authority over the sale and marketing of all tobacco and tobacco-derived nicotine products. This authority includes the ability to take further action as required to prevent illegal underage purchase.

This ban would essentially destroy the vapor industry as all flavors - even the "natural tobacco flavor" mentioned in the bill are the results of flavoring. This means all vapor products would be illegal if this bill passes. I am sure this is not what you meant to do with this bill, and its result would mean the loss of a multitude of local businesses, creation of a black market, and increased online sales of unregulated products.

Thank you for considering this testimony.

Aloha,

Johnathon Myers

Concerned Constituent & Consumer

Date: February 10, 2020

To: The Honorable Rosalyn H. Baker, Chair  
The Honorable Stanley Chang, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

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

Re: **Strong Support for SB2903**, Relating to Flavored Tobacco Products

Hrg: February 13, 2020 at 9:00 AM in Capitol Room 016

Aloha Senate Committees on Commerce, Consumer Protection, and Health and Judiciary,

I am writing in **strong support of SB2903**, which bans the sale of flavored tobacco products effective January 1, 2021.

Hawai'i is in the midst of an unprecedented youth vaping (nicotine addition) epidemic and has one of the highest rates of youth e-cigarette use in the nation.

Due to the highly concentrated, 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**. More than 80% of kids who use e-cigs report having started with a flavored product. In research comparing vaping patterns, kids who use flavored products puff deeper and more often than when using unflavored products. More than 80% of kids who use flavored e-cigs say *they wouldn't vape if flavors were unavailable*.

And, it not just the sweet flavors. Mint and menthol are especially insidious. Recent research finds that mint flavor is quickly gaining popularity among high school students.

Menthol is an anesthetic compound found naturally in mint plants that provides a cooling sensation. Menthol is added to tobacco cigarettes to reduce the throat burn caused by smoking, making it easier for non-smokers to start smoking and get hooked on nicotine. Menthol also increases the satisfaction tobacco product users experience while smoking. The prevalence of menthol cigarette smoking (and nicotine addiction) is highest among members of communities with significant health disparities, including Native Hawaiians.

Tobacco industry proponents will say that flavored e-cigarettes should remain available to help smokers quit combustible tobacco cigarettes, despite the lack of evidence that e-cigarettes are effective for quitting nicotine-containing tobacco products.

The reality is that for each adult who tries to quit smoking with e-cigarettes, 81 kids start using e-cigs. And, kids who use e-cigarettes are four times more likely to go on to

smoking combustible tobacco cigarettes than kids who don't use e-cigs.

I **strongly support SB2903** and respectfully ask you to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD  
Kea'au, HI

**SB-2903**

Submitted on: 2/10/2020 4:10:08 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anthony Orozco	Individual	Oppose	No

Comments:



**SB-2903**

Submitted on: 2/10/2020 3:34:39 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Abcde	Individual	Support	No

Comments:

**SB-2903**

Submitted on: 2/10/2020 3:20:42 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suzanne Fields	Individual	Support	No

Comments:

Do The Right Thing and Protect our Keiki: YOU must ban flavored 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.

Do what is pono and ensure that kids are not enticed to use tobacco products; YOU can stop this by supporting this legislation to STOP SELLING KID-FRIENDLY FLAVORS!

Suzanne Fields

Haiku, Maui

**SB-2903**

Submitted on: 2/10/2020 2:51:15 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patricia Blair	Individual	Support	No

Comments:

Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair  
Members of the Judiciary Committee

Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair  
Members of the Commerce, Consumer Protection, and Health Committee

Thursday, February 13, 2020

### Strong Support for S.B. 2903, Relating to Flavored Tobacco Products

My name is Ashley Choo and I am a student at the University of Hawaii at Mānoa. As a Public Health major, I have focused on examining the long term health effects of vaping, specifically in underage populations. As a student, I have seen firsthand, the damaging effects nicotine containing products has caused to my peers both mentally, physically, and socially. I strongly support S.B. 2903, Relating to Flavored Tobacco Products, which would ban the sale of flavored tobacco products

Nicotine products that look to mimic fruit or candy flavors appeal to underage populations. It is important to take measures that would prevent the initiation of e-cigarette usage such as that of implementing a flavor ban, increasing fines for those under the age of 21 purchasing tobacco products, and the regulation of mislabeled tobacco products that this bill proposes. Nicotine is a highly addictive substance that alters neurotransmitters in the brain. Allowing the exposure of such harmful chemicals to adolescents' continually developing brains is detrimental to the productivity, physical well-being, and mental state of the individual.

Although the long-term health effects of vaping are still vague and have yet to be studied in detail, it is evident in recent news the health effects e-cigarettes have caused. Individuals have suffered from various respiratory illnesses and pulmonary complications that have been linked to the usage of e-cigarettes. It is important to take the necessary measures to promote the cessation and decreased initiation of e-cigarette usage. By supporting S.B. 2903, it would ensure the safety of Hawaii's Youth. Thank you for the opportunity to testify.

Testimony to Senate Committee on Commerce, Consumer Protection, and Health AND  
Committee on Judiciary  
Thursday, February 13, 2020; 9:00 a.m.  
State Capitol, Conference Room 016

Dear Chair Baker, Chair Rhoads, and Joint Committee Members,

My name is Ramic Santiago and I **support** SB2903: RELATING TO FLAVORED TOBACCO PRODUCTS.

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 Commerce, Consumer Protection, and Health AND  
Committee on Judiciary  
Thursday, February 13, 2020; 9:00 a.m.  
State Capitol, Conference Room 016

Dear Chair Baker, Chair Rhoads, and Joint Committee Members,

I **support** SB2903: RELATING TO FLAVORED TOBACCO PRODUCTS

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 SB2903 to save our children for the future.

Sincerely,

Jennifer Hausler  
Pearl City, 96782

Date: February 13, 2020  
To: The Honorable Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair  
Members of the Committee on Commerce, Consumer Protection, and Health

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

From: Ruthie Diaz, BSW  
[rddiaz@hawaii.edu](mailto:rddiaz@hawaii.edu)  
Honolulu, HI 96813

Re: Support for SB2903: RELATING TO FLAVORED TOBACCO PRODUCTS

Hearing: Thursday, February 13, 2020 at 9:00 am at Conference Room 016

---

Dear Chair Baker, Chair Rhoads, and Joint Committee Members,

Thank you for the opportunity to submit testimony in **SUPPORT** of SB2903: RELATING TO FLAVORED TOBACCO PRODUCTS.

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 SB2903, 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 SB2903 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



**SB-2903**

Submitted on: 2/10/2020 4:40:30 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephen Bennett	Individual	Support	No

Comments:

Consumption of tobacco and other nicotine products is proven harmful for youth and their developing minds. Underage consumption of these products is proven to increase likelihood of dependancy and addiction. Tobacco companies use artificial flavors to attract youth to use their products. Hawaii has some of the highest underage tobacco usage in the nation. I support this bill that would ban the sale of flavored tobacco products in our community.

**SB-2903**

Submitted on: 2/10/2020 4:49:40 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tammy Young	Individual	Oppose	No

Comments:

Don't take away the flavors I like.

**SB-2903**

Submitted on: 2/10/2020 5:15:12 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

Comments:

**SB-2903**

Submitted on: 2/10/2020 7:57:18 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Noelle Lovesy	Individual	Support	No

Comments:

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. 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).

**SB-2903**

Submitted on: 2/10/2020 6:59:59 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marie Flore Cidera	Individual	Support	No

Comments:

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. 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).

**SB-2903**

Submitted on: 2/10/2020 9:08:32 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jon Fia	Individual	Oppose	No

Comments:

I oppose SB2903. The state of Hawaii has already increased the age of tobacco purchasing to 21. At 21 years old, an ADULT knows the risks to tobacco consumption and it shouldn't be dictated to them whether or not they can consume a legal product. Even more concerning is the vagueness of the wording of the bill. If passed, it would effectively ban all tobacco sales. Premium tobacco in cigars uses no artificial flavors yet flavors still can be detected. What about the flavor of tobacco? That in of itself is a characterizing flavor. Then there are other flavors such as leather, cocoa, pepper, and coffee that can be exhibited when enjoying a cigar even though no artificial flavors are added.

This is an example of legislation that will have unintended consequences that is unless that is the goal which is to ban tobacco completely. If that is the case, where will all the millions of dollars in tax revenue come from not to mention the master settlement money from the cigarette lawsuit? You will have to raise taxes somewhere else. I don't think anyone smokers or non smokers will appreciate the raised taxes and fees imposed upon them to make up for the lost revenue.

Your consideration in this matter to oppose this bill is greatly appreciated.

Thanks

Jon Fia

**SB-2903**

Submitted on: 2/10/2020 9:30:19 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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.

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



**SB-2903**

Submitted on: 2/10/2020 9:26:30 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Crystal Robello	Individual	Support	No

Comments:

I support this bill and agree with ending the sale of flavored tobacco products as it continues to attract the youth population.

**SB-2903**

Submitted on: 2/10/2020 10:03:03 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patricia Stevens	Individual	Support	No

Comments:

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. 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).

**SB-2903**

Submitted on: 2/10/2020 10:19:22 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tiffany M. Marquez	Individual	Support	No

Comments:

Flavored tobacco captures the attention of young youth. If the flavors did not exist adolescences would not be so intrigued by vaping. As a parent of a child in intermediate I am saddened every time my child says that someone at school was caught with a vape pen. Most admit that the vape pen was given to them from a parent or older sibling. Please pass this bill for our Keiki.

**SB-2903**

Submitted on: 2/10/2020 11:51:20 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alana Cayabyab	Individual	Support	No

Comments:

Hi, my name is Alana Cayabyab. I'm 16 years old and a Junior at Kauai High School on the island of Kauai. I am in strong support of SB2903 as it works towards the end of flavored tobacco sales because I want to protect our future generations from the addictive nicotine and the many chemicals that are behind it. I have never smoked once in my life, but I'm constantly seeing my fellow peers and even younger get so addicted to these products mainly because they are drawn to these candy flavors that these companies advertise. I believe that if we end these sales, teens will find the real flavor disgusting causing them to stop. Being the oldest out of three, I don't want my younger siblings who are 3 and 8 years old to be influenced by these products and eventually start themselves. We are the future generation, we need to act now for the sake of our tomorrow. thank you for your time.

**SB-2903**

Submitted on: 2/11/2020 1:13:39 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerard Silva	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 6:54:44 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jake J. Watkins	Individual	Oppose	No

Comments:

I can see that the plan of this bill is to make enemies of everyone that enjoys these products.

**SB-2903**

Submitted on: 2/11/2020 6:57:34 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bb Dircks	Individual	Support	No

Comments:

I wish to speak to SB2903. Having worked in the DOE (Hilo High School) for the past 14, I have witnessed (firsthand)the abuse in using “vaps” over the past 5 years. That is, the use has increased ten fold. Most of our users begging their use from middle school and bring their habit to the high school. Even for those students who do not use it prior to 9th grade, they are introduced to the use within the first month of school. Although the vap use should be individual use, the students will share by passing them around not only during school, but unfortunately, during class time. The more the use, the more lethal the device becomes due to the wear and tear. In a majority of student access, parents/guardians are not even aware that their children are involved until school officials notify them that their child was caught. I firmly believe that a majority of students who use them vaps are ADDICTED and need assistance in breaking their habit. The DOE should reclassify use as a Class A offense and have users consequences via the placement into substance abuse programs.

**SB-2903**

Submitted on: 2/11/2020 8:11:03 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
donald erway	Individual	Support	No

Comments:



**SB-2903**

Submitted on: 2/11/2020 8:53:11 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carlthan Ling	Individual	Support	No

Comments:

I believe this bill is a great source for students in the Imi Hoola program to provide them with monetary stipend that would allow them to focus on their study to attain their utmost potential. As a former Imi Hoola graduate, I benefited from this and was able to successfully pass the program and graduate medical school and to be accepted into my dream residency program in ophthalmology. My father worked 2 jobs and my mother worked numerous minimum wage jobs to support 3 children. Although they never had the income to provide tuition for private school, they have always supported me to dream big and to go for my passions. Having come from a public school education, I never had the resources or support that really guided me to be successful in college. During my education in Imi hoola and JABSOM, I was surrounded by great faculty and peers and had mentors that really allowed me to be who I am today. I am very grateful to have had the opportunity to participate in Imi Hoola and have the financial support during my study.

**SB-2903**

Submitted on: 2/11/2020 9:40:20 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Garett Uyesugi	Individual	Oppose	No

Comments:

It's not the flavors that the kids are attracted to. It's the nicotine. Studies have already proven that. Juuls is still selling strong even though they stopped selling flavors long ago. What kids want is high nicotine, discrete device, discrete vape cloud and it to look cool. Federal government has made a big "flavors" ban to the highest used devices that underage use. Give it time to see the impact.

**SB-2903**

Submitted on: 2/11/2020 10:17:33 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robin Fujiwaki	Individual	Oppose	No

## Comments:

My name is Robin Iriarte and I oppose HB2347, HB1 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.

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 kids are going to end up criminalized for their addiction than other kids. 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

**SB-2903**

Submitted on: 2/11/2020 9:42:22 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

Comments:

**2/11/2020**

**Dear Members of the Committee,**

**My name is Andrea Snow, and I live and work on Maui. I lost my grandfather and aunt to lung cancer, so I understand how smoking and lung disease devastates families. My grandfather was so addicted to nicotine, he continued to secretly smoke after having part of a lung removed. He started by smoking menthol cigarettes at age 12, back in the day before we had the research showing smoking causes cancer. Vaping may be the new way to smoke, but just like smoking, it also causes lung injury, illness and death.**

**I often go into schools to speak with students about taking care of their health. It is devastating to hear that many of the young people I see are already addicted to nicotine, and thereby tobacco, through the use of flavored electronic vaping devices.**

**I am in support of SB2903, because vape and tobacco products should not be flavored to appeal to children. We need to stop this addictive product from being marketed, priced and consumed like candy bars.**

**Banning flavors and taxing tobacco products are proven strategies to reduce youth initiation. The vast majority of youth who vape start with menthol or flavored products. These may taste good and sound harmless, but they are a drug and are incredibly addictive. Some vape liquid gives kids doses of nicotine equivalent to 40 cigarettes worth, ensuring they are hooked.**

**Please add menthol back in, and pass SB2903 to ban flavored tobacco and vape products to stop kids getting addicted to nicotine now, before another generation faces the consequences.**

**Thank you,**

**Andrea Snow**

**61 Kapuai Rd.**

**Haiku, HI 96708**

**SB-2903**

Submitted on: 2/11/2020 11:39:22 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patricia Juszczak	Individual	Support	No

Comments:

I am in strong support of this bill. 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. 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. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes (Source: Hawaii BRFSS, 2008).



**SB-2903**

Submitted on: 2/11/2020 12:12:28 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elijah Carigon	Individual	Support	No

Comments:

Dear Hawaii State Legislature,

My name is Elijah Carigon and I am a senior at Waiakea High School in Hilo. I am writing to you in testimony of SB2903 and my strong support of this bill.

I believe the youth of Hawaii are tremendously impacted by the effects of vaping, in particular, the flavors used to entice young users. Although the use of traditional cigarettes is quite low among the youth of Hawaii, the use of e-cigarettes and vaping devices is at an all-time high. Flavors are the primary reason why young people are enticed to start vaping.

The US Surgeon General, CDC and FDA have actually declared that vaping among youth to be an epidemic. Currently 97% of youth who vape report that they use a flavored product and 81% of youth who have used tobacco products actually started with a flavored one. Additionally, and most importantly, in Hawaii, 1 in 4 high school students vape while 1 in 5 middle school students vape.

As a student, I can honestly say that vaping is a major problem among young people here in Hawaii. In my own school, students are constantly trying to find ways to vape. They do it in the bathrooms and other locations throughout the school. My mom is a middle school teacher in Hilo and she sees that vaping is a huge problem among the students at her school. Students as young as 11 years old are getting hooked on vaping and really it is mainly due to the flavors.

Young people really are the ones being targeted by the tobacco industry. With flavors like: sour patch, cotton candy, green apple, mango, and bubble gum, it is easy to see just exactly who the tobacco industry is going after. These flavors make it very easy and appealing for youth, basically children, to start vaping and soon become addicted to nicotine. Besides the life-impacting effects of nicotine addiction, other toxic chemicals are found in vaping such as formaldehyde, arsenic, and lead among several other toxins.

My sincere plea to you, on behalf of my peers, the youth of Hawaii, is to vote in support of SB2903.

Thank you very much for your strong consideration of my testimony.

Sincerely,

Elijah Carigon

**SB-2903**

Submitted on: 2/11/2020 12:22:46 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teddy Kim	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 12:24:31 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jeffrey alameida	Individual	Support	No

Comments:

11 February 2020

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

Re: SB2903 RELATING TO FLAVORED TOBACCO PRODUCTS.

Testifying in Strong Support

Aloha Chairs Baker, Rhoads, and Vice-Chairs Chang and Keohokalole,

I write in strong support of SB2903 RELATING TO FLAVORED TOBACCO PRODUCTS. It is important that this bill pass for the following reasons;

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

In closing, please support SB2903.

Jeffrey Alameida

68-315 Crozier Drive

Waiialua HI 96791

**SB-2903**

Submitted on: 2/11/2020 12:59:18 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Beglar	Testifying for yegiazaryan	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 1:36:56 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy Shimata	Individual	Support	No

Comments:

Tobacco products are harmful to our health. Flavored tobacco products make it easier for children to begin using tobacco products. Protecting the health of our children is a priority. Please ban flavored tobacco products.

**SB-2903**

Submitted on: 2/11/2020 1:37:20 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
TIMOTHY OISHI	Individual	Oppose	No

Comments:

Aloha

The island of Oahu has many issues concerning its residents and visitors that should be addressed by the board to whom I am writing this to. One of the issues that you are discussing right now pertains to flavored tobacco products and the use of them by residents of the state especially underage users. I do agree that the use of flavored tobacco products by minors is a problem but bill SB2903 which is proposed is not the right way of dealing with the issue. I don't know a right way to address this problem, but I can point out ways that will prevent this bill from working and in return hurting Hawaii's residents and tax payers of this beautiful state.

I started using tobacco products at the age of sixteen and have been using them ever since then. I started smoking Marlboro Lights and later moved to stronger ones like Marlboro Reds. None of the tobacco products that I started with or kept using were flavored in anyway including using menthol. Flavor did not attract me to start using tobacco products, but the curiosity of a sixteen-year-old kid did. The age to use tobacco products at that time was 18 but that doesn't prevent a curious teenager from getting what they want, and if anything, it makes it more desirable if they do. Minors these days are not getting flavored tobacco products from retail stores and they never will till they are of age. The easiest way of getting them today would be to get them online or from someone they know of age and willing to buy it for them. Many online websites don't require much to obtain flavored tobacco products like e-liquid for vaporizers. At the most they require either a birthdate which you select the month, day and date of the year you were born or just clicking the yes button saying that you are over 21 years of age. Any minor that is old enough to order something online will be able to figure out the birthdate they need to put to make it seem like they are of legal age to the site. Once they gain access, the whole inventory of that site is available to them and all they need is a credit card or visa gift card to purchase it. I currently work at a vaporizer store in the city of Honolulu and our establishment is strict on ID checking and making sure that no minor enters/purchases anything from the establishment or that any of the products that we sell are to our knowledge, being bought for a minor. Everyday we have to turn away eighteen to twenty-year-old kids that try to sneak by and hope that we are lenient or can slip by without us knowing. We even must turn away parents and grandparents that come in with minors that try to buy it for them to be the "cool" one in the minor's eyes. We constantly get from guardians that come in with minor why is it that they can't buy



the products since the kid just was telling them what to buy but they are the ones buying it. Some will even say that they would rather have their child/grandchild vaping than smoking things like marijuana or methamphetamine.

In the introduction of bill 2903, it states that The legislature finds that 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. While this might be true, bill SB2903 will force all vapers that have already switched over from traditional tobacco back to their old habits. According to the 2010 study Smoking and Tobacco Use in Hawaii, seventy-eight per cent of Native Hawaiian/Pacific Islander adult smokers and forty-two per cent of White adult smokers consume menthol cigarettes. A 2008 study also indicated the high use of menthol cigarettes among Filipino adults. Conservative estimates noted in a 2011 paper suggest that over 300,000 deaths can be averted by the year 2050, if menthol cigarette smoking is eliminated. The data is based on a majority cigarettes smokers in 2010 through 2011 and the number of deaths that were calculated to happen by 2050 will become a reality if people who used ESD's end up switching back.

Another concern that is addressed in bill SB2903 is Given the significant threat to public health posed by flavored tobacco products, including menthol, a growing number of jurisdictions, including San Francisco, Berkeley, Chicago, Minneapolis and Providence, Rhode Island, have introduced and passed legislation to regulate the sale of flavored tobacco products. The legislature concludes that Hawai'i should also take steps to regulate these products to reduce tobacco-related health disparities and address the youth vaping epidemic. City's such as San Francisco were one of the first to completely ban flavors for ESD's yet the made medical marijuana recreational. Making marijuana recreations like ESD's have a lot of positives for adults but have made it ridiculously easy for children and teens to get a hold of. If you ask any respectful psychiatrist, they will agree that nicotine, while being bad for developing minds, will do less damage than a psychoactive like the THC found in marijuana. Making a substance banned for the sake of the future generation will be pointless if you are making a far dangerous substance for them far more easily available.

A solution to help reduces this problem would be to make harsher punishments for children and teens found possessing or using an ESD. Working in a Vape store I have had the chance to talk to many teachers and they will all agree with there being harsher punishments. Right now, all the teachers can do is contact the parents and most of the times the parents will ask the teacher to give the ESD back to the child so that they can bring it home to them. With out a harsher consequence, kids will continue to use ESD's and the worst that can happen is the parents that bought the device for their kids is called to be notified. With no consequences neither the child nor the parent will feel the need for anything to change because its just a slap on the wrist with no repercussions. Also just prohibiting purchasing ESD's online would decrease the number of underage users. If purchasing alcohol were like ESD's and be easily obtained online, we would

have a whole generation of alcoholics. SB2903 stated that 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. Even alcohol has candy, fruit and dessert flavors and they are used to make it more enjoyable to drink and also help mask the harshness of the liquid. The sale of alcohol is prohibited online, and more restrictions are in place to help prevent the sale to underage. The legislature also recognizes that ninety-five per cent of all smokers start before the age of twenty-one. Eighty-one per cent of youth who have ever used a tobacco product report that the first tobacco product they used was flavored. 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. The same statement could also be used for flavored alcohol which is the most commonly first tried for underage kids who try it for the first time. So, if flavored alcohol has these restrictions then why wouldn't that be done for ESD's as well.

Kids are always going to find a way to get what they want and what they are most curious about, and in return the adults that are trying to get off from tradition tobacco products are the ones that will be most affected by this bill. Many adults were successful in getting off tobacco products like cigars, cigarettes and chew by switching to vaping. Most cigar and cigarette users were able to make the switch using flavored e-liquid. The flavors helped by making it enjoyable to vape and if they would get the urge to smoke a cigar or cigarette, it would make them taste horrible as well as the smell. Many ex-smokers can't go back to cigarettes or cigars after vaping because of how horrible it tastes and the smell that lingers from the smoke. The flavors would help keep them from smoking and stay off the tobacco products that we for sure know kills. The whole reason that smokers switch to vaping is so that they can stay away from traditional tobacco. A flavor ban will take away a very big part of vaping that plays a positive role in helping people switch and not want to go back. Banning flavored e-juice will also force many ex-smokers to get their products online which will result in vaporizer stores statewide to close their doors come January 1, 2021. Its stated in the bill that "Tobacco retail location" means any premises where tobacco products are sold or distributed to a consumer, including but not limited to any store, bar, lounge, cafe, stand, outlet, vehicle, cart, location, vending machine, or structure." Online is not even included in this and it is the easiest place that the underage is getting these items. There will be hundreds of residents that are part of the industry that will be without a job once that happens and all the money that would have been spent in the state would be going elsewhere. Money will be leaving our state economy, hundreds will be out of a job and no taxes can be collected from any of the businesses that were forced to close. We are already facing a problem with the increasing number of homeless in the state and this would only add to the existing problem.

This is the reason why I don't believe that bill **SB2903** will be effective in a positive way for the residents and taxpayers of the state of Hawaii. I am writing this testimony because **I STRONGLY OPPOSE SB2903 AND FEEL THAT IT SHOULD NOT BE PASSED**. One group of the population should not have to be sacrificed for the other's sake. Just because some of the population is obese doesn't mean that we should ban everyone from eating rice and gravy. That's why we educate kids and parents about proper nutrition and a well-balanced diet. Everyone has the right to make choices including children and the only way we can help in making the best decisions for us would be through education. The vaping industry along with teachers, parents and government officials should work together to help solve this problem of underage vaping. Everyone in this state is part of one big Ohana and as an Ohana we should be coming together when trying to fix a problem involving all of us. Thank you for taking the time to listen to me.

Much Mahalo,

Timothy M. Oishi

**SB-2903**

Submitted on: 2/11/2020 1:39:08 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

Comments:

**My name is Cyrus D., and I am from Kalihi, on the island of Oahu. I am testifying as a high school student. I am testifying on the SB2903 - Relating To Flavored Tobacco Products. I am testifying in support of this bill.**

**I support the banning of flavored tobacco products because I see teens near or outside the school I am currently attending vaping. Every time I walk 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 nose and mouth to avoid inhaling the vapor since studies show that the vapers affect one's lungs and even the brain. Seeing this 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 school I am attending, 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 places 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's 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 currently being irresponsibly sold in the market. The flavors are for sure attracting the youth to try different ones, but one thing they don't 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- SB2903 - for the safety of the youth and the future generation.**

**SB-2903**

Submitted on: 2/11/2020 1:41:43 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lani Hernandez	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 1:43:33 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gabriel Griffis	Individual	Oppose	No

## Comments:

Hello. My name is Gabriel Griffis and I oppose bill SB2903. Flavors in vaping have been integral in getting me to quit smoking tobacco cigarettes. Flavors are also integral to the enjoyment of life for adults and children alike, whether it be the dessert we eat after dinner or the specific mint flavor we like in our chewing gum. While we must prevent our youth from vaping, it is the adult vapers who are passionate about flavors, not kids. I would not like to imagine a world without flavour options. Many, many vapers have used the gift of flavor to stop a deadly smoking habit. This is an addiction that has killed more people than we even wish to number. By switching to vaping, many people such as these may truly have a chance at living a longer and happier life than they would have if they continued to smoke. In the abundance of flavors the numbers of smokers converted to vaping will increase and the world will be better off because of it. Thankyou.

Gabriel Griffis

**SB-2903**

Submitted on: 2/11/2020 1:48:16 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Irene Papaconstadopoulos	Individual	Support	No

Comments:

Aloha,

My name is Irene Papaconstadopoulos and I am a Pediatrician currently practicing on Maui. The incidence of vaping among Maui's youth is devastating and calls for immediate action. MAny teens still do not know the potential harms of vaping. Vaping has been linked to 2,172 cases of lung injury and 42 deaths, counts that continue to rise. But in the coming months it may be harder to distinguish these from growing numbers of respiratory illnesses, and some may have both, the Centers for Disease Control and Prevention (CDC) noted in Tuesday's [Morbidity and Mortality Weekly Report](#).

**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).**

**SB-2903**

Submitted on: 2/11/2020 2:10:47 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Owens	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 2:14:31 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jostin A Iriarte	Individual	Oppose	No

Comments:

Aloha Chair & members,

My name is Jostin I Strongly oppose SB2903, 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. As a small business owner my business Hi Lyfe Vaporz, LLC has 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 SB2903, 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 Senator Richard Burr in his explanation of what his thought are on this matter here is the link

[https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W\\_qe6WHKH6gq-zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM](https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W_qe6WHKH6gq-zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM)

Mahalo Nui Loa for your your time

**SB-2903**

Submitted on: 2/11/2020 2:25:02 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Stevenson	Individual	Oppose	No

Comments:

Aloha Chair & members,

My name is Shannon Stevenson I Strongly oppose SB2903, 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 a worker in a small business 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. A small business such as Hi Lyfe Vaporz, LLC has 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 SB2903, 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 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\\_qe6WHKH6gg-zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM](https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W_qe6WHKH6gg-zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM)

Much Aloha and Mahalo For your time

**SB-2903**

Submitted on: 2/11/2020 2:27:19 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
steven savanhmixay	Individual	Oppose	No

Comments:

I've been vaping for 7 years. It helped me quit smoking and I believe it's way less poisonous than tobacco cigarettes. I wake up every morning with no problems and I plan on not going back so please do not pass this bill. Thank you

**SB-2903**

Submitted on: 2/11/2020 2:32:11 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
VALENTINO MIRANDA-KEPA	Individual	Oppose	No

Comments:

Aloha. Please OPPOSE Bill SB2903 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 AND OR MAKING STIFFER PENALTIES SO PLEASE OPPOSE THIS BILL.

Thanks for your time.  
Valentino Miranda-Kepa



**SB-2903**

Submitted on: 2/11/2020 2:37:18 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jan Shishido	Individual	Support	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 2:38:37 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Medeiros	Individual	Support	No

Comments:

I am in strong support of this bill.

**SB-2903**

Submitted on: 2/11/2020 3:48:30 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kahealani	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 3:55:26 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cyrus Howe	Individual	Support	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 3:58:02 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
natalea mikami	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/12/2020 7:34:16 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Danielle Castro	Individual	Support	No

Comments:

I fully support this ban and believe that the marketing and flavors of flavored tobacco specifically targets our youth.

**SB-2903**

Submitted on: 2/11/2020 4:00:04 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lauren Loor	Individual	Support	No

Comments:

Aloha members of the committee. My name is Lauren Loor and I am a resident of Maui County. Please support this bill to end the sale of flavored tobacco products in our state. Hawaii has one of the highest rates of middle schoolers and high schoolers currently using electronic cigarettes in the nation. According to the Youth Risk Behavior Survey in 2017 the rates of middle schoolers using e-cigarettes was 15.7% and for high schoolers it was 25.5%. It is not surprise that 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 and it is unacceptable. There are over 15,500 flavors currently on the market that are the reason youth are becoming addicted to nicotine. Please support this bill and get these flavors out of the hands of our youth. Thank you for your time and consideration.

**SB-2903**

Submitted on: 2/11/2020 4:01:49 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jonah	Individual	Oppose	No

Comments:

Aloha. Please OPPOSE Bill SB2903 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 AND OR MAKING STIFFER PENALTIES SO PLEASE OPPOSE THIS BILL.

Thanks for your time.  
Jonah Manuel



**SB-2903**

Submitted on: 2/12/2020 7:30:19 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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 senior at 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. E-cigarettes, for example, offer over 16,000 unique flavors. For kids unaware of the 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 and cereals to appeal to a younger audience.

By banning the sale of flavored tobacco, including menthol cigarettes, 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. In fact, 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. Educating others does play a role in prevention, but so does stopping the source as well. Without cool flavors to choose from or availability to menthol's minty feeling, 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. 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 spreading awareness, educating others, and enforcing this bill, we can be one step closer to ending this epidemic.

Kourtney Kwok

**SB-2903**

Submitted on: 2/11/2020 4:13:44 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
pua	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 4:16:01 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Collins	Individual	Support	No

Comments:

We must ban the sale of flavored tobacco products if we are to end this epidemic of youth smoking and smoking related deaths. Please make Hawaii a safer, more healthier place for our youth by supporting this bill.

Mahalo,

Rick Collins

**SB-2903**

Submitted on: 2/11/2020 4:22:41 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ned Garcia	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 4:36:15 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ASHLEY MATTOS	Individual	Oppose	No

Comments:

I vape and i know a lot of adults that do. We should be able to choose what flavors we want to vape.

**SB-2903**

Submitted on: 2/11/2020 4:39:35 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Wells	Individual	Oppose	No

Comments:

I'm in strong opposition to this ban.

**SB-2903**

Submitted on: 2/11/2020 4:48:15 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jess Lovely	Individual	Oppose	No

Comments:

Underage people don't vape because of the flavor. Underage vaping is a problem because it gives you a nicotine buzz. It's the same reason kids want to drink, smoke, and do drugs. They just want to get high. Taking away flavors from adults because kids want to get high doesn't solve any problems. It punishes the adults. Kids will still vape high nicotine e-cigarettes like JUUL regardless of the flavor. On another note, the CDC has tracked all lung illness from vaping directly back to marijuana vape cartridges containing vitamin E acetate oil as a cutting agent. It has nothing to do with e-cigarettes, or e-cigarette flavors. Vitamin E acetate has never been used in nicotine vapor products. Taking away a safer alternative for adults that will turn back to smoking as a replacement is harmful to the public. Smoking kills 3.7 million people a year world wide. Banning vape flavors is not the solution to underage vaping.



**SB-2903**

Submitted on: 2/11/2020 5:10:07 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hoku	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 5:42:36 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alysha Cosier	Individual	Support	No

Comments:

My name is Alysha Cosier and I am a pharmacy student. I am testifying in support of bill SB2903. I feel passionate about this bill because the use of Electronic Smoking Devices among youth in Hawai'i has increased and doubled or even tripled over the national rate. This vaping epidemic was brought by a perfect combination of easy access and flavorful tobacco products. If this epidemic continues, it would pose a significant risk for major health issues to the youth. Hawai'i is already experiencing a youth vaping epidemic. With 8 in every 10 kids starting with a flavored tobacco product, a major way to address young people's use of tobacco products, including e-cigarettes, is to prohibit the sale of flavors that attract youth in the first place and discourage them from trying these products. I believe that the proposed ban on all flavored tobacco products, including, but not limited to, tastes or aromas relating to any candy, chocolate, vanilla, honey, fruit, cocoa, coffee, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, or spice and the increase in fines and penalties for any violations presented in this bill is essential in bringing a stop to the Hawai'i vaping epidemic. Again, I would like to emphasize my strong support for bill SB2903.

Thank you for the opportunity to testify.

**SB-2903**

Submitted on: 2/12/2020 7:40:08 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dory Kong	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 6:34:09 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David McCann	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/12/2020 5:48:45 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicholas Winters	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 6:58:55 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Monika Lopez	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 7:38:57 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Asuncion	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/11/2020 7:40:32 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clayton Silva	Individual	Oppose	No

Comments:

This bill is grossly unfair over-regulation.



**SB-2903**

Submitted on: 2/12/2020 2:43:41 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kimo palenapa	Individual	Oppose	No

## Comments:

I've smoked for over 20 years and tried pills, patch, gums, Hawaii quit line and none worked until I used vapor e cigarettes. You are going to ban flavors but still sell cigarettes now what will I do when you ban e-cigarettes. I will try to fight it but I will eventually turn back to big tobacco company again taking in all those chemicals and blowing cigarette smoke in to the air. I've quit for 5 years now and feel good have no health issues. My doctor even said he thinks it's better than smoking a cigarette. I can't believe your going to ban flavors or vaping in general but still sell cigarettes....something is very wrong with that picture. How about we start a campaign for vapor free kids. It's the best thing that ever happened for me and the only thing that worked. Thanks and please really think about how many people will go back to smoking dangerous cigarettes.

**SB-2903**

Submitted on: 2/11/2020 8:20:20 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathleen Hagan	Individual	Support	No

Comments:

**As a parent, nurse, and teacher, I am strongly in SUPPORT of 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. Menthol is another flavor popular with those trying tobacco for the first time due to its cooling properties. Furthermore, menthol has historically targeted vulnerable groups and is popular amongst Native Hawaiians and Pacific Islanders, making it a social justice issue as well as a public health one. The health risks of e-cigarettes are well documented as are the disruptions to classes and schools.**

**Mahalo,**

**Kathleen Hagan, MS, APRN, ANP-BC**

**SB-2903**

Submitted on: 2/12/2020 1:00:01 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Theresa Revell	Individual	Oppose	No

Comments:

Honorable Senators:

I strongly oppose SB2903, Please reconsider a proposed ban on flavored tobacco products and vote against SB2903.

Respectfully submitted,

Theresa Revell

February 11, 2020

**Strong Support of SB 2903 RELATING TO FLAVORED TOBACCO PRODUCTS.**

To the House of Representatives

Hrg: Thursday, February 13, 2020, 9:00 AM, Conference Room 016

**I strongly support SB 2903 RELATING TO FLAVORED TOBACCO PRODUCTS, which would Ban the sale of flavored tobacco products.**

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 SB 2903 RELATING TO FLAVORED TOBACCO PRODUCTS and ask you to pass this out of committee.**

Sincerely,  
*Jessica Cambra ~mother of 3 Maui boys*  
*101 Kealahilani Street*  
*Kahului HI 96732*  
*808-280-0055*

**SB-2903**

Submitted on: 2/12/2020 12:51:53 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Louis Bauguess	Individual	Oppose	No

Comments:

To whom it may concern,

I oppose SB2903. Please listen to your voters.

Mahalo,

Louis Bauguess

**SB-2903**

Submitted on: 2/11/2020 11:32:38 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeffrey Albo	Individual	Oppose	No

Comments:

Aloha,

I have smoked for 23 years with the assistance of flavored ejuice i have been cigarette free for 4 years and counting. I humble ask that you do not ban flavored ejuice. It has helped me and countless others.

Mahalo

Jeffrey Albo

Aloha!

I have been fortunate to meet, work and guide thousands of children, parents and co-workers for four decades in various roles in the private and public sectors.

Through these experiences, I have seen the devastating effects of tobacco use on health, family life, academics, hygiene and interpersonal relationships. Because of this, I will do my part to prevent the onset or addiction of children or adults towards a career in tobacco use.

Please consider a ban on candy flavored tobacco products.

### **Observations**

Work Performance = as a supervisor in the service and transportation industries, I have seen employees terminated for continuing to smoke in restricted areas or regularly calling in sick due to respiratory illness, causing financial hardship for their families.

Non-attendance = as a teacher, I have seen the symptoms of asthmatic and/or sick children worsened by second smoke leading to absenteeism and educational implications when coupled with rising academic standards.

Reckless Behavior = as a high school counselor, I know of minors who chose to run or find other places to stay because they realized the hazards of second hand smoke or could not tolerate the overwhelming stench of their home. In other situations, minors avoided going inside their homes until very late and loitered outside which led to reckless behaviors and tragic events.

Meltdowns = as a middle school counselor, I guided students through emotional episodes and mediated family relationships because children could not fully understand their parent's addiction or why adults would continue to sicken or poison loved ones at home or in their cars.

Athletics = as an athlete, Assistant Athletic Director and coach, I have seen participation and performance of student-athletes diminished by tobacco use or the effects of regular exposure to second hand smoke in family settings.

Cultural Implications = as an urban garden and foodie, it is disheartening when children cannot enjoy the natural fragrances of native and other flora and cuisine because their senses have been compromised.

Mahalo for your consideration!

Sam Kakazu Jr.

Educator and School Counselor, Department of Education (retired)

Assistant Athletic Director, J.B. Castle High School

Vice President, Service Committee Chair, UH Letterwinners Club

Blue Zones Project (Koolaupoko), Schools Committee, Tobacco Policy

Supervisor, HawkTree International/Island Movers (retired)

**SB-2903**

Submitted on: 2/12/2020 8:01:41 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
P Kuromoto	Individual	Oppose	No

Comments:

This legislation is fatally flawed.

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 reason 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.

- Epidemiologically, there has actually been no evidence of harm from ecigarettes at all. Vaping is statistically safer than walking down the street or going to the beach.

- 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.





**SB-2903**

Submitted on: 2/12/2020 8:30:42 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy Kim	Individual	Oppose	No

Comments:

**SB-2903**

Submitted on: 2/12/2020 8:45:11 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Matthew Nathan Kobzi	Individual	Oppose	No

Comments:

This bill represents a major overreach of government and is a violation of personal liberties guaranteed by the US Constitution. In addition, the bill is based on false data and assumptions. The real issue is not flavored tobacco, but those who are selling it to underage kids or the parents who let it happen.

Instead, the state should be cracking down on illegal sales to minors. By enacting a ban, the legislature is punishing law abiding citizens who have done nothing wrong. In short, you are taking away the freedom of thousands of adults who have used flavored e-juice to quit a much more dangerous habit of smoking traditional cigarettes. Many will simply resort to smoking regular cigarettes again, as well as the minors whom you are so concerned about.

Bans are not a solution to anything. In fact, it only drives people to do it more. This will be the case here. The kids will still get it if they want it. The adults who love it and were once law abiding citizens will bend the law to get around it. Ultimately, no solution is met. Once again, the legislature will have failed the people.

A final point should be made that it was never the job of our elected representatives to tell citizens what they can and cannot do. This seems to be based on an assumption that the citizens need somebody to care for them at all times. It is not your job.

Personally, I can wipe my own ass and choose what I use to wipe it with. I do not need an elected official to mandate which brand of paper I should use.

**SB-2903**

Submitted on: 2/12/2020 8:55:11 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

Comments:

Aloha,

I am in opposition of SB2903. I am a legal adult of 45 years of age. I am a born and raised Hawai'i resident. I am a registered voter. I do not believe that I should be prevented from being able to purchase a legal product if I chose. Banning anything legal from being purchased by legal adults is wrong. Our freedom will be taken away. We are allowed to make decisions like having flavored e-liquid or using vaping products. There is already a law in place to prevent minors/underage use of vaping products. The law is 21 years of age to make legal purchase. Why aren't lawmakers concerned with the failure to enforce and uphold the laws already in place. I am the daughter and wife of veterans. I hold all freedoms we enjoy as Americans very dear to me. The cost of freedom isn't free. I do not want any freedoms taken away from me. Taking the right to chose a flavor of a completely legal product away will be taking freedoms away. I have been vaping instead of smoking for 5 years now. I have always used flavors. I use a mixed berries with a strawberry glaze flavor and have been using it for 5 years. I sometimes have use s strawberry chew candy flavor with menthol also. I don't believe minors and underage users even care about the flavor. I believe they want to get a nicotine high from very concentrated "salt" nicotine devices. "They like the spin", I have heard from some young adults.

Please do not ban flavors! I don't like to VApe tobacco flavor or straight menthol. I don't like tobacco flavor because I don't want to be reminded of tobacco. I really don't like straight menthol because it is very harsh, like having 5 cough drops at once in your mouth.

The solution to the minors/underage use and sale problems to me is enforcing the age law already in place. By enforcing the already established age law you will not impede on the freedoms of other legal law abiding citizens. Limits of the sales of vaping products should be made. Vaping sales should be limited to vape specific stores. Limiting availability will increase the ability to enforce the age law.

Mahalo for your time,

Michelle Johnston

Kailua-Kona, Hawaii



**LATE**

**SB-2903**

Submitted on: 2/12/2020 9:06:34 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
HANALEI BENN	Individual	Oppose	No

Comments:

I oppose this bill. Flavored tobacco products have helped me stop smoking cigarettes. Since I have stopped myself and my body feels better. I don't smoke as much and when I do I can enjoy doing so around others because I smell like a bucket of strawberries and not an ashtray. I would be really bummed if I could no longer be able to purchase a product I truly enjoy.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 9:15:40 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aiden Fulks	Individual	Oppose	No

Comments:

I've noticed a large decrease in cigarette smokers over the years thanks to vaping. There are many great points and rebuttals, but as a person who has quit cigarettes thanks to fruity and easier to consume nicotine products. Unflavored, mint, and menthol will not spark interest in a already smoking individual as not all people like chewing gum or the taste of Tobacco. Thank you for reading my testimony.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 9:18:51 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christian Mahuna	Individual	Oppose	No

Comments:

I believe that this bill will cause more trouble than solve it. Flavors are a means to an eventual end. It's attraction to kids is not a focus of e-juice conglomerates. They focus on the betterment of adults by giving them a better alternative to smoking cigarettes. It is up to parents to teach their kids about tobacco products.



**LATE**

**SB-2903**

Submitted on: 2/12/2020 9:25:19 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Song	Individual	Oppose	No

Comments:

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. 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).



**LATE**

## Flavored Tobacco Ban

### **End the Sale of Flavored Tobacco Products!**

### **I, Shani Gacayan Strongly Support SB2903**

#### **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).

**LATE**

**SB-2903**

Submitted on: 2/12/2020 9:59:39 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kerith Harding	Individual	Support	No

Comments:

As the pastor of a Maui church, I see it as a personal responsibility to do everything I can to safeguard the overall wellness of our local young people. As elected officials, tasked in part with safeguarding the health of all our residents, I expect that you feel this responsibility very personally as well. If so, I can see no other choice than to support the ban of all flavored tobacco products. Please see below statistics that support this position. And please, vote with the health of our keiki in mind; not the opinions of industry lobbyists.

**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).

Mahalo,

**The Rev. Kerith Harding, Rector of St. John's Church, Kula (Maui)**

February 12, 2020

**LATE**

Aloha,

I have been a school counselor in rural Maui for almost 20 years. The past 2-3 years there has been a significant rise in electronic cigarette use by students in my school as young as 3<sup>rd</sup> and 4<sup>th</sup> grade. As you know there are devastating consequences to beginning this habit as children and young adults. As a school and community we are doing all we can to educate and prevent this from happening including parent meetings, prevention presentations, counseling, etc, however, we are no match for big-vape companies with unlimited money for advertising to children on social media.

Our community is predominantly Native Hawaiian, data shows that our people have the highest use rate in our state. Something more has to be done to turn the tide away from these harmful devices.

As a counselor, as a mother, as a very concerned citizen, please do all you can to ensure regulation so our children do NOT have access to these devices. This includes a flavor ban (which will directly impact children) and online sale regulation, I am terrified about their future health and happiness if this continues unregulated.

Me ka mahalo,

*Moani Aiona*

Moani Aiona, School Counselor  
Hana High & Elementary School

**LATE**

**SB-2903**

Submitted on: 2/12/2020 10:44:06 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Grehawick	Individual	Oppose	No

Comments:

Stop taking away our rights to choose how we want to quit smoking!!! Flavored E-liquids saved my life!!!

**LATE**

**SB-2903**

Submitted on: 2/12/2020 10:45:35 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Chang	Individual	Oppose	No

Comments:

I'm completely opposed to the SB2903 ban.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:09:05 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
mahea	Individual	Support	No

Comments:

I am an 8th grade student. Smoking is bad in general but its even worses for kids. Smoking at a young age is very bad because your brain and body or still growing and it couol effect your growth. Also it is very bad for your lungs and heath in general. It is very addictive and it is hard to stop smoking .



**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:10:05 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Zoe	Individual	Support	No

Comments:

Hello! My name is Zoe and I'm a 8th grade student. I believe vaping products shouldn't be targeted at youth. If kids see adds that their interested in they are possible to get it and may not even know what they're doing. They don't know the risks or affects. Vaping and nicotine could change the course of their lives and not for the better. These kids arent fully developed and this will mess them up even worse than if they were adults. Some affects kids could get by vaping is slow brain development, affect memory, concentration, learning, self-control, attention, and mood increase the risk of other types of addiction as adults. Having big companies affect the next generation like this should stop.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:11:44 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jessa	Individual	Support	No

Comments:

Hello! My names Jessa S. :). I'm from Hana, Maui which is on the eastside of the hawaiian island Maui. I'm 13 years of age and a 8th grade student. My reason for this is to tell u my opinion on Why tobacco products shouldn't target youths. I think tobacco products shouldn't target the youth because if this targets our youth it could change their future, which when they get into society they can change other peoples future. Such as if they get too addicted to tobacco at a young age such as 13-18 years old they wont be doing as well in school which when they get older they won't have a much of a future they could be proud of. The kids these days see ads on how these products are ok for them to use. Such as the people that make these products as everyday looking objects. Like office supplies, children juice boxes, jacket strings, and etc. So with this said I would want these kids to have a better future by not using these "products" and live a healthy non tobacco life.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:14:26 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kaimana	Individual	Support	No

Comments:

dont vape your life away

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:20:38 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alexia	Individual	Support	No

Comments:

Hi my name is alexia i'm in 8th grade and i think they should not sell tabaco to kids.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:16:03 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
seaena	Individual	Support	No

Comments:

.Hi my name is seaena, and im from Hana Maui and im an 8th grade student and I think that all tobacco products should not be sold in stores because it ruins our lungs and keeps us people from keeping our body healthy and living longer

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:24:00 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
hoaka	Individual	Support	No

Comments:

Hi i am a 8th grade student from hana school and this is my testimony is that we should stop these smokers because were killing too many people in the world, why dont people relise that everyone dont have to smoke, is it because its a trend and everone body wants to get on this trend and Tobacco use is a cause or risk factor for many diseases; especially those affecting the heart, liver, and lugs, as well as many cancer. We had this Tobacco as long been used in the Americas, with some cultivation sites in Mexico dating back to 1400–1000 BC.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:25:02 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jacob pu	Individual	Support	No

Comments:

am a 8th grade student. i think tobaco products are bad for kids because they have different kinds of flavers that are adicting to kids.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:28:18 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shaunnie tolentino-kaiwi	Individual	Support	No

Comments:

My name is Shaunnie im a 8th grader here at Hana High and Elementary school. I am writing this to testify on my behalf saying that the tabaco company should not be targeting us young youths. I have seen the product that they are making and it looks like what every child would like to have. It looks like a juice box, candy and jackets that make them hide it. These types of things should not be happening. It is dangerous for us kids and if you care for young children and their future, you need to put a stop to this kinds of companies. Flovoring is what is drawing us young kids to vape. Stop it once and for all.

Mahalo,

Shaunnie



**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:28:29 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kawelo	Individual	Support	No

Comments:

I am a middle school girl from Hana and i think that having tabbaco flavored products shouldnt be a vape flavor because it can lead from rolling a joint to just vaping and thinking its ok when it can cause cancer and many other deseases.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:29:04 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kainalu	Individual	Support	No

Comments:

I am an 8th grade student from Hana. and i think it is up to other kids to smoke if they like die

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:29:07 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
April Pacheco	Individual	Oppose	No

Comments:

**LATE**

**SB-2903**

Submitted on: 2/12/2020 12:29:14 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
julian	Individual	Support	No

Comments:

, hi im an 8th grade student my thought's about tobacco killing kid's is bad. the companies should get in trouble not the little kids. These products are bad for us kids, and if they get rid of the tobacco products us kids will not be tempted to using or even trying the product. So please help me in getting rid of this items. Banned it right now. Save us so we can live a healthy life in the future.

Thank you for reading and hearing my concerns



**LATE**

## FILIPINO NURSES ORGANIZATION OF HAWAII

### EXECUTIVE OFFICERS 2019-2021

Amie Guillermo, RN, CM  
**President**

Charmen Valdez, BSN, RN, CM  
**President-Elect**

Donalyn Baldeviso, BSN, RN  
**1st Vice President**

Myra Baided, BSN, RN  
**2nd Vice President**

Meynard Duyao, BSN, RN, CM  
**Secretary**

Melkarth John Raqueno MSN/Ed, RN  
**Assistant Secretary**

June Racela BSN, RN  
**Treasurer**

Merlyme Goze-Lim BSN, RN  
**Assistant Treasurer**

Windel Yabes BSN, RN  
**Auditor**

### BOARD OF DIRECTORS

Amy Dela Cruz, BSN, RN, RNC

Agnes Reyes, RN, CM

Flordeliza Supnet, BSN, RN, CM

Josephine Rojas, RN

Luanne H. Long, BSN, RN, CM

Lolita E. Ching, APRN-RX, FNP-BC, MSN, CCRN, RN

Margie Berueda, RN, CM

Nora Palma BSN, RN, CM

Rosalinda Malalis, RN, CM

Stephanie Chung DNP, RN

Arceli Quibar

**The Late Ines Cayaban, RN**  
**FNOH Founder**

### Accountant

CS Accounting and Tax Services

Stephen E. Callo, CPA

Matthew Smith, CPA

### Legal Counsel

Durrett & Lang, LLLP

Jonathan S. Durrett, Esq

Adam G. Lang, Esq

### 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 SB2903, Relating to Flavored Tobacco Products

Dear Legislators:

The Filipino Nurses Organization of Hawaii supports SB2903, Relating to Flavored Tobacco Products.

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 SB2903, Relating to Flavored Tobacco Products, and other measures aimed at curbing the e-cigarette epidemic among our youth.

Sincerely,

Amie Guillermo, RN  
President

**LATE**

**SB-2903**

Submitted on: 2/12/2020 1:11:29 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
azaya mandini	Individual	Oppose	No

Comments:

I'm 6 years free of tobacco because of vape juices. Please nDon't take my flavors away from me.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 1:11:42 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elijah	Individual	Oppose	No

Comments:

I quit smoking tabacco for 3 years now haven't smoked sence don't take our flavors

**LATE**

**SB-2903**

Submitted on: 2/12/2020 1:24:31 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sabrina Spencer	Individual	Oppose	No

Comments:

Enough Already. Stop trying to pass this kind of crap.



**LATE**

**SB-2903**

Submitted on: 2/12/2020 1:42:45 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Park	Individual	Oppose	No

Comments:

**LATE**

**SB-2903**

Submitted on: 2/12/2020 1:43:08 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hilary Lang	Individual	Support	No

Comments:

Aloha,

I am a teacher at Hana High & Elementary School for 11 years. I was an elementary teacher and now I am a middle school teacher. I have 7 and 11 year old children. We have had students as young as 3rd grade using vape products and bringing them to school. They are particularly drawn to the fun flavors, cute packaging, and being like their middle school family and friends. My kids are so excited about cotton candy, chocolate, strawberry, etc. Adults who are cigarette smokers are not looking for cotton candy flavor. Those are targeting my children. We have DARE at our school and anti-vape poster contests, but many students are not interested because they already use it. Vape products have highly addictive nicotine and many chemicals that are very hard on growing bodies and minds. There are many vape products that are easy for the kids to conceal (looking like regular classroom supplies, candy, or tiny enough to keep in their clothing). When the kids use these chemical products, they have a hard time focusing on their academic classes. Nicotine is very addictive. Our children have so many challenges growing up to have large corporations targeting them to be life long customers addicted to their products. They are not old enough to make educated and informed choices about this level of addiction, chemical dependency, medical problems, loss of academic learning, and social emotional problems. Please help us keep these tobacco and nicotine products out of the hands of children so that they have an opportunity to grow up with healthy minds and bodies.

I oppose penalties for our youth. We can not have our youth be afraid to get adult help. These are very addictive products and they have used these products it is because of the industry has targeted them. They will need to have support and help getting away from this addictive nicotine product and not be afraid that they will get in trouble.

We need to have intelligence in helping combat these industries targeting our youth and trying to get them to become new life long customers. Please support these bills in protecting our at risk native youth.

Hilary Lang

A concerned teacher and parent

Hana High & Elementary

**LATE**

**SB-2903**

Submitted on: 2/12/2020 2:14:38 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Dietrich	Individual	Oppose	No

Comments:

Vote no on this one!

**LATE**

**SB-2903**

Submitted on: 2/12/2020 3:03:16 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melvin C Baldwin	Individual	Oppose	No

Comments:

**LATE**

**SB-2903**

Submitted on: 2/12/2020 3:03:35 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Vickie Parker Kam	Individual	Support	No

Comments:

I speak in strong support of banning flavored tobacco products. These products are being used by underage persons, especially at the middle school level. The students bring this contraband, use on campus, and share with friends. Overall, these products are targeting students and impacting their health and welfare. Please support SB2903.

Mahalo, Vickie Kam

**LATE**

**SB-2903**

Submitted on: 2/12/2020 3:36:33 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edgar Alfonso	Individual	Oppose	No

Comments:

Im a usn veteran if 24 years and a smoker of 15 years. Medical issues then were URI (4x year) High blood pressure, Pneumonia and congestons. Now all my nederal issues are no longer present except for allergies. I believe quitting smoking since 2009 has help me a great deal on this issue. I also dont have heart conitions and lowered my cholesterol and no diabetes.

I started using menthol tobacco back in 2009 fron Volcano ecig and thats how i got started and kept going when flavors git introduce. Without them I may gave fallen nacknyo smoking. I only vape watermellon, mango, stawbery and peaches with menthol. Im smoke free for 10 I am a vaper and quit smoking 9 yrs ago and never had any lung problems and I only now get uri or lower respiratory illnesses once a year compared to 4 x per year when i was smoking menthol lights during my active duty tours.

Please consider alternative measures to combat the youth vaping rather than banning flavors and have other adult vapers pay the price Thank you

Ed

**LATE**

**SB-2903**

Submitted on: 2/12/2020 3:53:58 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Naomi C. Liu	Individual	Oppose	No

Comments:



**LATE**

**SB-2903**

Submitted on: 2/12/2020 4:00:22 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chad Wheeling	Individual	Oppose	No

Comments:

**LATE**

**SB-2903**

Submitted on: 2/12/2020 5:09:27 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Watanabe	Individual	Oppose	No

Comments:

**LATE**

**SB-2903**

Submitted on: 2/12/2020 5:44:11 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Catherine Vargas	Individual	Support	No

Comments:

I support the ban of flavored tobacco products. I am a dentist on Maui, and am shocked at how many of my adolescent patients use tobacco products, such as vaping devices. Studies show that individuals who start with vaping will use other tobacco products such as cigarettes. Tobacco products such as cigarettes are known to be linked to oral diseases such as periodontitis. I also feel that flavored products are directly targeting our community's youth, and would like to see them banned. I would also like to see mint and mentol considered flavors, and also banned, as this is a common flavor used by our community's youth.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 6:23:12 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeff Stevens	Individual	Oppose	No

Comments:

**LATE**

**SB-2903**

Submitted on: 2/12/2020 6:37:01 PM  
Testimony for CPH on 2/13/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Ohashi	Individual	Oppose	No

Comments:

I was a smoker of combustible cigarettes for 25 years (I'm 53 years old now) and began to have breathing problems from smoking cigarettes. I was introduced to E-Cigarette way back in 2009 when not many people had even heard of them and decided immediately that it might be better for my overall health if I switched. I found out that my combustible cigarette smoking breathing problems disappeared after only the second day of switching to the e-cigarette vaping way! Back then there were only a small variety of flavors to choose from BUT the flavors are the reason I never went back to combustible cigarettes! I soon found out that the smell of burning tobacco cigarettes were stink and have been smoke free for eleven years! I started out using up to 24mg of nicotine, which is 8mg MORE than a single Marlboro Reds cigarette, and have in those eleven years tapered down to 3mg of nicotine. I know I was able to do this BECAUSE of the many flavor varieties and milligram strengths that were beginning to be produced by great and thoughtful companies (which you would also be punishing by putting them out of business! Also the flavors of the vape liquid tastes better at a lower milligrams of nicotine so logic told me my goal of tapering down to 6 or 3 mgs of nicotine was my ultimate goal. And no, honestly I doubt I will ever quit having consumed nicotine more than half my life.

Now, using the argument that "flavors" are the problem when it comes to young people is a plain cop out/scapegoat! That it lures young people into vaping is blaming the wrong thing! Hawaii has passed the law of increasing the age to 21 and must seriously enforce the sale to minors! The fines should be above an outrageous fine for stores who sell to minors AND to those who are older, would buy the vaping equipment and liquid for these minors! BOTH should be fined and jailed! Even if it is a family member or parent! Enforce the way the law pursues those who buy liquor for the underaged kids! Education is also necessary to the youngsters! Because you will be punishing all the adults who made the switch and now vape instead of smoking combustible cigarettes! By banning all flavors you will be condemning all the adults who used to smoke but decided that vaping has improved their overall health for the better! And by condemning those who switched to vaping, they will be forced by the Hawaii State govt to switch back and restart smoking combustible cigarettes even to the detriment of their health! Others like myself will be forced to buy the DIY liquids and create our own flavors like we all did back in 2009 or earlier and those who don't know how will have to be their own Guinea Pig test subjects which WILL be detrimental to their health, as a lot of the

ingredients come from the black market! And we all know what black market products do to the inexperienced who want what they want! (ie Dank Vapes!).

If you ban flavors, many will switch back to smoking tobacco cigarettes while many others will be buying from the black market. By banning flavors the government gives up the control you have to regulate and hand it over to the black market where more people will get sick or die all because you are blaming flavors on the youngsters who will find ways to break the laws already in place, to keep vaping out of their hands! Hell, I'd even consider switching back to Marlboro Reds if I couldn't get the DIY products I've used in the past because you, the government, will be punishing all us adults by banning flavors in hopes that these youngsters will never find ways to break laws and get what they want!! You need to punish those who break the laws NOT those adults who have chosen a safer habit than smoking tobacco cigarettes!!

**LATE**

**SB-2903**

Submitted on: 2/12/2020 7:28:00 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edward Hoenig	Individual	Oppose	No

Comments:

Banning flavors is a mistake. Without flavors, I would never have quit smoking using vapor products. The first flavor I ever purchased was a tobacco flavor because I thought I'd like it since I enjoyed cigarettes. I was wrong. It tasted horrible and I quickly switched to a fruity flavor that the salesperson wisely convinced me to also purchase. I had tried many times to quit before. I tried nicotine gum, pills, and patches. Nothing worked for me. Flavored vapor products did. Please don't take that away from people.

There is a push by many politicians to ban things they see as a problem without fully thinking through the problem or considering the unintended consequences. If the push to ban flavors is to curb youth usage, then you are missing the real issue. Kids are not vaping because of the flavors. They are vaping to catch a buzz, just like they have done for years with traditional cigarettes. Access for tobacco and nicotine products is and should remain restricted. Taking away flavors for the general public is penalizing adults by removing valuable harm reduction tools. If politicians want to focus the power of government on reducing teen usage they should concentrate on enforcement of age checks by retailers. Banning flavors will not reduce teen use of tobacco and nicotine products, but it will push youth AND adults back to using traditional tobacco products.

If the desire to ban flavors is a reaction to the lung illnesses we saw across the nation then this action is also misguided. We now know that the problem wasn't due to flavors, it was due to illicit THC cartridges that unscrupulous makers that were cutting them with a thickening agent. It was the thickening agent, not the flavor that caused the problems.

I wish I could be there in person to express to you how much of a positive impact vaping has had on my health and my life. It would be a true shame if our elected officials did not do their due diligence and research this issue thoroughly before banning something that has helped so many people to quit using combustible tobacco.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 8:23:05 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie L Tanner	Individual	Support	No

Comments:

Aloha Committee Members for the Public Good,

PLEASE BAN flavored nicotine products, including menthol, because these 'candy-like, psuedo-appealing' flavors ("Unicorn Tears"???) clearly drives the YOUTH vaping EPIDEMIC. I am a retired Hawaii State Teacher and now, LINE UP FOUR HIGH SCHOOL KIDS: ONE VAPES REGULARLY! The tobacco industry is predatory and takes advantage of young people by marketing menthol and flavored nicotine products. It is UNTRUE that methol or flavors "make it easier on the throat", and even if it did, THAT WOULD CAUSE THE USER TO INHALE EVEN MORE to obtain the same effect, gain even more debilitating nicotine in the body, whether one is 15 years old or 55. PLEASE RESTORE THE STATE'S AUTHORITY, TAKE ACTION TO STOP the Sale of Flavored, Menthol nicotine products.

I am glad that tobacco-cigarettes were NOT allowed to be sold to minors when I started smoking at age 18 BECAUSE I surely smoked less, started smoking when I was not a minor, and could bear the expense (as opposed to the \$\$\$\$ dollars today's children and citizens pay for nicotine delivery systems). It was hard to stop smoking--I know it will be VERY HARD on young people. Please make it easier for them to NOT START with Flavored or Menthol products. Mahalo.



**SB-2903**

Submitted on: 2/12/2020 8:24:53 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Poynter	Individual	Oppose	No

Comments:

Date: February 12, 2020

To: The Honorable Rosalyn Baker, Chair

The Honorable Karl Rhoads, Vice Chair

Members of the Senate Committee on Commerce, Consumer Protection and Health

Members of the Senate Committee on Judiciary

Re: Strong Opposition of SB2903, Relating to tobacco flavored products

Hrg: February 13, 2020 at 9:00am at Capitol Room 016

Dear Committee Members:

I strongly oppose SB2903 which attempts to *ban the sale of flavored tobacco products. Effective January 1, 2021.*

I have been a smoker for 18 years, and for the past 5 years I have been off of traditional tobacco by switching to e-cigarettes. As an adult, flavors played a major role in the process of me quitting traditional cigarettes. Since I made the switch, I feel that my overall health has improved. I used to suffer from major coughing, fatigue, congestion, and was more prone to frequent illnesses (such as colds). Since I made the switch to e-cigarettes, I have not had colds as frequently or as severe as when I was smoking traditional cigarettes and feel my energy has increased significantly.

**Banning flavors may have unintentional consequences.** Banning flavored e-liquids may drive a black market causing increased risk of e-liquids being made incorrectly and potentially harming thousands of vapers/citizens in the state. Right now the FDA have certain regulations in place for facilities and have standardized guidelines to ensure product safety. If people start making their own e-juice or e-liquid this may create more

unintentional harm to the people of Hawaii. Making vaping illegal products seems counterintuitive and smokers who switched to vaping will end up vaping illegal products, which may make the problem even worse.

Prohibiting flavor options creates a barrier to becoming smoke free and, as a result, many people will actually be encouraged to continue smoking instead of making the switch to a product that is estimated to be 99% less hazardous than smoking traditional cigarettes.

Banning flavored tobacco products will not curb teen vaping, which is the main concern for this flavor ban. Some agencies believe that flavors hook kids, but adults favor flavors as well. Flavors are an important aspect of vapor product as they help people who are quitting smoking disassociate nicotine consumption from inhaling smoke and the taste of burning tobacco.

Instead, please consider stronger laws that should deter the purchase of e-cigarettes among Hawaii's youth. The state of Hawaii already has a strong age to 21 law in place which should be enforced heavily to deter kids from attaining these products. Most adult users use the flavor products as well, in which a flavor ban will impact the adult consumers. If this bill is truly targeted to help youth, address the youth issue not penalize adults.

E-cigarettes are a healthier alternative. Traditional tobacco kills up to 14,000 people per day worldwide. E-cigarette use has helped traditional tobacco users quit and making the switch helps save lives. There are numerous studies that have shown vapor emitted from electronic smoking devices (ESDs) to have much lower levels of toxicants present in traditional tobacco smoke. Long term health effects of vaping are unknown compared with traditional tobacco such as cigarettes. ESD vapor are likely to be much less, if at all, harmful to users or bystanders (Hajek, P., Etter, J.F., Benowitz, N., et.al., Electronic cigarettes: review of use, content, safety, effects on smokers and potential for harm and benefit. Society for the Study of Addiction, vol 109, issue 11, Nov. 2014. 1801-1810).

Dr. Michael Siegal of the Boston University of Public Health, an expert in public health, supports vaping as an alternative to cigarettes. In his professional opinion, e-cigarette use is more reasonably effective than most nicotine replacement therapies via pharmaceutical products which often have nicotine in them. E-cigarettes are increasingly popular among smokers as an alternative and there is no hard evidence of regular use to be as detrimental as traditional tobacco. Just the fact that e-cigarettes enable users to reduce or quit smoking is a huge benefit and could save the state in health care costs. Banning flavors will leave smokers without this helpful solution and may cause smokers to go back to traditional smokers if no alternative is allowed.

Please allow the people of Hawaii to continue to access e-cigarettes to help with their tobacco addiction. There are harmful medications available of which have been used to treat tobacco addiction that have dangerous side-affects. For example Chantix can

cause depression, seizures, cardiovascular and blood vessel complications. These medications can be very expensive. E-cigarettes are definitely a healthier alternative. I have been vaping for 5 years after smoking cigarettes since I was in the 7th grade. I feel stronger, healthier (breathe better) and my sense of taste has returned. There are positive effects of e-cigarettes. Please don't take away the opportunity and personal choice for tobacco smokers to access lower cost alternatives.

I strongly oppose HB2903 and ask you to kill this bill on the spot.

Mahalo,

Electronically signed

Jonathan Poynter

**LATE**

**SB-2903**

Submitted on: 2/12/2020 9:07:58 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
isac	Individual	Oppose	No

Comments:

I'm against this bill because, we don't need a ban on flavors we need a reform of regulations and policies to deter our minors from buying tobacco products.

**SB-2903**

Submitted on: 2/12/2020 9:14:11 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

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

## Comments:

My wife smoked cigarettes for more than fifteen years. She would constantly get sick and would get winded easily. She tried quitting many times with no success. After trying vaping she was able to quit over night. She has been smoke free for over a year and a half now with out the urge to return. Her health has dramatically improved and she can run and play with our children. If this bill was to pass into law, the cost vaping in Hawaii would dramatically increase. This could effect retailers and their employees. It would result in a lot of Hawaii's people losing their jobs. My wife's progress would not be possible without Vaping and she would most likely got back to traditional cigarettes if it vaping was no longer a viable option.

Aside from my wife's story, I myself work at brick and mortar Vape shop. My coworkers and I would have our careers threatened by this bill passing and becoming law. That would take away our livelihood and the means that we provide for our families. From our business standpoint this bill would add on alot of unexpected cost to maintaining our small business. The cost of our product would have to go up and we would most likely lose alot of customers. The worse case scenario our shop would shut down.

On a daily basis, at work, I meet adults who are of age who tell me how vaping has helped them quit and stay off smoking for a month, a year, five years or more. They tell me that vaping was the only way that truly worked for them. Studies show its 95% less harmful. Studies also show vaping gives smokers twice the likelihood of quitting over other methods (I.e. patches, gum, etc.) VAPING IS NOT SMOKING!! Alot of your supporting details bundle the two together and they are not the same thing. A more effective path you could pursue would be stricter punishments for retailers that sell to underage and for parents of kids caught vaping or with devices/eliquid. Parents need to be accountable for their children. Often times they are the ones buying it for the kids.

In closing I highly oppose this bill , Aloha!



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

**LATE**

*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 Baker, Chair  
Senator Chang, Vice Chair  
Senate Committee on Commerce, Consumer Protection, and Health

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

Re: **SB 2903, relating to flavored tobacco products**  
Hawaii State Capitol, Room 016  
9:00AM, 2/13/2020

Chair Baker, Chair Rhoads, Vice Chair Chang, Vice Chair Keohokalole, and committee members,

**On behalf of Hawaii Children's Action Network Speaks!, we write in support of SB 2903, relating to flavored tobacco products.**

Reminiscent of *Joe Camel* and cartoon advertising to children, flavored tobacco uses the same tactics. By offering flavors like Hawaiian POG, Ono Orange Cream, and Hawaiian Sweet Rolls, kids think the e-liquid is harmless and more like a dessert. We have the highest rate of middle school and high school e-cigarette use in the nation. It is no coincidence that 81% of youth who ever used tobacco products started with a flavored product, including menthol cigarettes.

The health impacts from e-cigarettes are numerous. Additionally, teens are particularly vulnerable to nicotine, which can permanently impact the developing brain. E-cigarettes can also cause permanent lung damage and increase the likelihood of addiction.

Our youth deserve the opportunity to grow up healthy. We have the opportunity to ban the sale of flavored tobacco products, the hook that can lead to lifelong health problems and addictions. We need to take action to protect our kids. For these reasons, we respectfully requests the committee vote favorably on SB 2903.

Thank you for the opportunity to testify.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 9:46:25 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ivan	Individual	Oppose	No

Comments:

Highly disagree.

**LATE**

**SB-2903**

Submitted on: 2/12/2020 10:18:52 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Miki	Testifying for Small rural primary care office	Support	No

Comments:

Adults should encourage our youth to succeed in life, not make them stumble by allowing the tobacco and vaping industry to have a free-reign on how they market toward our youth. Flavored products attract youth. With the nicotine level much higher in vaping products than in cigarettes, we are creating a generation of nicotine addicts with chronic respiratory illnesses (Hawaii has higher number of youth who vape than the rest of the country) if we don't take actions now. By the time these kids start to show the long-term effects of vaping, they'll be in the working age group. The impact down the road is huge as a society.



**LATE**

**SB-2903**

Submitted on: 2/12/2020 10:22:14 PM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Y Omura	Individual	Support	No

Comments:

My name is Diane Omura and I am a retired health educator from the island of Maui. My focus has been on reducing teen risks while promoting safety and wellness. The students in the Baldwin Peer Education program and I have fought hard in preventing vape use among youth. Thanks to the comprehensive and continued training received from Kate Folio and the Coalition for Tobacco Free Maui, my students were motivated and well prepared to share knowledge among their peers. However, about four years ago the students realized that education alone could not stop the trend and got involved in the legislative process. Last year the students were extremely dismayed that the flavor ban failed despite repeated submissions of their testimonies. Now that premature deaths have made the headlines, please do the right thing and please support SB2903 which will remove candy flavored tobacco products and e-liquids that are addicting our children, including menthol cigarettes. This flavor ban is urgent as the majority are getting addicted through flavors. Thank you for your time and consideration.

**LATE**

***ASSOCIATION OF  
HAWAIIAN CIVIC CLUBS***

***A RESOLUTION***

No. 2019 -49

**URGING THE HAWAI'I STATE LEGISLATURE TO END THE SALE OF FLAVORED  
TOBACCO PRODUCTS AND E-CIGARETTES**

WHEREAS, tobacco use remains the leading cause of preventable disease and death in the United States and in Hawai'i, where \$526,000,000 in annual health care costs are directly attributed to tobacco use in the state; and

WHEREAS, while there has been a decline in the use of combustible cigarettes over the last decade, there has been an alarming increase in the use of electronic smoking devices (ESDs) or e-cigarettes by Hawai'i's youth, reaching epidemic levels; and

WHEREAS, according to the State of Hawai'i Department of Health, in 2017, 27 percent of middle school and 42 percent of public high school students reported trying e-cigarettes, with current use by county exceeding 30 percent on the islands of Hawai'i, Maui, and Kaua'i; and

WHEREAS, these use rates are higher than the national average and demonstrate a disturbing trend of youth nicotine use and threaten the historic decline achieved in combustible cigarette use; and

WHEREAS, Native Hawaiian youth are at an increased risk of using an e-cigarette; and

WHEREAS, the national vaping crisis has confirmed more than 1,800 cases of lung injury associated with e-cigarettes and vaping products in 49 states and one territory, including 38 deaths prompting the U.S. Food and Drug Administration to launch a criminal investigation into the possible causes; and

WHEREAS, the federal law, the Family Smoking Prevention and Tobacco Control Act of 2009, prohibited characterizing flavors, including fruit and candy flavorings, in cigarettes but did not ban menthol in cigarettes or the use of characterizing flavors in other tobacco products; and

WHEREAS, the tobacco industry and electronic smoking device industry have since significantly increased the introduction and marketing of flavored non-cigarette tobacco products, especially e-cigarettes, spending an estimated \$26 million in marketing in Hawai'i each year; and

WHEREAS, the number of electronic cigarette flavors have skyrocketed in recent years, with more than 15,500 unique candy and local flavors designed to appeal to the State's youth, such as cotton candy, chocolate, mint, Kona coffee, Maui Mango, Shaka strawberry, and Moloka'i hot bread. Additionally, many of the packages are designed to look like popular kids candies, such as Jolly Ranchers and Sour Patch Kids; and

WHEREAS, in 2018, the U.S. Surgeon General Jerome Adams issued an advisory and call to action for all local and state government to enact policies on the regulation, sale, marketing, and access to flavors that would protect our children from a lifetime of nicotine addiction and associated health risks by immediately addressing the epidemic of youth e-cigarette use; and

WHEREAS, in 2019, several measures to regulate the sale of e-cigarettes and prohibit the sale of flavored tobacco products designed to hook kids were introduced at the Hawai'i State Legislature but failed to be enacted into law; and

WHEREAS, on October 7, 2019, the State of Hawai'i Department of Health issued a health advisory update and recommendations on e-cigarettes and vaping for the public and called on the public to stop vaping; and

WHEREAS, the Association of Hawaiian Civic Clubs has a long-standing track record of and commitment to advancing the health of our living lāhui, with added emphasis on the health and safety of our keiki.

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 60th Annual Convention in Lahaina, Maui, in the malama of Welehu and the rising of Lā'au Pau, this 16th day of November 2019, urging the Hawai'i State Legislature to end the sale of flavored tobacco products and e-cigarettes; and

BE IT FURTHER RESOLVED, that the Hawai'i State Legislature take action during the 2020 Legislative Session and pass legislation to regulate e-cigarettes and remove all flavored tobacco products from the market to end the youth vaping crisis and reduce the negative health impact made by e-cigarettes and other emerging tobacco products; and

BE IT FURTHER RESOLVED, that the member clubs of the Association of Hawaiian Civic Clubs, along with all Native Hawaiian serving institutions, support the concerted efforts of efforts to raise awareness on this issue and reverse the devastating impact that vaping has created in our communities; and

BE IT FURTHER RESOLVED, that the Association of Hawaiian Civic Clubs join the more than 150 organizations, schools, youth-serving groups, and elected officials that support legislation to end the sale of flavored tobacco products in the State of Hawai'i; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the State of Hawai'i Department of Health, the State of Hawai'i Department of Education, the chair of the board of each Ali'i Trust, as well as the Governor of the State of Hawai'i, President of the State Senate, Speaker of the State House of Representatives, Chair of the State Senate subject matter committee on Hawaiian Affairs, Chair of the State House subject matter committee on Hawaiian Affairs, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and all County Mayors.



The undersigned hereby certifies that the foregoing Resolution was duly adopted in the malama of Welehu and the rising of Lā'au Pau on the 16<sup>th</sup> day of November 2019, at the 60th Annual Convention of the Association of Hawaiian Civic Clubs in Lahaina, Maui.

A handwritten signature in black ink, appearing to read 'Hailama V. K. K. Farden'. The signature is written in a cursive style and is positioned above a horizontal line.

Hailama V. K. K. Farden, President

**LATE**

**SB-2903**

Submitted on: 2/13/2020 7:19:03 AM

Testimony for CPH on 2/13/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Makana McClellan	Individual	Support	No

Comments:

Thursday, February 19, 2020 at 10:00 AM  
Conference Room 211

**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 SB 2903, SD1  
Relating to Flavored Tobacco Products**

---

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

**I write in support of SB 2903, SD1** which would ban the sale of flavored tobacco products effective as of January 1, 2021. As amended the measure also clarifies provisions related to the forfeiture and destruction of any illegal flavored tobacco products found in a retailer's possession and sentencing, and clarifies the definitions of "electronic smoking device" and "tobacco product".

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

E-cigarette use or vaping among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawaii have decreased through the years, ESD use has rapidly increased, threatening significant public health gains through our Tobacco 21 law and tobacco youth access laws. This is particularly concerning because e-cigarettes provide a new way to deliver the addictive drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids. Marketing strategies by the tobacco industry and electronic smoking device industry have significantly increased the introduction and marketing of flavored non-cigarette tobacco products, especially ESDs. Products are glamorized in order to appeal to our youth, using flavors such as candy, fruit, chocolate, mint, Kona coffee, Maui Mango, Shaka strawberry, and Moloka'i hot bread.

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

Thank you for the opportunity to testify.



HAWAII SUBSTANCE ABUSE COALITION

## **SB2903 SD1 Ban Flavored Tobacco**

COMMITTEE ON WAYS AND MEANS:

- Sen. Donovan Dela Cruz, Chair; Sen. Gilbert Keith-Agaran, Vice Chair
- Wednesday: Feb. 19th, 2020: 10:00 am
- Conference Room 211

### **Hawaii Substance Abuse Coalition Supports SB2903 SD1:**

GOOD MORNING 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 tobacco products can help to reduce the danger to children from vaping, which is a growing major public health concern.

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



**SB-2903-SD-1**

Submitted on: 2/17/2020 9:06:59 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Max Pono Castanera	Testifying for JABSOM	Support	No

Comments:

# HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

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

February 16, 2020

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

## **Testimony in Support of SB 2903 SD 1 Related to Flavored Tobacco Products**

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports SB 2903 SD 1 Relating to Flavored Tobacco Products

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

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

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

808novape researchers have found that:

- 26% of Hawai'i high school students are using e-cigarettes
- 94% online purchases of e-cigarettes have been successful amongst teens

- 60% of teens believe occasional use of e-cigarettes does little to of harm
- 70% of middle and high schoolers have recently seen e-cigarette advertising

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

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH  
Executive Director



February 16, 2020

**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

SENATE WAYS AND MEANS COMMITTEE

**SUPPORT FOR SB 2903—RELATING TO FLAVORED TOBACCO PRODUCTS**

Aloha Ways & Means Committee Members,

The volunteers listed on the left are members of the Friends of Kamalani and Lydgate Park committee, and we would like to register our strong support for SB 2903. This bill calls for banning flavors in combustible and electronic smoking devices.

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. It's clear that the industry really targeting youngsters 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

Flavored electronic smoking products are clearly profiting the tobacco industry by addicting children to nicotine. The detrimental long-term public health effects of nicotine addiction is established science.

As elected officials, you have pledged to act in the best interests of all Hawaii's citizenry. Please fulfill your allegiance to the people of Hawaii and advance Senate Bill 2903. 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,

Tommy A. Noyes

General Coordinator  
The Friends of Kamalani and Lydgate Park

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 kids are going to end up criminalized for their addiction than other kids. 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



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

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

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: February 19, 2020  
TIME: 10am  
PLACE: Conference Room 211

RE: SB2903 SD1 Relating to Flavored Tobacco Products

Position: Comments

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

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.

**SB-2903-SD-1**

Submitted on: 2/16/2020 6:56:48 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

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

Comments:

The Hawaii Chapter of the American Academy of Pediatrics strongly supports 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.



The appropriate licensing of retailers and accurate labeling of the contents just brings these products in line with laws regarding other tobacco products. This is a common sense solution that is long overdue.

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

Mahalo for your consideration and support of this important measure.



**Testimony to the Senate Committee on Ways and Means  
Wednesday, February 19, 2020; 10:00 a.m.  
State Capitol, Conference Room 211**

**RE: SENATE BILL NO. 2903, SENATE DRAFT 1, RELATING TO FLAVORED TOBACCO PRODUCTS.**

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Joint Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** Senate Bill No. 2903, Senate Draft 1, RELATING TO FLAVORED TOBACCO PRODUCTS.

The bill, as received by your Committee, would prohibit the retail sale, possession with the intent to sell, or offer for sale of a flavored product, and the mislabeling as nicotine-free, or sale or market for sale as nicotine-free, any e-liquid product that contains nicotine beginning January 1, 2021.

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](mailto:eabe@hawaiiipca.net).

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

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

Wednesday, February 19, 2020  
10:00 a.m.  
Conference Room 211

**Re: SB2903, Relating to Flavored Tobacco Products**

Chair Dela Cruz, Vice-Chair Keith-Agaran, and committee members, thank you for this opportunity to provide testimony on SB2903, which would ban the sale of flavored tobacco products and prohibit the mislabeling of any e-liquid product containing nicotine as nicotine-free effective as of January 1, 2021..

**Kaiser Permanente Hawai'i SUPPORTS SB2903**

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.

Hawai'i is already experiencing a youth vaping epidemic. 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. With over 15,500 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

SB2903 will remove the thousands of fruit and candy-flavored tobacco products and e-liquids that are addicting our keiki, including menthol cigarettes, flavored smokeless tobacco, and flavored cigars.

- 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.

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 SB2903.

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

17 February 2020

**Re: Testimony in Support to SB2903  
Relating to Tobacco**

Dear Members of the Committee:

Blue Zones Project – Hawai'i supports this bill for the following reasons:

SB2903 is a clean bill that covers all tobacco products, includes menthol, and does not have youth penalties. It would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

**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.

Brought to  
Hawaii by



An Independent Licensee of the Blue Cross and Blue Shield Association

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).

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 work with people, places, and polices in areas of well-being including better access to our natural and built environment resources.

Blue Zones Project has worked with our community partners statewide since 2012. Initiatives such as this slow down the progress our many partners have made to make the communities, we live in even better healthier places to live, work and play.

Blue Zones Project strongly supports this bill and asks that it be accepted.

Please contact me with any questions at [Crystal.Robello@Sharecare.com](mailto:Crystal.Robello@Sharecare.com).

Sincerely,

*Crystal Robello*

Community Engagement Lead  
Blue Zones Project – Hawai'i

Brought to  
Hawaii by



An Independent Licensee of the Blue Cross and Blue Shield Association

Policy-SB2903\_SB2903SD1\_96499

Copyright © 2017 Blue Zones, LLC and Sharecare, Inc. All rights reserved.

[bluezonesproject.com](http://bluezonesproject.com)



February 15, 2020

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

Re: **Strong Support for SB2903 SD1**

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, members of the Senate Committee on Ways and Means:

Thank you for your dedication to community health and this opportunity to provide testimony in **strong support** for **SB2903 SD1**.

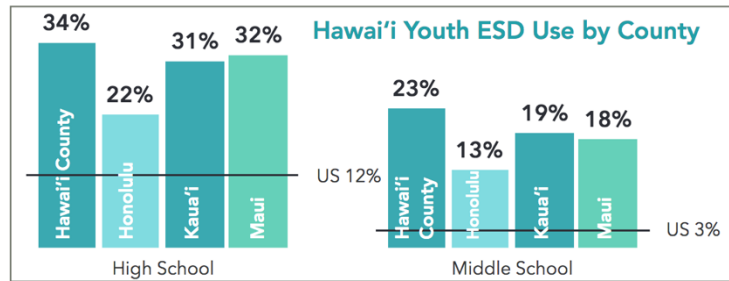
Kaho'omiki, the Hawai'i Council on Physical Activity and Nutrition, is a local non-profit that supports and encourages lifelong healthy lifestyles and closely works with organizations across the state to better the lives of all people—keiki to kūpuna.

It is clear that ESD use by youth is on an upward trend, and overwhelming data from local and national sources, including the Centers for Disease Control and Prevention (CDC), cite numerous safety and public health concerns with its use. The CDC notes that “young people who use e-cigarettes may be more likely to smoke cigarettes in the future.”<sup>1</sup>

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

---

<sup>1</sup> 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.



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

Thank you for this opportunity to testify in strong support of **SB2903 SD1**.

Sincerely,

Colby Takeda, MBA, MPH  
President, Kaho'omiki



**SB-2903-SD-1**

Submitted on: 2/17/2020 1:36:02 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

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

Comments:



## American Heart Association testimony for SB 2903, SD1 “Relating To Flavored Tobacco Products”

### 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

Jennifer Walker

The American Heart Association SUPPORTS SB 2903, SD1 which would enact a ban on sales of flavored tobacco products

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

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

Serving Hawaii since 1948

### Mission Statement:

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

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.

For more information on the AHA’s educational or research programs, visit [www.heart.org](http://www.heart.org) or contact your nearest AHA office.

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.

Office: (808) 377-6630

Fax: (808) 524-0556

Neighbor Islands:

Served by the Oahu office

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 cessation among adult smokers 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.

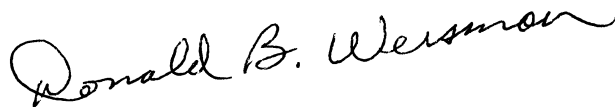
The number of flavored tobacco products on the market increased substantially after flavored cigarettes were banned. After the 2009 federal ban on flavored cigarettes (excluding menthol cigarettes) took effect, the tobacco industry

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.

Some 1,400 Hawaii residents die each year from smoking, and 21,000 kids alive today in Hawaii will die prematurely from smoking if nothing is done to reduce tobacco use.

We encourage your support of SB 2903, SD1 which we feel will have a substantial effect in reducing tobacco use among Hawaii's youths.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

Donald B. Weisman

Hawaii Government Relations/Communications Director

**SB-2903-SD-1**

Submitted on: 2/17/2020 2:01:53 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Loren	Testifying for West Hawaii Community Health Center	Support	No

Comments:



## HAWAI'I COMMUNITY FOUNDATION

February 17, 2020

Senate Committee on Ways and Means  
Hearing: 10:00 a.m. February 19, 2020  
Hawaii State Capitol Room 211

Re: SUPPORT for SB 2903, SD1, Relating to Flavored Tobacco Products

Aloha Chair Dela Cruz, Vice-Chair Keith Agaran and members of the committee:

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 strongly supports SB 2903, SD1. 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.<sup>1</sup> Among students 12-17 years old who ever used a tobacco product, 81% started with a flavored product.<sup>2</sup> Marketing of flavors to our keiki is being used to create a new generation of nicotine dependents, with long-term adverse health consequences to our state.

HCF strongly recommends including menthol as a prohibited flavor in SB 2903, SD1. Menthol in combustible cigarettes makes the smoke smoother and less harsh on the throat so that the smoke is easier to inhale deeply. 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 SB 2903, SD1, 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 negative health outcomes for certain island populations.

---

<sup>1</sup> 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.

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

**SB-2903-SD-1**

Submitted on: 2/17/2020 2:46:55 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
amy agbayani	Testifying for Filipina Advocacy Network FAN	Support	No

Comments:

Restricting the sale of flavors that appeal to youth will greatly protect them from nicotine addiction.

**Written Testimony Presented Before the  
Senate Committee on Ways and Means**

**Hearing: February 19, 2020, 10:00 AM  
State Capitol, Conference Room 211**

By Hawaii – American Nurses Association (Hawaii-ANA)



**SB 2903, SD1 RELATING TO FLAVORED TOBACCO PRODUCTS**

Chair Donovan M. Dela Cruz, Vice Chair Gilbert S.C. Keith-Agaran, and members of the Senate Committee on Ways and Means, thank you for this opportunity to provide testimony in strong support for SB 2903, SD1. This bill seeks to ban the sale of flavored tobacco products.

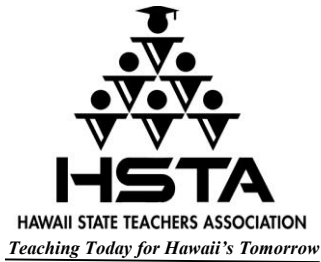
We are members of the American Nurses Association of Registered Nurses in Hawaii. As a profession, we advocate for the health of vulnerable populations in our community. Measures in this bill will help to protect protect young people in our community from these predatory flavored tobacco products and a lifetime of addiction. Health hazards of tobacco products are well known. This is a place where we can intervene as a community to influence the health habits of our young population. In establishing penalties for the retailers, we believe this bill shifts responsibility to the tobacco retailers for exposing young people to health-hazardous vaping behaviors.

We respectfully request that SB2903, SD1 pass out of this committee. Thank you for your continued support for measures that address the healthcare needs of vulnerable populations in our Hawaii community.

Contact information for Hawaii – American Nurses Association  
President: Katie Kemp, BAN, RN-BC  
Executive Director Dr. Linda Beechinor, APRN-Rx, FNP-BC  
phone (808) 779-3001  
500 Lunalilo Home Road, #27-E  
Honolulu Hawaii USA 96825

[president@hawaii-ana.org](mailto:president@hawaii-ana.org)  
[executivedirector@hawaii-ana.org](mailto:executivedirector@hawaii-ana.org)





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

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

TESTIMONY BEFORE THE SENATE COMMITTEE ON  
WAYS AND MEANS

RE: SB 2903, SD1 - RELATING TO FLAVORED TOBACCO PRODUCTS

WEDNESDAY, FEBRUARY 19, 2020

COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Dela Cruz and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 2903, SD1**, that bans the sale of flavored tobacco products.

Flavored tobacco products have been proven as the entry point for youth to start smoking. **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 81% of youth who ever used tobacco say they started with a flavored product and 97% of youth who vape say they only use a flavored product.**

The use of e-smoking products among youth is at epidemic levels, especially in Hawaii. According to the 2017 Youth Risk Behavior Survey, **Hawaii has one of the highest rates of middle and high school usage in the nation at 15.7% and 25.5% respectively.** Moreover, 27% of middle school students and a whopping 42% of high school students have tried e-cigarettes. On the neighbor islands, usage trends are particularly concerning—in Hawaii county 34% of students reported they are regular users while on Kauai 32% are regular users.

Adolescence is a time of crucial brain development; it has been documented that nicotine exposure during adolescence and young adulthood can cause addiction and harm the developing brain. Additionally, nicotine is not the only harmful ingredient in electronic smoking devices; other harmful and potentially harmful ingredients include ultrafine particles that can be inhaled deep into the lungs, flavorants such as diacetyl, a chemical linked to serious lung disease, volatile organic compounds, and heavy metals such as nickel, tin, and lead.

In September 2009, the FDA banned flavored cigarettes. The ban was intended to end the sale of tobacco products with chocolate, vanilla, clove and other flavorings that lure children and teenagers into smoking. According to Dr. Margaret A. Hamburg, commissioner of food and drugs for the FDA from 2009 – 2015 “flavored cigarettes are a gateway for many children and young adults to become regular smokers.” Nevertheless, here we are in 2020 with a proliferation of flavored tobacco in the form of e-liquids luring our children into becoming lifelong and habitual nicotine users.

To reduce the youth vaping epidemic and ensure the long-term health and wellbeing of our keiki, the Hawaii State Teachers Association requests you **support this bill**.



Pono Hawai'i Initiative

Josh Frost - President • Patrick Shea - Treasurer • Kristin Hamada  
Nelson Ho • Summer Starr

Tuesday, February 18, 2020

Relating to Flavored Tobacco Products  
Testifying in Support

Aloha Chair and members of the committee,

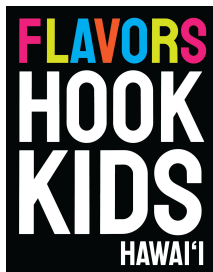
The Pono Hawai'i Initiative (PHI) **supports SB2903 SD1 Relating to Flavored Tobacco Products**, which bans the sale of all flavored tobacco products, including menthol products.

In the last few years the sale of traditional tobacco products has decreased while the sale of electronic smoking devices has grown. Federally, flavored tobacco products, excluding menthol are prohibited however only cigarettes, roll-your-own tobacco, and smokeless tobacco are subject to that regulation. Flavored products entice younger users and mask the harshness and taste of tobacco smoke.

Other jurisdictions have paved the way and introduced legislation to regulate the sale of flavored tobacco products. There is no reason that Hawai'i cannot be next.

For all these reasons, we urge you to move this bill forward.

Mahalo for the opportunity,  
Gary Hooser  
Executive Director  
Pono Hawai'i Initiative



To: Senator Donovan M. Dela Cruz, Chair of the Committee on Ways and Means

Re: Support: SB2903, SD1 Relating to Flavored Tobacco Products

Hearing: Thursday, February 19, 2020 at 10:00am in Room 211

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

The Flavors Hook Kids HI Campaign is pleased to submit this written testimony in **STRONG SUPPORT of SB2903, SD1** to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawai'i.

Flavors Hook Kids Hawai'i is working to protect our keiki by prohibiting the sale of all flavored tobacco products, including menthol, to prevent the tobacco industry from enticing children with these flavors. Endorsed by more than 200 organizations, community leaders and advocates, this 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."<sup>1</sup> 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%.<sup>2</sup> It is clear that we must act and we must act now.

---

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

<sup>2</sup> CDC, "Tobacco Use is Rising" February 2019 Report.

**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.<sup>3</sup>

**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."<sup>4</sup>

**Flavored Tobacco Products Are Prevalent** A 2009 federal law, the Family Smoking Prevention and Tobacco Control Act, prohibited the sale of candy and fruit flavored cigarettes, but did not include menthol or tobacco flavors. While overall cigarette sales have been declining since the 2009 law, the number of smokers using *menthol* cigarettes, which was excluded, has been increasing.<sup>5</sup> Menthol cigarettes made up 36 percent of the market in 2018.<sup>6</sup>

As of 2017, researchers identified more than 15,500 unique e-cigarette flavors available online.<sup>7</sup> 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

---

<sup>3</sup> 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.

<sup>4</sup>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>

<sup>5</sup> Villanti, A., et al., "Changes in the prevalence and correlates of menthol cigarette use in the USA, 2004–2014," *Tobacco Control*, 25(Suppl 2):ii14-ii20, 2016.

<sup>6</sup>U.S. Federal Trade Commission (FTC), *Cigarette Report for 2018*, 2019,  
<https://www.ftc.gov/system/files/documents/reports/federal-trade-commission-cigarette-report-2018-smokeless-tobacco-report-2018/p114508cigarettereport2018.pdf> [data for top 5 manufacturers only].

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

used in the past for marketing conventional tobacco products to youth and young adults.”<sup>8</sup> 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.<sup>9</sup>

**Flavored Tobacco Products Are Popular Among Youth** 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*. 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.

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.<sup>10</sup> 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.<sup>11</sup> Another national survey found that 97% of current youth e-cigarette users have used a flavored e-cigarette in the past month.<sup>12</sup> 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.”<sup>13</sup>

The Surgeon General has concluded that, “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”<sup>14</sup> The manufacturer of JUUL, the most popular e-cigarette, claims that each JUUL pod contains as much nicotine as a pack of twenty cigarettes. Youth use of e-cigarettes also increases the risk for trying more dangerous combustible products. A 2018 report from the National Academies of Science, Engineering & Medicine found that “There is substantial evidence that e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults.”<sup>15</sup> It is critical for any policy restricting sales of flavored tobacco products to include e-cigarettes.

---

<sup>8</sup>HHS, *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.

<sup>9</sup>Marynak, 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>.

<sup>10</sup>FDA, “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](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).

<sup>11</sup>Cullen, KA, et al., “e-Cigarette Use Among Youth in the United States, 2019” *JAMA*, published online November 5, 2019.

<sup>12</sup>FDA, “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>.

<sup>13</sup>FDA, “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>.

<sup>14</sup>HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*.

<sup>15</sup>National 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>.

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.<sup>16</sup>

**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. Youth are penalized 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. These young people are now addicted for life. 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.** Prohibiting the sale of all flavored tobacco, including menthol cigarettes and mentholated flavors in general is an important step toward protecting our keiki from the tobacco industry's aggressive efforts to hook children to a deadly, addictive product.

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](mailto:liza@flavorshookkidshi.org)

---

<sup>16</sup>TPSAC, *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  
Cassiopia 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  
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-Maili 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



**REV. DENNIS BARGER, PC(USA)** Retired  
Kihei, Maui, Hawai'i

In addition to serving as a pastor for over 40 years I am a former Certified Prevention Specialist and Health Promotion Professional. I have worked for six years in a California County Health Department and for the American Lung Association to help people break the addiction to tobacco. I helped people to reduce their dependence on nicotine for over fifteen years. I am a part of a Coalition for a Tobacco Free Maui. I know how hard it is for people to break the chains of addiction.

**I am adamant in my SUPPORT of SB 2903, which would prohibit fruity flavors in all electronic (vaping) smoking devices.**

**BECAUSE:**

- Individuals with a mental health or substance abuse disorder have a smoking rates that are 2-4 times higher than those who do not.
- People with co-occurring psychiatric or addictive disorders consume nearly 44-46% of cigarettes smoked in the U.S
- Within Hawai'i, 27% of adult smokers report having a diagnosed depressive disorder, and 29% report that their mental illness was "not good" in the past 30 days.<sup>2</sup> Among binge drinkers, 26% are current smokers, while 29% of heavy drinkers smoke. (Heavy drinking is defined as males having more than two drinks per day and females having more than one drink per day)
- Data from the 2014 Quality of Life Interview Survey (QOLI) administered by the Hawai'i Department of Health, Adult Mental Health Division (AMHD) to the severely and persistently mentally ill population in treatment programs reported that 40% of those surveyed were smokers.
- The Hawai'i Department of Health, Alcohol and Drug Abuse Division reports that 44% of clients that they serve are smokers.

**Requested amendment:** Make the definition of Tobacco Products consistent with [HRS 712-1258](#), by adding "Tobacco product" does not include drugs, devices, or combination products approved for sale by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

**I urge you to support HB 1995**

Mahalo,  
Rev. Dennis F. Barger

**SB-2903-SD-1**

Submitted on: 2/17/2020 9:03:36 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

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

Comments:

We Strongly oppose bill SB2903. First of all, this bill infringes on the freedom of ADULTS. Vaping/Smoking is an adult activity. The freedom of adults should not be infringed upon due to under aged people breaking the law, and bad parenting! Alcohol use is nearly identical to vaping use among Hawaii high school students according to a 2017 report by the Hawaii Department of Health. Although vaping use is identical to drinking alcohol among teens in Hawaii, Alcohol is never a target. Why? Alcohol has just as many or more flavors and vape products. Adults like flavors also!

Secondly this bill mentions the vaping injury's of 2019. If the authors of this bill researched properly, they would find that in November 2019 the US Center for Disease Control has found that the vaping injuries were linked to Vitamin E Acetate that were in illegal black market THC vape cartridges not store bought items. Illegal THC products caused the mass vape hysteria in 2019 not legal store bought vape.

Also SB2903 would take the livelihood away of hundreds of people in Hawaii that are employed by vape shops. The vape shops in Hawaii are run by small mom and pop stores not owned by big tobacco. This bill would devastate these businesses forcing all of them to close including my native Hawaiian owned business and my 30 employees. This is not fair to businesses such as my own that works hard to keep ecig and tobacco out of the hands of minors. We are doing the right things to prevent minors from acquiring tobacco/vape products! We just spent over \$25,000 for specialized software at our chops that scan IDs to further support our employees finding under age and fake IDs. Doing business in Hawaii is very hard due to over regulation, competition from Big Box stores, Online competition, and others. Hawaii ranks near dead last when it comes starting a business. Please support small business in Hawaii with sensible legislation!

Just a few of years ago legislators answer to underage smoking and vaping was to raise the age to purchase tobacco products to 21. Did it work? NO! This legislation took freedoms away from adults, has failed horribly and has made the problem worse. Why hasn't any legislator mentioned or taken responsibility for this failed law? SB2903 will only hurt Hawaii business, take away peoples freedoms and open up the black market on flavored vapes. This is INSANE! Prohibition does not work!

Stop taking away peoples freedoms and find real solutions! A good start is SB2049. Start punishing underage people for using vape. Do not punish adults and businesses for the actions of teens. Teen texting and driving is illegal but happens very often. Are adults banned from driving due to this? Please make sensible laws and stop infringing on the rights of adults.

I just read that the Senate just passed legislation approing Marijuana edibles here in Hawaii. Will these marijuana edibles include flavors or will it be Marijuana only flavor? Adults like flavors!!!!

Thank you for your time in reading this testimony. Support FREEDOM of adults, small business and do not take away freedoms due to minors breaking the law and bad parenting.



February 18, 2020

To: The Honorable Senator Donovan M. Dela Cruz, Chair  
The Honorable Senator Gilbert S.C. Keith-Agaran, Vice Chair  
Committee on Judiciary

From: Cory Smith, VOLCANO eCigs  
CEO and Owner

RE: SB 2903 SD1 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes is the largest independent retailer & wholesaler of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 15 locations statewide and employ over 80 full-time workers to support sales of our products not only here in Hawaii, but to most USA states as well as over 30 International countries. We stand in opposition to SB 2903 for the following:

- Most recently, the FDA has issued updated guidance on vapor products which limit a flavor restriction to prefilled pods such as the Juul device which has been proven in the recent CDC Youth Tobacco Risk Survey to be the #1 brand choice for youth usage. This is a measured approach to an issue The FDA purposefully left the “open tank” market off their guidance for flavor restrictions because they want to keep the adult users and industry participants insulated from a blanket ban that would send adults back to cigarettes and put 15,000 small businesses out of business & 100,000 people out of work nationally.
- SB 2903 will deny current combustible tobacco smokers vital products needed to help them quit smoking. Furthermore, a flavor ban would no doubt force the closure of over 50+ businesses in Hawaii and immediate loss in employment as well as retail leases and supporting businesses. It’s the small independent vape shops which play a vital role in helping adults make a successful transition off tobacco cigarettes, not convenience stores.
- To date there is no manufacturer that sells as successful line of unflavored eliquid to legal adult users 21+. These products rely heavily on their ability to offer flavor diversity to adults to increase their success in secession rates from tobacco cigarettes.
- A flavor ban would force a black market “Do it yourself” experimental market due to the massive adult population who currently use these products in Hawaii. Currently, all products being distributed by Hawaii vape shops are third party batch tested and registered with the FDA with assigned TP numbers. The factories manufacturing the products that currently sit on the shelves are quality controlled. The black-market conditions which would arise from the passing of this bill would inflict a huge quality void in the market and expose the adult population to greater risks. The unintended consequences of this bill outweigh the hypothetical gain.
- Flavored alcohol products remain in plentiful abundance at every retail outlet even with high rates of youth usage, associated death and disease, in addition to all the addiction and abuse of those items as well. The vapor category is being held to a different standard in regards to flavors on the



retail market. Its potential to be a risk reduction tool is proven to assist adults in a path off of using the known killer of tobacco cigarettes and should be supported instead of denied the single largest public health with of our lifetime.



- Vapor products and e-liquids contain NO tobacco, often times contain NO nicotine, and ultimately emit NO smoke when vaporized; yet SB 2903 deceptively refers to vapor products as “Electronic Smoking Devices” to mislead the public and creates a false perception of the nature of these products. This misclassification establishes the idea that vapor products are the same as tobacco products and thus, should be viewed, controlled, and perceived the same way as traditional tobacco products. This is a complete disregard of the fact that vapor products are fundamentally different from tobacco products in every way.

- SB 2903 states in its justification that the bill and its regulations are needed to curb youth usage. However, it fails to mention the latest available CDC report that shows youth use of all tobacco products, including e-cigarettes are at the lowest levels ever. Furthermore, a study done the following year at the University of Michigan found that the majority of youth who have reported using e-cigarettes are not using e-liquids that contain nicotine - further suggesting that youth who do use e-cigarettes are doing so to replace the use of traditional tobacco.

o <https://www.cdc.gov/media/releases/2017/p0615-youth-tobacco.html>



- The most Recent CDC report has shown e-cigarettes have supplanted all other traditional nicotine replacement therapies and are now the most commonly used product by consumers to quit using traditional tobacco cigarettes

- [http://www.journalnow.com/business/business\\_news/local/cdc-report-shows-moresmokers-try-to-quit-with-e/article\\_a33383f3-5300-5178-9f14-28b52884c45c.html](http://www.journalnow.com/business/business_news/local/cdc-report-shows-moresmokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html)

- A recent study published by the New England Journal of Medicine concluded that ECigarettes are twice as effective for smoking cessation than traditional nicotine replacement therapy products which are not taxed or controlled the same way this bill proposes to tax and control E-Cigarettes. The state should be creating easier access for these products, not tighter regulations that steers vapers back towards tobacco cigarettes

- <https://www.nejm.org/doi/full/10.1056/NEJMoa1808779>

- A recent study by the National Academy of Sciences, Engineering, and Medicine stated: "there is conclusive evidence that completely substituting e-cigarettes for combustible tobacco cigarettes reduces users' exposure to numerous toxicants and carcinogens present in combustible tobacco cigarettes." The findings add to the already weighty body of evidence showing vaping to be far less hazardous than smoking.

- <http://www.washingtonexaminer.com/landmark-e-cigarette-report-explodes-myththat-vaping-is-as-toxic-as-smoking/article/2646804>

- [http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-ecigarettes.aspx?utm\\_source=Hootsuite&utm\\_medium=Dashboard&utm\\_campaign=SentviaHootsuite](http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-ecigarettes.aspx?utm_source=Hootsuite&utm_medium=Dashboard&utm_campaign=SentviaHootsuite)

- SB 2903 States in its justification that the use of licensing and permit fees will help "protect consumers, such as requiring retailers of e-liquids to obtain a retail tobacco permit". We fail to see how requiring retailers to obtain a permit will translate to 'protecting the public'. Rather, it will simply burden the 50+ small businesses operating in the vapor products industry with unnecessary fees and bureaucratic hurdles.

- Vapor Products are not the same as tobacco products, and thus, should not be regulated in the same fashion. Vapor products have not been demonstrated to have the same detrimental effects of combustible tobacco products and have otherwise been shown in recent studies to be as much as 95% less toxic than traditional Cigarettes. Creating extraneous regulations that aim to limit access only serves to protect deadly tobacco markets.

- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457102/ECigarettes\\_an\\_evidence\\_update\\_A\\_report\\_commissioned\\_by\\_Public\\_Health\\_England\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457102/ECigarettes_an_evidence_update_A_report_commissioned_by_Public_Health_England_FINAL.pdf)

- SB 2903's justification states that without taxing vapor products, "smokers may be tempted to purchase less expensive products such as e-liquid". This is false. Virtually all e-cigarette starter kits and bottles of e-liquid are already higher priced in comparison to tobacco cigarettes. An average reusable electronic cigarette starter kit ranges in price from \$30 to upwards of \$300 depending on the device. Furthermore, a 15ml bottle of e-liquid (the smallest bottle size currently offered) is currently retailed at \$12.99 at all of our locations, which is nearly 33% more costly than a standard pack of cigarettes, yet it provides nearly the same amount of puffs.

- Most troubling is the fact that by subjecting vapor products to this proposed tax, the additional costs to consumers will likely result in the state seeing less tax revenue, and even worse, former smokers



returning to tobacco use. The tax will result in current vapor users purchasing from online vendors who would not be subject to state taxes. Local manufacturers, wholesalers and retailers would be put at a massive competitive disadvantage and most retail customers would send their money out-of-state effectively lowering the tax revenue already being generated by sales of vapor products here in the state. We would be unable to compete in other out-of-state and international markets with competitors who are not subjected to the same tax, which would put our local operations in severe jeopardy meaning an immediate loss of jobs and existing revenues. This bill would also effectively reduce access to a modified risk product that has been a public health win and would simply prop up and protect the proven deadly tobacco market.

It is our belief that this continuing unjustified classification and requirements are not in the best interests of the State of Hawaii. Thank you for your time and consideration. If you have any questions, please feel free to contact me directly.

Sincerely,

Cory N. Smith  
CEO & Owner  
VOLCANO eCigs  
197 Sand Island Access Rd. #213  
Honolulu, HI 96819  
[cory@volcanoecigs.com](mailto:cory@volcanoecigs.com)





American Cancer Society  
Cancer Action Network  
2370 Nu`uanu Avenue  
Honolulu, Hawai`i 96817  
808.432.9149  
[www.acscan.org](http://www.acscan.org)

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

### **SB 2903 SD1 – RELATING TO FLAVORED TOBACCO PRODUCTS**

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

Thank you for the opportunity to provide testimony in support of SB 2903, SD1, which prohibits the sale of flavored tobacco products beginning January 1, 2021.

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

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

#### Flavored Tobacco Products

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

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

increased from 42.3 percent to 51.2 percent among all current e-cigarettes users – including those using multiple products – and from 21.4 percent to 38.1 percent among exclusive e-cigarette users. Flavors in tobacco products are frequently listed as on the top three reasons youth use e-cigarettes. Additionally, kids whose first tobacco product was flavored are more likely to become current tobacco uses than those whose first product was tobacco flavored. Furthermore, evidence indicates that many young people who use e-cigarettes also smoke cigarettes. There is some evidence that young people who use e-cigarettes may be more likely to smoke cigarettes in the future. Using nicotine in adolescence may also increase risk for future addiction to other drugs.

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

#### Menthol use in tobacco products

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

For these reasons we support this measure. Thank you for the opportunity to provide testimony on this important matter.



## HIPHI Board

Michael  
Robinson, MBA, MA  
Chair  
Hawaii Pacific Health

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

Kilikina Mahi, MBA  
Treasurer & Vice Chair  
KM Consulting LLC

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

Debbie Erskine  
Kamehameha Schools

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

Mark Levin, JD  
William S. Richardson School  
of Law

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

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

Garret Sugai  
Kaiser Permanente

Catherine Taschner, JD  
McCorriston Miller Mukai  
MacKinnon LLP

Date: February 18, 2020

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

Re: Strong Support SB 2903, SD1, Relating to Flavored Tobacco  
Products

Hrg: February 19, 2020 at 10:00 AM at Conference Room 211

---

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute<sup>1</sup> is in **Strong Support of SB 2903, SD1** which would end the sale of all menthol and flavored tobacco products in the state.

### **This measure will help to save lives.**

Tobacco use remains a serious threat to public health. Each year, Hawaii spends \$526 million in health care costs and \$141.7 million in Medicaid costs due to smoking. Tobacco products with menthol, sweet flavors, and colorful packaging are designed to attract teens and young adults. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product. A report by the U.S. Food and Drug Administration, issued in 2013, found that menthol cigarettes led to 1) increased smoking initiation among youth and young adults; 2) greater addiction; and 3) decreased success in quitting smoking. Candy flavors such as Fruit Hoops, Sour Straws, and Cookie Monsta are designed to appeal to kids, and make nicotine go down easier. With 81% of youth starting with a flavored product<sup>ii</sup>, regulating the flavors designed to capture and addict new customers prioritizes the health and safety of our community over tobacco's special interests.

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

Hawai'i is experiencing a vaping epidemic among our young people. The State Legislature has worked hard to protect our residents from the harms caused by tobacco use, but the rapid growth of e-cigarette use is alarming. With 42% of all high school students and 27% of middle schoolers reporting ever having used an "electronic vaping product" in

2017, we have an urgent need to act. More troubling is that because of the historic declines in smoking, big tobacco has decided to focus on candy flavors and nicotine delivery solutions. Tobacco giant Altria, maker of Marlboro, is investing in the popular vaping company Juul, which has 76% of the e-cigarette market share and is worth \$16 billion.

**Help us protect our keiki and vulnerable groups from deceptive marketing practices by the industry.**

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, these products are not being responsibly marketed. The industry selects colorful packaging and ads that appeal to taste and pop culture. Tobacco companies have a long history of using these same tactics to entice new and younger users and make them repeat customers. Addiction is the opposite of freedom. We're fighting to keep our kids free from the deadly addiction to these products. The health of Hawaii's keiki must be protected from the predatory marketing of tobacco companies.

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

In a poll<sup>iii</sup> 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 who would not have considered smoking, will become cigarette smokers, starting with e-cigarettes<sup>iv</sup>. This is not a trade-off we can accept. We need to take action and regulate electronic smoking devices for our kids.

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 SB 2903, SD1.**

Mahalo,



Jessica Yamauchi, MA  
Executive Director

---

<sup>i</sup> 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.

<sup>ii</sup> 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

<sup>iii</sup> 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.

<sup>iv</sup> 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<sup>1,2</sup>; Jessica L. Barrington-Trimis, PhD<sup>3</sup>; Thomas A. Wills, PhD<sup>4</sup>; et al *JAMA Pediatrics*. 2017;171(8):788-797. doi:10.1001/jamapediatrics.2017.1488

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:44:45 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ellie Kelley-Miyashiro	Testifying for Hawai Dental Hygienists' Association	Support	No

Comments:

Testimony in Support of SB 2903 SD1 RE: Relating to Flavored Tobacco Products

Hawaii Dental Hygienists' Association

Feb 18, 2020

Dear Chair Dela Cruz and Respected Members of the Committee on Ways and Means

The Hawaii Dental Hygienists' Association (HDHA) strongly supports SB 2903 SD1 which proposes to amend Chapter 712, HRS by prohibiting the sale or distribution of flavored tobacco products, as well as the mislabeling and selling such products as nicotine-free.

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

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

As the largest association representing Hawaii's licensed dental hygienists', HDHA strongly supports SB 2903 SD1 to ban the sale of flavored tobacco products in Hawaii. Dental hygienists strive daily to educate patients on ways to improve their oral health, which includes discussing the harmful effects of smoking and tobacco related products. We look forward to working with lawmakers toward our common goal of increased health and decreased dental disease in our great State.

Thank you for your time and consideration.

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:50:17 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keenan Reader	Testifying for Maui Preparatory Academy	Support	No

Comments:

Aloha,

As a school, Maui Preparatory Academy supports the ban on flavored tobacco products. We have directly seen how the marketing of flavored tobacco products has impacted kids. Please help keep our kids tobacco and nicotine-free and support this bill.



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

February 19, 2020, 10:00 a.m., Conference Room 211

### **Testimony in Strong Support of Senate Bill 2903 Relating To Flavored Tobacco Products**

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.

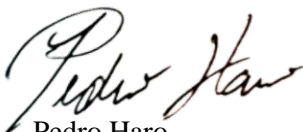
**The American Lung Association calls on Hawaii officials to restrict the sales of flavored tobacco products, including e-cigarette products, to protect youth.** Tobacco use remains Hawaii's and the nation's leading cause of preventable death and disease, taking an estimated 480,000 lives every year in the U.S.

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% increase in high school e-cigarette use from 2017 to 2018, according to the Centers for Disease Control and Prevention. 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.

With 8 in every 10 kids starting tobacco use with a flavored tobacco product, and 42% of Hawai'i high schools students trying e-cigarettes, we have an urgent need to act. According to the Hawaii Public Health Institute, there are more than 15,500 flavors on the market today. Research has also 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.

Hawaii has long been a leader in tobacco control across the nation but has fallen behind in protecting youth from the dangers of flavored tobacco products. According to the Campaign for Tobacco-Free Kids, over 250 localities across the nation have passed restrictions on the sale of flavored tobacco products. In November 2019, Massachusetts became the first state to restrict the sale of all flavored tobacco products, including menthol cigarettes.

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 by passing Senate Bill 2903.



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



**TO:** The Honorable Donovan M. Dela Cruz, Chair  
The Honorable Gilbert S. C. Keith-Agaran, Vice Chair  
Senate Committee on Ways and Means

**FROM:** Philip J. Bossert, Executive Director  
Hawaii Association of Independent Schools

**RE:** SB 2903 SD1 - RELATING TO FLAVORED TOBACCO PRODUCTS  
In Support

**DATE:** Wednesday, February 19, 2020  
10:00 AM, Conference Room 211

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee:

The Hawaii Association of Independent Schools (HAIS) supports SB 2903 SD1.

HAIS is a membership organization that currently represents 102 of Hawaii's independent K-12 schools; and, through its subsidiary, the Hawaii Council of Private Schools (HCPS), licenses all private K-12 schools in the State.

Approximately 38,000 children attend these private schools and all of them – especially those students of middle school and high school age – are endangered by the current vaping epidemic sweeping the country. Vaping not only endangers the health of students in the present, but likely also for the rest of their lives.

HAIS and its member schools support SB 2903 SD1 because, in banning the sale of flavored tobacco products – including menthol-flavored tobacco products – and increasing the penalties for the purchase of e-cigarettes by persons under the age of 21, it will make vaping both less attractive and more difficult to pursue by elementary and secondary school students and help to protect the current and future generations of Hawaii's citizens.

Thank you for the opportunity to submit testimony and we look forward to working with you as this important measure moves through the legislative process.

**LATE**



Kamehameha Schools®



Senate Committee on Ways and Means

Time: 10:00 a.m.

Date: February 19, 2020

Where: Conference Room 211

RE: **SUPPORT FOR SB2903, SD1, RELATING TO FLAVORED TOBACCO PRODUCTS**

Chair Dela Cruz, Vice Chair Keith-Agaran and members English, Harimoto, Inouye, Kahele, Kanuha, Kidani, Moriwaki, Riviere, Shimabukuro, Taniguchi and Fevella.

The listed organizations are in **support of SB2903, SD1** which bans the sale of flavored tobacco products and prohibits mislabeling, sale, or marketing as “nicotine-free” any e-liquid product that contains nicotine.

Electronic cigarette use in Hawai‘i, particularly among youth, has increased rapidly in recent years. These products have been shown to have severe health risks, including death. The Hawai‘i State Department of Health has noted that flavored e-liquids may appeal directly to children and teenagers.

According to the Hawai‘i State Department of Health, approximately 45 percent of high school students and 26 percent of middle schoolers across Hawai‘i have tried e-cigarettes. A 2018 study from the Centers for Disease Control identified Native Hawaiian and Pacific Islander (NHPI) middle and high schoolers as having the highest rate of tobacco use of any race or ethnicity nationwide. E-cigarettes, which often use flavored e-liquids, were the product most commonly used by NHPI students.

Tobacco industry documents indicate that the companies intentionally marketed flavors, especially menthol, to youth and other vulnerable groups. A 2013 report by the U.S. Food and Drug Administration found that menthol cigarettes led to increased smoking initiation among youth and young adults, greater addiction, and decreased success in quitting smoking. The 2008 Hawai‘i Behavior Risk Factor Surveillance System Survey found that 78 percent of NHPI smokers use menthol cigarettes.

In recognition of the growing risks flavored tobacco products pose on Hawai‘i’s people, especially our keiki, we urge legislature to take immediate action to address this issue.

‘A‘ohe hana nui ke alu ‘ia. No task is too large when we all work together!

**LATE**

# HUI NO KE OLAPONO

95 Mahalani St. Rm #21

Wailuku, HI 96793

P - (808)244-4647, F – (808)442-6884

**Hui No Ke Ola Pono strongly supports** banning the sale of flavored tobacco products for these reasons:

Lack of tobacco regulations on e-cigarettes has led to astronomical levels of youth vaping in Hawai'i. In order to reverse the alarming trend, Hawai'i must enact policies that create uniform regulations across all tobacco products, as well as allowing counties to create local solutions.

The tobacco industry claims that they're not targeting kids, but with more than 15,500 flavors, who is the industry really targeting. With flavors like "Blue Raspberry Sour Straws", "Cookie Monsta," or "Maui Mango" the answer is clear. Flavors are designed to appeal to kids, while nicotine gets them hooked for life.

## **Some troubling facts:**

- In 2017, 25.5% of Hawai'i high schoolers reported ever using an electronic smoking device.
- Hawaii has the highest reported vaping rate among middle schoolers (15.7%) and the second highest vaping rate among high schoolers in the nation, just behind Colorado (Source: Hawaii YRBS, 2017)
- **32.3%** of Maui County high school students and **18.3%** of Maui County middle school students reported current use of e-cigarettes (2017)
- **41.7%** of Maui County Native Hawaiian high school students and **27.8%** of Maui County Native Hawaiian middle school students reported current use of e-cigarettes (2017)
- Only **4.7%** of adults in Hawaii reported current use of e-cigarettes (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
- 90% of adult smokers started by age 18, and 95% started by 21. The tobacco industry is quoted as saying that, "The base of our business is the high school student."

## **ACTIONS HAWAI'I CAN TAKE TO REDUCE YOUTH VAPING**

### **END THE SALE OF FLAVORED TOBACCO PRODUCTS**

Appealing flavors are driving the youth vaping epidemic. With thousands of kid-friendly flavors on the market and little regulation, the industry has no incentive to stop selling flavors like Strawberry Milk Moo or Blue Raz Cotton Candy.

### **RESTORE COUNTY AUTHORITY TO TAKE ACTION**

Counties need and want the ability to address youth vaping in their communities, but are prevented by state law. Changing the state law to give counties the authority to regulate the sale of e-cigarettes will allow for local solutions.

**Raise Tobacco License and Permit requirement:**

- Currently, the tobacco license is only \$2.50 annually and a retail permit is \$20 annually. The proposed increase is \$250 for a tobacco license and \$50 for a retailer permit. These fees are still much lower than alcohol license and permit fees. In comparison the annual wholesale liquor license for the City and County of Honolulu is \$2,640.

**ESD tax to include e-cigs:**

- Currently there is no tobacco tax attached to e-cigarettes. This bill would tax electronic smoking devices and e-liquid, which includes the e-juice as well as products with e-liquid pre-filled cartridges or pod-based products.
- The proposed tax would be the same as other tobacco products, which is 70% of the wholesale price. Retail price of some e-liquids is offered as low as \$0.99 cents per bottle.
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

**Prohibit Online Sales:**

- This bill would prohibit online shipment of tobacco products to consumers. Only a tobacco licensee is able to purchase and ship e-cigarettes online.

**Funding for ESD health and education programs for youth**

- Funding for tobacco prevention and control programs complement and strengthen the effect of tobacco policies in reducing smoking rates.

Mahalo a nui loa for your time and consideration.

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 11:33:51 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

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

Comments:

We continue to strongly oppose SB2903. The bill is highly bigoted and anti-business. Adults must have a right to freedom of choice.

[www.hawaiismokersalliance.net](http://www.hawaiismokersalliance.net)



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

**LATE**

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

Re: **SB 2903 SD1, relating to flavored tobacco products**  
Hawaii State Capitol, Room 211  
10:00AM, 2/18/2020

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

**On behalf of Hawaii Children's Action Network Speaks!, we write in support of SB 2903 SD1, relating to flavored tobacco products.**

Reminiscent of *Joe Camel* and cartoon advertising to children, flavored tobacco uses the same tactics. By offering flavors like Hawaiian POG, Ono Orange Cream, and Hawaiian Sweet Rolls, kids think the e-liquid is harmless and more like a dessert. We have the highest rate of middle school and high school e-cigarette use in the nation. It is no coincidence that 81% of youth who ever used tobacco products started with a flavored product, including menthol cigarettes.

The health impacts from e-cigarettes are numerous. Additionally, teens are particularly vulnerable to nicotine, which can permanently impact the developing brain. E-cigarettes can also cause permanent lung damage and increase the likelihood of addiction.

Our youth deserve the opportunity to grow up healthy. We have the opportunity to ban the sale of flavored tobacco products, the hook that can lead to lifelong health problems and addictions. We need to take action to protect our kids. For these reasons, we respectfully requests the committee vote favorably on SB 2903.

Thank you for the opportunity to testify.



**LATE**

Testimony of Kimo Haynes,  
President of the Hawaii Petroleum Marketers Association

**OPPOSING SENATE BILL 2903, SENATE DRAFT 1,  
RELATING TO FLAVORED TOBACCO PRODUCTS**

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

Wednesday, February 19, 2020 at 10:00 a.m.  
Hawaii State Capitol, Conference Room 211

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee,

I am Kimo Haynes, president of the Hawaii Petroleum Marketers Association (“HPMA”). HPMA is a non-profit trade association comprised of members who directly market liquid motor fuel products across the Hawaiian Islands. Our membership includes individuals and companies who operate as independent marketers, jobbers or distributors of petroleum products and who buy liquid motor fuel products at the wholesale level and sell or distribute products to retail customers, other wholesalers, and other bulk consumers.

Senate Bill 2903, Senate Draft 1 would ban the sale of flavored tobacco products, effective January 1, 2021.

HPMA supports strict enforcement of laws that limit access to tobacco products by underage persons and penalize violators who sell tobacco products to underage persons. **However, HPMA specifically opposes provisions in SB 2903, SD 1 that prohibit the sale of all flavored tobacco products to persons who are of legal age.**

HPMA prefers language in House Bill 2347, House Draft 1 that bans the sale of flavored tobacco products, except for menthol and liquid or like substances with a distinguishable taste or aroma of tobacco or menthol.

Additionally, while HPMA favors strict enforcement of laws regulating access to tobacco products, we are concerned that granting individual counties the ability to pass ordinances that are stricter than State law will result in varying restrictions from county to county that make compliance difficult for retailers. We respectfully prefer having a uniform statewide law and suggest deleting the following section from the SD 1: **§712 - \_\_\_ Sale of flavored tobacco products; mislabeling as nicotine-free, (5):**



Opposition Provisions in SB 2903, SD 1, Relating to Flavored Tobacco Products  
Senate Committee on Ways & Means  
Hawaii State Capitol, Room 211  
Wednesday, February 19, 2020 at 10:00 a.m.  
Page 2

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

Thank you for allowing HPMA the opportunity to submit written testimony on this bill.

**SB-2903-SD-1**

Submitted on: 2/14/2020 9:19:39 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenna Morrison	Testifying for Kauai High Student Council	Support	No

Comments:

My name is Jenna Morrison I am in 9th grade attending kauai high school who is part of student council. I suport this bill because flavord tobacco is something alot of teens use now adays. I am sure that they had to get rid of flavord ciggerets before because they were susre that they were targeting kids and teen already. This is something very serious and I have seen people I know and care about use it and get addicted very easily and the flavors just add on to what makes it so fun to people of a younger age. If we can get rid of these flavors that are sure to appel more towards teens then we can hopefully get them unhooked and get others to not use it in the future.

**SB-2903-SD-1**

Submitted on: 2/15/2020 4:47:15 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anthony Orozco	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/15/2020 4:54:25 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeff Stevens	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/15/2020 8:48:48 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Danielle Castro	Individual	Support	No

Comments:

It's time we support the ban and take on tobacco as a State. I strongly urge our legislators to support this ban and help get these products away from our youth.

**SB-2903-SD-1**

Submitted on: 2/15/2020 8:54:12 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Weiner	Individual	Support	No

Comments:

I am submitting written testimony in support of SB2903 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 SB2903.

Linda Weiner, MD

Pediatrics, Kauai

**SB-2903-SD-1**

Submitted on: 2/15/2020 11:19:39 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Dela Cruz and Members of the Committee on Ways and Means,

I am writing in support of SB2903 SD1.

We need to end the sale of flavored tobacco products, including e-cigarettes. Too many young people are vaping in intermediate and high school. This is a public health issue and the state needs to take a stand against flavored tobacco products which are harmful to human health.

Please pass this bill.

Mahalo,

Caroline Kunitake



**SB-2903-SD-1**

Submitted on: 2/16/2020 9:06:39 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ryan Oswald	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/16/2020 10:42:02 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clint Gima	Individual	Support	No

Comments:

As a high school teacher, I see first hand on how tobacco/ecig companies are targeting teens so they can hook them for life to make their money. You need to stop this by banning flavored tobacco products. This is **not** debatable. You have the power and you have a duty to protect the health and safety of our youth. I don't have to tell you the dangers of nicotine and all tobacco products. Do the right thing.

Sincerely,

Clint Gima

**SB-2903-SD-1**

Submitted on: 2/16/2020 12:35:38 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenny Chan	Individual	Oppose	Yes

Comments:

You want the damn government to tell me waht flavors to like. Where the hell is this bigoted, commie crap coming from?

**SB-2903-SD-1**

Submitted on: 2/16/2020 12:54:50 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sean Higa	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/16/2020 12:55:40 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathleen Hagan	Individual	Support	No

Comments:

**As a parent, nurse, and teacher, I am strongly in SUPPORT of SB2903, 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. Menthol is another flavor popular with those trying tobacco for the first time due to its cooling properties. Furthermore, menthol has historically targeted vulnerable groups and is popular amongst Native Hawaiians and Pacific Islanders, making it a social justice issue as well as a public health one. The health risks of e-cigarettes are well documented as are the disruptions to classes and schools.**

**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. As a Nurse Practitioner who provides Tobacco Cessation Treatment and sees how challenging it is for anyone to quit once addicted and as the parent of an 11 year-old starting middle school this Fall, there is no time to delay.**

**Mahalo,**

**Kathleen Hagan, MS, APRN, ANP-BC**

**SB-2903-SD-1**

Submitted on: 2/16/2020 1:06:01 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

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

Comments:

**SB-2903-SD-1**

Submitted on: 2/16/2020 2:53:47 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael S. Nakasone	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/16/2020 3:12:53 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sabrina Spencer	Individual	Oppose	No

Comments:



**SB-2903-SD-1**

Submitted on: 2/16/2020 3:38:39 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jake J. Watkins	Individual	Oppose	No

Comments:

Enough Already. I don't need or want this bill. It doesn't help anyone.

February 12, 2020

Aloha,

I have been a school counselor in rural Maui for almost 20 years. The past 2-3 years there has been a significant rise in electronic cigarette use by students in my school as young as 3<sup>rd</sup> and 4<sup>th</sup> grade. As you know there are devastating consequences to beginning this habit as children and young adults. As a school and community we are doing all we can to educate and prevent this from happening including parent meetings, prevention presentations, counseling, etc, however, we are no match for big-vape companies with unlimited money for advertising to children on social media.

Our community is predominantly Native Hawaiian, data shows that our people have the highest use rate in our state. Something more has to be done to turn the tide away from these harmful devices. Please remove the penalties for children. If there are penalties, our community of young native Hawaiians will be impacted the most. By removing the option of purchasing these products sold to children we, the adults are doing something to improve their health and futures (out of jail).

As a counselor, as a mother, as a very concerned citizen, please do all you can to ensure regulation so our children do NOT have access to these devices. This includes a flavor ban (which will directly impact children) and online sale regulation, I am terrified about their future health and happiness if this continues unregulated.

Me ka mahalo,

*Moani Aiona*

Moani Aiona, School Counselor  
Hana High & Elementary School

**SB-2903-SD-1**

Submitted on: 2/16/2020 5:42:38 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bill Patterson	Individual	Oppose	No

Comments:

I'll remember how you guys voted at the primaries and general election this year.

Strongly Oppose SB2903!

**SB-2903-SD-1**

Submitted on: 2/16/2020 5:56:48 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Huynh	Individual	Support	No

Comments:

To the Senate Committee on Ways and Means (WAM)

Hawaii State Capitol, #211

Honolulu, Hawaii 96813

**STRONG SUPPORT** for SB2903

I am a medical student who strongly supports SB2903 ban certain tobacco products. As a medical student, we study the latest evidence and studies related to health. In almost ALL circumstances, the use of tobacco is correlated with poor health outcomes. These outcomes affect the health of our community and from a financial standpoint, costs our taxpayers a significant amount of money in cardiovascular disease (heart attacks, strokes, ...), diabetes, pregnancy complications, etc.

This bill will improve the health of our community and allow Hawaii to lead as one of the healthiest states in the United States.

Thank you for allowing me to provide testimony on this bill,

Jason Huynh

Medical Student

John A. Burns School of Medicine

University of Hawai'i at MÄ• noa

**SB-2903-SD-1**

Submitted on: 2/16/2020 6:15:41 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
April Pacheco	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/16/2020 6:48:25 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eryn Nakashima	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/16/2020 7:49:05 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kori Higashiy	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/16/2020 8:31:02 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Tam	Individual	Support	No

Comments:

I write in STRONG SUPPORT of SB2903 SD1. The bill provides an effective means to halt the youth epidemic of e-cigarette use, by banning the sale of flavored products, including the enticing and numbing menthol. Flavors lure our children; the nicotine hooks them.

The tobacco companies know this and the tobacco companies control almost every aspect of e-cigarette production and marketing. They will fight this measure. Please fight back, and prevent yet another epidemic of addiction. Support SB2903.

Sincerely,

Elizabeth K. Tam, MD



**SB-2903-SD-1**

Submitted on: 2/16/2020 8:49:23 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Grattan	Individual	Support	No

Comments:

I write in support of SB2903.

This is a strong bill that is evidence-based, and addresses the flavors---particularly *menthol*---that entice our children to try nicotine.

Nicotine is one of the most addictive substances. Inhalation and absorption through the lungs via e-cigs or pods causes high peaks of nicotine, a sure bet to addict susceptible, developing brains.

Please support SB2903.

Sincerely,

Mark T. Grattan, M.D.

**SB-2903-SD-1**

Submitted on: 2/16/2020 9:38:23 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shani Ma	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/16/2020 9:56:04 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alyssa	Individual	Support	No

Comments:

Date: February 17, 2020

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

Re: **Strong Support for SB2903 SD1**, Relating to Flavored Tobacco Products

Hrg: February 19, 2020 at 10:00 AM in Capitol Room 211

Aloha Senate Committee on Ways and Means,

I am writing in **strong support of SB2903 SD1**, which bans the sale of flavored tobacco products effective January 1, 2021.

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.

Due to the highly concentrated, 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 kids who vape say they use flavored products. In research comparing vaping patterns, kids who use flavored products puff deeper and more often than when using unflavored products. More than 80% of kids who use flavored e-cigs say *they wouldn't vape if flavors were unavailable*.

And, it not just the sweet flavors. Mint and menthol are especially insidious. Recent research finds that mint flavor is quickly gaining popularity among high school students.

Menthol is an anesthetic (numbing) compound found naturally in mint plants that provides a cooling sensation. Menthol is added to tobacco cigarettes to reduce the throat burn caused by smoking, making it easier for non-smokers to start smoking and get hooked on nicotine. Menthol also increases smoking satisfaction, compounding the addictive nature of mentholated tobacco products.

The prevalence of menthol cigarette smoking (and nicotine addiction) is highest among members of communities with significant health disparities who have been specifically targeted by the tobacco industry for decades with menthol-containing products. In Hawai'i, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

Tobacco industry proponents will say that flavored e-cigarettes should remain available to help smokers quit combustible tobacco cigarettes, despite the *lack of evidence* that e-cigarettes are effective for quitting nicotine-containing tobacco products.

The stark 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**, an unacceptable

trade off.

I **strongly support SB2903 SD1** and respectfully ask you to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD  
Kea'au, HI

**SB-2903-SD-1**

Submitted on: 2/17/2020 8:47:10 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Molly Mamaril	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 9:44:32 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cyrus Howe	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 9:56:20 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Cooper	Individual	Oppose	No

Comments:



**SB-2903-SD-1**

Submitted on: 2/17/2020 9:56:41 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clarke Morihara	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 10:09:49 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Craig Krening	Individual	Oppose	No

Comments:

We have a right to choose.

**SB-2903-SD-1**

Submitted on: 2/17/2020 10:39:25 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
mary santa maria	Individual	Support	No

Comments:

Thank you for passing SB 2903. This bill will support all other efforts to help our youth with resisting the draw of candy and other flavored electronic cigarette juices that addict them to nicotine. There is plenty of evidence to justify passing of this bill which bans flavored products that directly effect the health and functioning of out youth and young adults.

Thank you for supporting this effort to keep our keiki safe and make the industry responsible for addicting youth.

Mary Santa Maria, M.P.H., M.S.

Makawao Hawaii 96768

**SB-2903-SD-1**

Submitted on: 2/17/2020 11:10:03 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Crystal Costa	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 11:11:30 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathryn Braun	Individual	Support	No

Comments:

I am a professor of Public Health, testifying as an individual. My husband has Chronic Obstructive Pulmonary Disease, caused by smoking cigarettes from age 14 to age 34. When he started at age 14, he had no idea that he was causing damage to his lungs. Now, he is a high utilizer of our healthcare system.

About 80% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes. About 42% of Hawai'i high schools students report trying e-cigarettes, and this is a pathway to tobacco addiction.

With flavors like Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum, the industry is clearly targeting our children. It's well-documented that menthol flavors are particularly enticing to teens 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.

Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of addiction and subsequent disease, which is costly to families and to the state. Please vote to support this bill.

**SB-2903-SD-1**

Submitted on: 2/17/2020 11:15:33 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle K.	Individual	Support	No

Comments:

E-cigarettes are harming our youth by getting them addicted to these products. Please ban asap. Thank you!

- 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.

**SB-2903-SD-1**

Submitted on: 2/17/2020 11:16:23 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cori Sutton	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 11:21:40 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marion McHenry	Individual	Support	No

Comments:

It is so sad to see the numbers of youth smoking and vaping increasing in Hawaii!

We made progress in protecting our young people from smoking for so many years and now we are back sliding!

8 out of 10 are starting with these flavored products. We must pass this legislation please!

Sincerely,

Marion Mchenry

Kauai



**SB-2903-SD-1**

Submitted on: 2/17/2020 11:46:53 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
C. Azelski	Individual	Support	No

Comments:

Hawai'i is already experiencing a youth vaping epidemic. 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. 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. With over 15,500 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction

**SB-2903-SD-1**

Submitted on: 2/17/2020 11:49:23 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sue Pantano-Saldana	Individual	Support	No

Comments:

History does not need to repeat itself. How many more kids have to die or destroy their lungs at the expense of these companies? Please do what is right and pass this ban of flavored tobacco products and start fining the companies that continue to prey on our children. Thank you

**SB-2903-SD-1**

Submitted on: 2/17/2020 12:10:32 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patricia Blair	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 12:20:56 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Megan Tabata	Individual	Support	No

Comments:

February 17, 2020

To Senate Judiciary Committee and Committee Chair,

**Testimony in Support of SB 2903 Relating to Flavored Tobacco Products**

I am in support of SB 2903, which prohibits the sale of flavored tobacco products and mislabeling of nicotine-containing products as nicotine-free beginning January 1, 2021.

I am a registered nurse in the state of Hawaii, a Ph.D. student and a Graduate Research Assistant at the School of Nursing and Dental Hygiene at the University of Hawai'i at Mānoa. As a healthcare professional and a researcher, I am an advocate for the means that help people maintain health and prevent disease, which has the potential to decrease the burden on our financially challenged healthcare system.

Flavored tobacco products specifically target youth. A vast majority of young people who ever used tobacco products started with flavored tobacco products. Young people are at a higher risk of making poor health choices.

Tobacco is addictive. Tobacco addiction is associated with serious and chronic diseases, decreased quality of life, and premature death causing suffering among the addicted and those around them. Moreover, the State spends more than five hundred million dollars in healthcare-associated costs directly related to smoking.

SB 2903 helps protect young people from predatory tobacco products that can lead to addiction.

Thank you for supporting measures that prohibit the sale and mislabeling of flavored tobacco products, which helps support the health of our community.

Uliana Kostareva, BSN, RN

**SB-2903-SD-1**

Submitted on: 2/17/2020 2:38:49 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shay Chan Hodges	Individual	Support	No

Comments:

Hawai'i is already experiencing a youth vaping epidemic. 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. With over 15,500 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

[SB 2903](#) will remove the thousands of fruit and candy-flavored tobacco products and e-liquids that are addicting our keiki, including menthol cigarettes, flavored smokeless tobacco, and flavored cigars.

**Why I Support SB 2903**

- 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.

**SB-2903-SD-1**

Submitted on: 2/17/2020 2:24:47 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara J. Service	Individual	Support	No

Comments:

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and committee members.

I strongly encourage your support of this bill to do everything we can to keep flavored and menthol products out of the hands of our children. Tobacco and vaping companies (Juul is owned by Phillip Morris) are deceiving us when they say that flavors such as POG, Halawa Guava and cotton candy are not meant to appeal specifically to young people.

Nicotine is addictive, reportedly even more than heroin.

Please pass SB2903 to protect Hawaii's children!

Mahalo!

Barbara J. Service MSW (retired Child Welfare)

Senior Advocate

**SB-2903-SD-1**

Submitted on: 2/17/2020 2:55:38 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dallas Nelson	Individual	Oppose	No

Comments:



**SB-2903-SD-1**

Submitted on: 2/17/2020 3:04:48 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lani Hernandez	Individual	Oppose	No

Comments:

Keep the flavors in! That's what the voters want.

**SB-2903-SD-1**

Submitted on: 2/17/2020 3:15:40 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Valerie Smalley	Individual	Support	No

Comments:

My name is Valerie Smalley and I have worked in the field of tobacco treatment for the last 17 years. I also started smoking when I was 13 years old and smoked for 25 years.

I am in support of this bill due to the fact that children are being marketed to purchase and inhale products that are highly addictive and aren't being regulated. Removing the products that allow these companies to market to children will minimize them from trying it and covering the chemicals with flavoring and fancy names. We do not know the long term effects of vaping/ecig on the human body and we shouldn't make it easy for children to be enticed by products that can minimize their quality of life. As a society we should be doing everything in our power to protect children and to prevent anyone from starting any addictive substance that may have long term negative health effects.

**SB-2903-SD-1**

Submitted on: 2/17/2020 3:25:49 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sharon Wong	Individual	Support	No

Comments:

Having family history of using these products, this topic hits close to home. I am against the sales of flavored tobacco products, as this will only allow these companies to target a younger population which will bring even more health issues to our growing/developing youth population. I am in full support of banning flavored tobacco products.

**SB-2903-SD-1**

Submitted on: 2/17/2020 3:40:32 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cynthia Honma	Individual	Support	No

Comments:

We have worked along with schools and other organizations here on the big island since drugs were the only problem our youth had to overcome. Big companies have found a way to entice kids to illegally purchase, and use these evape substances. These flavor vapes are just a way to entice our kids to get involved with a substance that is not regulated nor healthy for them or even the adults. We support this bill to get our state involved to stop the making, distributing, and sale of such toxic "candies" to our kids.

Mahalo for your kokua,

Cynthia Honma

V.P. Ken's Towing Service, Inc.

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:01:59 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benjamin Padua	Individual	Oppose	No

Comments:

As an adult in the state of Hawaii, I should have the right to purchase and use flavored vape liquids. For most adult users of ESDs, including myself, flavors in vape devices helped to both stop the use of traditional combustible cigarettes, and also fulfill my want for something to smoke as opposed to using other nicotine alternatives that I found to be ineffective.

As a side note, underage vaping is not a flavor or marketing problem, it is a parenting problem.

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:14:11 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Owens	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:19:55 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chad Wheeling	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:23:22 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
austin	Individual	Oppose	No

Comments:

As an adult from the state of Hawaii, I oppose the following ban on flavored tobacco products. These products should not be taken away from people who are utilizing them as an alternative to traditional combustible cigarettes. If flavors are banned, it gives many people the reason to go back to traditional cigarettes.



**SB-2903-SD-1**

Submitted on: 2/17/2020 4:30:12 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeresen Dikilato	Testifying for Kauai High School Student Council	Support	No

Comments:

I support the ban on the sale of flavored tobacco products as well as flavored e-liquids and menthol cigarettes. These products have had many negative impacts on teens today with many getting addicted to them at the age of 12 and maybe even lower. They pose severe health risks especially since these products are new and no long term effects have been seen yet. But, many teens being hospitalized because of vaping have been seen all over America.

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:33:35 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy Becklin	Individual	Support	No

Comments:

Next door to where UPS mailbox is, is a Vape Shop. It is all young kids going in AND that work there. This is a real problem impacting our schools and our keiki. We've all worked hard to make a nearly smoke-free environment real and then to hear how many kids are addicted to flavored e-cigs is a huge step back. Let's move forward and save the health and lives of young people.

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:48:41 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joanna Reinhardt	Individual	Support	No

Comments:

As a parent, I feel that it is super important that we do what we can to reduce the attractiveness of these products to kids. Kids can easily buy these products online, so we need to ensure that they are not available to Hawaii buyers. Teenagers really don't understand the addictiveness of nicotine products, so it is worth while to legislate for the protection of our youth.

Respectfully,

Joanna Reinhardt

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:51:08 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Justyn T	Individual	Oppose	No

Comments:

Being a 8 year smokey of combustable cigarettes, vaping has not only helped me to quit but to also help me to carry on with a smoke free life without the smell of cigarettes. Flavored vape has helped the urge for smoking in my life for the past 7 years and now my cardio is much better. I feel as if by banning flavored vape it would only make everyone try to get it elsewhere and that is how everyone will get sick. Flavored alcohol is also being sold and are killing people with Drunk Driving which bring a negative impact on the community.

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:56:46 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John A. H. Tomoso	Individual	Support	No

Comments:

02-17-2020

**RE: SB2903**

I am in support of this Bill that effectively ends the sales of all flavored tobacco products in the State of Hawai'i. I am strongly in support of its provision to not "penalize" youth in any way.

John A. H. Tomoso+, MSW

51 Ku'ula Street, Kahului, HI 96732-2906

CC: CTFH-Maui

**SB-2903-SD-1**

Submitted on: 2/17/2020 4:57:33 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Monika Lopez	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 5:12:47 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
justin	Individual	Oppose	No

Comments:

As an adult in the state of Hawaii, I should have the right to purchase and use flavored e-liquids. For most adult vapors, including myself, flavors in vape devices helped to both stop the use of traditional combustible cigarettes.

Underage vaping is not a flavor or marketing problem, it's a parental problem

**SB-2903-SD-1**

Submitted on: 2/17/2020 5:30:23 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
merrick non	Individual	Oppose	No

Comments:

Flavors shouldn't be banned because it helped me stop smoking. Without flavors most peoples I'll go back to smoking regular cigarettes and having a shorter life expectancy, With vaping I've felt a lot better than I did when I was smoking cigarettes. I've had some friends switch to vaping and It help them quit cigarettes.



**SB-2903-SD-1**

Submitted on: 2/17/2020 5:33:04 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tommy Adrian Garperio	Individual	Oppose	No

Comments:

As an adult in the state of Hawaii, I should have the right to purchase and use flavored e-liquids. For most adult vapors, including myself, flavors in vape devices helped to both stop the use of traditional combustible cigarettes, and also fulfill my want for something to smoke as opposed to using other ineffective nicotine alternatives.

Underage vaping is not a flavor or marketing problem, it is a parenting problem.

**SB-2903-SD-1**

Submitted on: 2/17/2020 5:40:24 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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 senior at 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. E-cigarettes, for example, offer over 16,000 unique flavors. For kids unaware of the 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 and cereals to appeal to a younger audience.

By banning the sale of flavored tobacco, including menthol cigarettes, 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. In fact, 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. Educating others does play a role in prevention, but so does stopping the source as well. Without cool flavors to choose from or availability to menthol's minty feeling, 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. 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 spreading awareness, educating others, and enforcing this bill, we can be one step closer to ending this epidemic.

Kourtney Kwok

**SB-2903-SD-1**

Submitted on: 2/17/2020 6:42:06 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alex Abe	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 7:16:17 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shelley	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 7:24:24 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ayzia	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 7:34:58 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Park	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 7:55:52 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eden Ines	Individual	Support	No

Comments:



**SB-2903-SD-1**

Submitted on: 2/17/2020 7:59:13 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Larson	Individual	Oppose	No

Comments:

Your silly flavor ban should NOT include adults.

**SB-2903-SD-1**

Submitted on: 2/17/2020 7:59:46 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole Chong	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 8:10:26 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tina	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 8:31:18 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
VALENTINO MIRANDA-KEPA	Individual	Oppose	No

Comments:

Aloha Board. Please OPPOSE Bill SB2903 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.  
Valentino Miranda-Kepa

**SB-2903-SD-1**

Submitted on: 2/17/2020 8:31:49 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jordyn E Chong Tim	Individual	Support	No

Comments:

I am in support of this bill. Today you see many teenagers using flavored tobacco products and I believe the only way to solve this problem is to get this bill passed and flavored tobacco products off the streets.

**SB-2903-SD-1**

Submitted on: 2/17/2020 9:05:16 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jericho Tobin	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 9:11:12 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eric Heaukulani	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 9:31:57 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Monique gunn	Individual	Oppose	No

Comments:



**SB-2903-SD-1**

Submitted on: 2/17/2020 9:48:37 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eileen Chen	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 9:54:25 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Theresa Revell	Individual	Oppose	No

Comments:

Honorable Senators:

I strongly oppose SB2903. A ban on flavored tobacco products will hurt many small business owners in the community. This proposed ban unrightfully restricts the rights of adults and their choice to use flavored tobacco products. Please vote against SB2903.

Respectfully submitted,

Theresa Revell

**SB-2903-SD-1**

Submitted on: 2/17/2020 9:58:16 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Naomi Muronaka	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 10:03:36 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Louis Bauguess	Individual	Oppose	No

Comments:

Aloha,

I oppose SB2903. Flavored tobacco products should remain the choice of adults. Please don't take away more of our rights.

Mahalo,

Louis Bauguess

**SB-2903-SD-1**

Submitted on: 2/17/2020 10:09:43 PM

Testimony for WAM on 2/19/2020 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 SB2903 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.

**SB-2903-SD-1**

Submitted on: 2/17/2020 10:29:21 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristen Hori	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/17/2020 10:33:14 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teresa Parsons	Individual	Support	No

Comments:

Strong support for this bill. Way too many underage vapers are now hooked. Tobacco companies target children with these flavored products. I stand in strong support as a healthcare provider.



**SB-2903-SD-1**

Submitted on: 2/17/2020 10:58:08 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Davris	Individual	Support	No

Comments:

I Davris Mahuka, support the bill on flavored tobacco products and i am testyfiying and an individual

**SB-2903-SD-1**

Submitted on: 2/17/2020 11:01:27 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sheldon Miyakado	Individual	Oppose	No

Comments:

Hi Committee Members

I STRONGLY OPPOSE this bill as it limits the choices of responsible adults. E-cigarettes do not have second hand smoke consequences. There're way more adults that use flavored tobacco products to help them quit using regular cigarettes. The Media has hyped up the issues which later was exposed to those using marijuana in illegal cartridge type e-cigarettes.

The so called teens using ecigs are not as high as you are led to believe by those who wrote the bill. Alcohol has just as many flavors but there is only an age restriction.

By passing this bill will lead to the government controlling the citizens choices. Besides DOH submitting testimony there is just as much info contradicting the story their telling.

Please vote against passing this bill.

Best Regards

Sheldon Miyakado

Registered Voter.

**SB-2903-SD-1**

Submitted on: 2/18/2020 12:02:59 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tad	Individual	Oppose	No

Comments:

As an adult, I should be able to purchase flavored E-liquids. As most adults, vape devices has helped me stray away from cigarettes, which we know are already bad. Vaping is a better alternative and has been a better change for me. Underage vaping is the same as underage cigarettes smoking and drinking. It's not a marketing problem, it's a parenting problem.

**SB-2903-SD-1**

Submitted on: 2/18/2020 7:25:04 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Keawe'aimoku Kaholokula	Individual	Support	No

Comments:

Honorable Senators,

I am in support of SB2901 SD1 for the following reasons:

- 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.

Mahalo for your consideration.

**SB-2903-SD-1**

Submitted on: 2/18/2020 7:31:36 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
DeAnna Hayashi	Individual	Support	No

Comments:

I support this bill in order to protect our children.

**SB-2903-SD-1**

Submitted on: 2/18/2020 7:39:21 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anthony McCurdy	Individual	Support	No

Comments:

Aloha Chair Dela Cruz and members of the Ways and Means Committee:

My name is Anthony McCurdy and I am a high school teacher at James Campbell High School in Ewa Beach in the Leeward District on Oahu. I am writing to express my strong support for SB2903 and any other efforts to curb youth vaping here in Hawaii.

We often hear that vaping among our youth is an epidemic and some people scoff at that characterization, but it is absolutely true. I teach high school students and I hear from them about how many of their classmates vape on a regular basis. I have one student who reached out to me for help because he wanted to stop vaping but was having trouble because he is addicted to nicotine. He started off vaping a candy-flavored vape liquid and is now vaping a menthol flavor because he doesn't like it without the flavoring. I have another student who told me pretty much the same story, but she is not planning to quit because she feels the nicotine calms her down and she doesn't want to smoke cigarettes like her parents. One of these two students is a Principals List athlete with plans for college and the other is an Honor Roll student taking early college courses and heading for community college to become a nurse.

This is a very serious and chronic issue. Students are getting hooked on vaping earlier and earlier and our efforts to educate them on the risks of vaping are not making a huge difference. We are also looking at entire grade levels of youth who are now addicted to nicotine as a result of the popularity and accessibility of vaping products through online sales, indiscriminate vape shop sales and well-intentioned parents who think they are helping their children avoid the evils of tobacco.

Any bills that you can pass to take away the supply of vaping products to our children is the best first step that you can take to help curb this scourge. If the youth can't get vaping products, especially the ones that they start with like the flavored vaping liquids, they are far less likely to start in the first place. I say this with urgency because this is an incredibly difficult issue to address even for parents who want to prevent their children from vaping and teachers and school administrators who are working hard to stop vaping on school grounds.

While some people may argue that this bill would limit their own rights to access these vaping liquids as adults and thus would be unfair to them, the reality is that thousands of

kids around our state are pumping poison into their lungs every day and we're doing nothing about it. I'd say the rights of our children to not become addicts outweighs the desires of adults who want to vape candy-flavored liquids.

Please vote yes on SB2903.

Mahalo!

Anthony McCurdy

Leeward District

Oahu

# EMMA WHITNEY

---

## PHOTOGRAPHY

To Whom it May Concern,

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

I am writing regarding the upcoming hearing for the measure SB 2903 I am testifying in STRONG, and UNYIELDING SUPPORT of SB 2903.

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

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

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

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

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

Mahalo for doing right by our community.

Aloha,  
Emma Whitney





**SB-2903-SD-1**

Submitted on: 2/18/2020 8:12:03 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andy Takaaze	Individual	Oppose	No

Comments:

I oppose taking away the flavor choices from law abiding adults in the name of 'curbing underage use'. If you want to stop/curb underage people from breaking the law, PASS A TOBACCO/ECIG POSSESSION LAW, giving teachers/parents/police the right to stop them. Do your job, pass effective laws, possession laws work with alcohol and guns, why not tobacco/ecigs?

**SB-2903-SD-1**

Submitted on: 2/18/2020 8:14:31 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jester Galiza	Individual	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 8:30:28 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shelly Ogata	Individual	Support	No

Comments:

**End the Sale of Flavored Tobacco Products**

**Position: Strong Support**

As a nurse and a public health advocate, it is appalling to me how far the industry has pushed our efforts back. Looking at past history with tobacco control efforts, we need to act quickly and comprehensively.

To reiterate . . .

**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 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, 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).

Mahalo for your time and attention to this very important issue for our youth and the future of our communities.

**SB-2903-SD-1**

Submitted on: 2/18/2020 8:35:24 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ASHLEY MATTOS	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 8:42:06 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tisha Banno-Pei	Testifying for Aiea High School Peer Education Program	Comments	No

Comments:

**Testimony in support of**

**House Bill 276: Related to flavored tobacco products SB2903**

**Submitted by**

**Tisha Banno-Pei**

**Aiea, HI 96701**

**My name is Tisha Banno-Pei, I am a junior at Aiea High School and a part of the Peer Education program. I would like to take time out of my day to testify for the Bill.**

**On January 2nd, 2020, a new Bill was passed that says you have to be over 21 to use, buy, produce or be exposed to tobacco products of any sort. According to the Legislature, the use of tobacco remains the leading cause of preventable disease and death in not only Hawaii, but the whole United States. Underage tobacco use is an epidemic, as 95% of all smokers start before they turn 21. 81% of youth who have ever used a tobacco a tobacco product said the first product they used was flavored.**

**Flavored tobacco products are targeting younger audiences with their bright, candy-like wrappings, especially because they are naive enough to spend money on them. This is not good because young people's brains are still developing and using tobacco is preventing their brains from developing anymore, which would really be jeopardizing their future. This Act is to prohibit, or stop, the sale and distribution of tobacco products. And the act of using tobacco products, especially by underage users, is not only a local epidemic, but a nationwide epidemic.**

Testimony in Support of  
SB2903 Relating to Flavored Tobacco Products  
Submitted by Breanne Fujimoto

Hi, my name is Breanne Fujimoto, from Aiea High School Peer Education Program. I support the SB2903 Relating to Flavored Tobacco Products because there are many risks and chances users take while vaping. Many of my peers use these types of products in and outside of the classrooms.

There are many of my classmates who vape and use tobacco products. Many don't know the risks and health problem chances they are taking. Vaping has been a really huge problem across the world, especially amongst young people such as middle schoolers (15.7%) and high schoolers (25.5%). Many people think vaping is okay to do and is better/healthier than other products but it still contains tobacco/nicotine. 81% started with flavored products and 97% used flavored products. Tobacco is the leading cause of disease and death in the United States and Hawai'i. Nicotine is highly addictive, which is even more of a risk you take. \$526,000,000 in healthcare are directly attributed to smoking every year. Nicotine could affect your brain development whereas your brain stops developing at age 25. Your memory, concentration and learning is highly at risk which could affect students learning in the classrooms. Not only can you affect your brain while vaping but you can also affect your lungs, get other diseases, cancer and much more. Lots of people vape because they are either influenced, peer pressured or think it's "cool" to do. The packaging and advertisements of vaping by companies is meant to look nice and attractive to the eye so it could attract more people to use their products. Many of the flavors sold are fruity and fun for young users to try as there are around 15,500 different flavors.

With that being said, *SB2903 Relating to Flavored Tobacco Products* should be passed as there are many different statistics and evidence to why flavored products are a problem. It has caused many deaths, illnesses and addictions. If this bill was to go through, many people including teens could live a healthier life. Thank you for giving me this opportunity to voice my opinions and facts about this bill.



Testimony in Support of  
SB2903 Relating to Flavoured Tobacco Products

Submitted by Amber Kimberly  
391 Hibiscus Street, Honolulu, HI, 96818  
February 18, 2020

Dear Senate,

My name is Amber Kimberly and I live in Honolulu, Hawaii. I am currently a student at Aiea High School and I take part in the Peer Education Program. I am in support of the Senate Bill 2903. The use of tobacco has always been a problem in Hawaii, but as time went on a new major epidemic occurred. This new epidemic is known as vaping which is directly targeting teens and youth.

A study was done in 2018 showing that vape products are a big market with the youth generations. These tobacco products are flavoured specifically for the appeal of younger people, like Maui Mango and Shaka Strawberry. Hawaii's middle schools have the highest tobacco product use in the nation as 1 in 6 students report vaping. High schools are also at a high usage number as 1 in 4 students have reported vaping. Tobacco companies are persuading more and more youth to try their products with appealing flavours and fun designs.

As the most popular form of tobacco products, vaping is supposed to be a better, safer alternative to cigarettes, however, for a youths undeveloped brain the product can only lead to addiction. As more youth become addicted, more breathe in the countless amounts of chemicals which seep into the deepest parts of the lungs. Vaping is encouraging students to go farther and begin smoking cigarettes. Tobacco products and companies should not be targeting younger generations and their health with appealing flavours to make a little more money.

I urge you to support Senate Bill 2903 so that youth are protected from the alluring flavours and no longer exploited for the gain of tobacco companies. Support this bill to prevent addiction and save a life. Thank you for your consideration.

Testimony in Support of  
Senate Bill 2903 Relating to Flavored Tobacco  
Submitted by Tami Kabua

Dear Senate,

Hi, my name is Tami Kabua, from Aiea High School's Peer Education and I support the ban of flavored products. I believe that those who use flavored products, they mainly do it because their friends do it and they want to try it out or get peer pressure.

In the United States, especially the state of Hawai'i, tobacco use, vaping, remains the leading cause of preventable diseases and deaths. \$526,000,000 in health care costs are directly attributed to smoking in the state. The legislature states that ninety-five percent of all smokers start before the age of twenty-one. "Candy and fruit flavors improve the taste and reduce the harshness of tobacco, making them more appealing and easier for beginners to try tobacco products and ultimately become addicted." The highest rate of vaping in middle school is 15.7%, and in high school it's 25.5%. The usage of nicotine mainly impacts the teenager's/user's brain, such as their memory, concentration, and learning. 81% of teens started off with using flavored products, and with that 97% of them use flavored products. Flavored products come with 15,500 different flavors. With teens possessing over these flavored products, they get distracted, especially in school.

In conclusion, I believe that the Senate Bill 2903 Relating to Flavored Tobacco should be passed, meaning I support the banning of flavored products.

**SB-2903-SD-1**

Submitted on: 2/18/2020 8:50:01 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy Kim	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 8:50:19 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aiko Murakami	Individual	Support	No

Comments:

Bill SB2903 Relating to Tobacco Flavored Products

Submitted by Mikala Lacuesta

98-288 Kaonohi St. Apt. 1706

Aiea, HI 96701

Dear Hawai'i lawmakers,

My name is Mikala Lacuesta and I live in Aiea, HI. I am currently a junior at Aiea High School in support of fighting the vaping epidemic in not only our state, but the country. I have seen in my community adults and youth use these devices carelessly with the fact it has been scientifically proven that vaping does indeed harm your body. What is pushing them to try this deadly and addictive device? It is the harming and misleading message surrounding vaping.

In 2018, a study by Hawai'i concluded that there have been vape products that are at a high desire by the youth. This includes 15,500 flavors such as, candy, fruit, chocolate, Maui Mango, Shaka Strawberry, and more. The other downside to this is that the package is represented by cheerful kid-like designs which persuade young people to try these products. It may sound foolish to fall for the bright packaging of the products, but it is not impossible. Youth are willing to try something when they do not know what is inside, that is just human nature. However, it is important to know what is inside. The American Lung Association describes the destructive ingredients within vape products. There is not only nicotine, a highly addictive substance that affects brain development, there is propylene glycol. Which is used to make household items like antifreeze, paint solvent, and surprisingly artificial smoke in fog machines. Many of our young people and adults are using these products. With all these chemicals, they are

set for many health problems and in worse case scenario, death. It should not be taken lightly to put someone's life at risk. Companies are doing this and misleading communities with vaping. In the end, it is better to do something than nothing.

Using these products is another way to play with your life. I urge you to take part in a change. A change to save someone's life. It is not just about justice but it's about being humane. No one wants to lose a loved one due to something so *preventable*. We can start in our community, state, and country to make sure we start sooner than later. Please save a life by supporting SB2903. Thank you for your time and attention.

**SB-2903-SD-1**

Submitted on: 2/18/2020 8:53:41 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Y Omura	Individual	Support	No

Comments:

My name is Diane Omura and I am a retired health educator from the island of Maui. My focus as a teacher has been on reducing teen risks while promoting safety and wellness. The students in the Baldwin Peer Education program and I have fought hard in preventing vape use among youth. Thanks to the comprehensive and continued training received from Kate Folio and the Coalition for Tobacco Free Maui, my students were motivated and well prepared to share knowledge among their peers. However, about four years ago the students realized that education alone could not stop the trend and got involved in the legislative process. Last year the students were extremely dismayed that the flavor ban failed despite repeated submissions of their testimonies. The students had a hard time understanding how legislators turned down an opportunity to keep teens safe. Now that premature deaths have made the headlines, please do the right thing and please support SB2903 which will remove candy flavored tobacco products and e-liquids that are addicting our children, including menthol cigarettes. This flavor ban is urgent as the majority are getting addicted through flavors. Thank you for your time and consideration.

**SB-2903-SD-1**

Submitted on: 2/18/2020 8:57:53 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Herenui Punua	Individual	Support	No

Comments:

Flavored tobacco products have become a big issue in Hawaii. Many teenagers are using them and getting addicted. It's affecting their health and future.



**SB-2903-SD-1**

Submitted on: 2/18/2020 8:58:25 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Younghi Overly	Testifying for aauw of hawaii	Support	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:06:50 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
natalea mikami	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:09:14 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
HANALEI BENN	Individual	Oppose	No

Comments:

I oppose this bill because flavored tobacco products has helped me reduced my cigarette smoking, please dont take that choice away from us. I feel like there could be a better way to control this, then completely banning it from us.

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:15:17 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
dillon rellez	Individual	Oppose	No

Comments:

I oppose this bill because e-cigarettes have helped me, my friends and so many other people I know to get off of bad habits such as cigarettes. It is crazy to make a product harder to get when it's making people better. Thank you for your time.

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:31:09 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amandalin Rock	Individual	Support	No

Comments:

Written Testimony Presented Before the  
COMMITTEE ON WAYS AND MEANS  
Wednesday, February 19, 2020 at 9:00 a.m.  
Hawai'i State Capitol, Conference Room 211

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

RE: **Strong Support** for **SB2903**: Relating to Flavored Tobacco Products

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee:

Thank you for the opportunity to testify in **strong support for SB2903, Relating to Flavored Tobacco Products**. My name is Christina Tse and I am a second-year medical student at the University of Hawai'i - John A. Burns School of Medicine (JABSOM). I am in strong support for this bill because as a medical student and a community member of Hawaii I have seen the negative impact flavored tobacco products has in our community.

Tobacco companies have a history of targeting and appealing to the younger generation in order to maximize long-term profit. Flavored tobacco products have a special appeal to children, adolescence, and young adults who are a vulnerable population—susceptible to risk-taking behavior and peer pressure. Tobacco use, especially long-term addiction and use, can lead to bronchiectasis, emphysema, bronchitis, lung cancer, and other negative health effect affecting our neighbors, friends, and families who smoke. Personally, I have seen family members struggling with long-term tobacco use, and have tried flavored tobacco that has increased the frequency of their tobacco use. In addition, I volunteer with Tar Wars, which educates elementary students (fourth and fifth graders) on the dangers with using tobacco products. I find this work to be exceptionally useful in educating students but also educating myself of their knowledge. Many students at that young age know of tobacco, jule products, and flavored tobacco. Even more astonishing and very disappointing is that some of these children are already using tobacco due to peer pressure by older children and false advertising. This is especially a problem in our rural and socioeconomic communities, like Lanai, Waianae, Ewa Beach, etc. SB2983 can help to address this problem.

Again, thank you for the opportunity to provide my testimony to this bill as well as your consideration in **strongly supporting SB2983**.

Respectfully,  
Christina Tse  
MD Candidate, Class of 2022  
University of Hawai'i - John A. Burns School of Medicine.

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:35:02 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Santiago	Individual	Oppose	No

Comments:

Stop trying to take away my rights.

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:39:43 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shani Gacayan	Individual	Support	No

Comments:

I am a mother of 4 young children, my oldest is 12 years old the amount of exposure he as a young man to vaping products and candy flavored ejuice is ABSOLUTELY ABSURD! Our keiki are using and being exposed to these devices and ejuice more and more every day as they have easy access to these flavors and are wanting to try them because it's the cool thing to do and tastes good so are being peer pressured to try them. Our high school students are highly addicted and are trying them because they say they have all different kind of fruity and candy flavors that they wanted to try and now have become addicted! Our keiki are our future, PLEASE help keep our keiki healthy and STOP ALL CANDY flavored ejuice including Menthol! They do not know how harmful these products and ejuice are to their health for short and long term effects, PROTECT THEM NOW! With much desperation in keeping our keiki healthy, Kai Gacayan



**SB-2903-SD-1**

Submitted on: 2/18/2020 9:39:59 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hoku	Individual	Oppose	No

Comments:

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 10:05:59 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristin Mills	Individual	Support	No

Comments:

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 public 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.

So, I ask the committee to please assure that a ban on menthol, mint, and wintergreen be included in the wording of this bill. This is vital to the health of our youth! Menthol, mint, and wintergreen flavors are particularly enticing, as they mask the harshness, allowing for deeper and longer inhalations, making menthol cigarettes and e-cigarettes another popular starter product and harder to quit. 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 (including menthol, mint, and wintergreen) have the greatest appeal to youth and we must end the sale of these products.

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 10:35:41 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Buck	Individual	Support	No

Comments:

Please consider the long-term impact of healthcare by allowing a new generation to become addicted to nicotine. Please consider the positive role you can play for your children or grandchildren and the state of Hawaii's healthy future by not helping a new generation become nicotine dependant. Ask yourself who are the flavors designed to attract?

Nicotine Addiction is one of the hardest addictions to quit. Electronic cigarettes are a gateway to nicotine addiction increasing the likelihood of smoking combustible cigarettes. Kids are drawn to flavors with over 15,000 flavors to choose from and disposable devices (ie. Puffbar) that are loaded in nicotine to addict children due to the loopholes in the new federal flavor ban. If adults are truly using these devices to quit smoking then they will not mind a flavor band, or they will use other proven smoking cessation options such as: nicotine transdermal patches, gum, and lozenges.

Obvious nicotine dependency, brain developing until age 25, increase mood disorders, attention deficits, lack of self-control and impulse control, developing increased need in instant gratification. E-cigs are different than combustible cigarettes where kids are using them every 15-30 minutes and developing a sensory reward of instant gratification when they need nicotine. The tobacco industry has developed these devices into tiny, scent and smoke free devices where kids are using them in class when the teacher is not looking. They use them in class and between every class.

Youth e-cig rates in Hawaii have increased to astronomical rates. The long-term impact of addicting a new generation to nicotine when adolescent and youth rates of smoking combustible cigarettes is at an all-time low is creating a bankrupting financial impact for the future. This is the tobacco industry's tactic to popularize a socially acceptable form of smoking to increase combustible cigarette use in the future. If you are using e-cigs in middle school, you are going to smoke combustible cigarettes within the next 10 years. They will be using the dual use where they vape during the day and smoke at night.

Are you thinking future of health health-care and the costs of health care in 10+ years when smoking rates increase or are you thinking immediate impact on vape shops that will lose money, because a large amount of their profit comes from youth buying flavors?

Please consider the long-term impact of healthcare, and the positive role you can play for your children or grandchildren.

Mahalo for reading or listening, and everything you do for the state that most people will never know.

David P. Buck

Doctor of Nursing Practice Student, University of Hawaii at Hilo

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 10:58:24 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leah Taylor	Individual	Support	No

Comments:

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 11:06:46 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robin Miyamoto	Individual	Support	No

Comments:

**Why I Support SB 2903**

- 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.

Please pass this bill to protect our youth!

Sincerely,

Robin E. S. Miyamoto, Psy.D.

Clinical Health Psychologist

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 11:07:06 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alana Cayabyab	Individual	Support	No

Comments:

Hi, my name is Alana Cayabyab. I'm 16 years old and a Junior at Kauai High School on the island of Kauai. I am in strong support of SB2903 as it works towards the end of flavored tobacco sales because I want to protect our future generations from the addictive nicotine and the many chemicals that are behind it. I am not a smoker myself, but I'm constantly seeing my fellow peers and even younger get so addicted to these products mainly because they are drawn to these candy flavors that these companies advertise. I believe that if we end these sales, teens will find the real flavor disgusting causing them to stop. Being the oldest out of three, I don't want my younger siblings who are 3 & 8 years old to be influenced by these products and eventually start themselves. We are the future generation, we need to act now for the sake of our tomorrow. thank you for your time.

**SB-2903-SD-1**

Submitted on: 2/18/2020 11:09:08 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

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

Comments:

**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).**

**SB-2903-SD-1**

Submitted on: 2/18/2020 11:12:18 AM

Testimony for WAM on 2/19/2020 10:00:00 AM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jonah	Individual	Oppose	No

Comments:

Aloha. Please OPPOSE Bill SB2903 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 AND OR MAKING STIFFER PENALTIES SO PLEASE OPPOSE THIS BILL.

Thanks for your time.  
Jonah Manuel

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 11:58:04 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
mark shimabukuro	Individual	Support	No

Comments:

Dear Senators,

My name is Mark Shimabukuro, I am the Peer Education Coordinator at Aiea High School. I am writing in support of SB2903 and urge you to do the same.

Vaping has become the number # 1 problem on middle school and high school campuses across the island. In Hawaii, 15.7% of middle schoolers and 25.5% of high schoolers use e -cigs. Nicotine is a highly addictive chemical that impacts the development of the teenage brain. It causes attention, memory, and concentration problems. E - cigs are marketed as being a safer alternative to cigarettes but it is not. Vaping on campus or in the classroom has become a real epidemic.

Companies are using flavored products as a way to attract younger users. There are over 15,000 flavors which all contain nicotine. While these flavors are ok to digest it is not intended to be inhaled. Students don't realize that just because something taste good it might not be good for you. New flavors are created everyday in order to peak the curiosity of younger users.

SB2903 will put an end to these flavors and reduce the number of middle school and high school users. I hope you will also support this bill and help to end this vaping epidemic.

Thank you for your time and consideration.

**SB-2903-SD-1**

Submitted on: 2/18/2020 12:20:50 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teddy Kim	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 12:33:56 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kauluna'e Hamakua	Individual	Support	No

Comments:

I strongly support this bill SB2903. 81% of youth who has ever tried a tobacco product started with flavored tobacco products. Tobacco companies use flavored products to get customers of all ages addicted to their products. It's been reported that Hawaii has one of the highest rates of middle to high school aged youth who are currently using e-cigarettes (Hawaii YRS, 2017). Tobacco, nicotine products, is highly addictive and quitting can be difficult. Flavored e-cigarette products are introducing smoking to youth who would've never smoked in their life. Use among youth and young adults can cause both immediate and long-term damage. Many of our keiki (youth) are surrounded by images promoting these tobacco products & are twice as sensitive to these marketing tactics than adults. This bill is very necessary to promote healthy behaviors in our youth and building healthy communities.

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:11:43 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Arcelita Imasa	Individual	Support	No

Comments:

Hi,

I am a family medicine physician and I believe that restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

I strongly urge you to support this bill.

Thank you,

Arcelita Imasa

Aiea, Hawaii

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:12:31 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
mahea	Individual	Support	No

Comments:

I am an 8th grade student. Smoking is bad in general but its even worses for kids. Smoking at a young age is very bad because your brain and body or still growing and it couol effect your growth. Also it is very bad for your lungs and heath in general. It is very addictive and it is hard to stop smoking .

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:12:52 PM  
Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Zoe	Individual	Support	No

Comments:

Hello! My name is Zoe and I'm a 8th grade student. I believe vaping products shouldn't be targeted at youth. If kids see adds that their interested in they are possible to get it and may not even know what they're doing. They don't know the risks or affects. Vaping and nicotine could change the course of their lives and not for the better. These kids arent fully developed and this will mess them up even worse than if they were adults. Some affects kids could get by vaping is slow brain development, affect memory, concentration, learning, self-control, attention, and mood increase the risk of other types of addiction as adults. Having big companies affect the next generation like this should stop.



**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:12:54 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kawaiolaakealoha Sanita	Individual	Support	No

Comments:

Hi I am Kawaiolaakealoha Sanita a 8th grade student ant Hana High and Elementary School. I'm here to say that tobacco products are very bad for not just minors but also adults to. Vapes, weed, cigerets ec. are all very bad and for your phycical and metal health. I know the side affects that affect minors and adults. Smoking weed can sometimes cause certian peopls brain to react differently which can cause depression and suicidal thoughts. "Marijuana use has also been linked with depression and anxiety, and with suicidal thoughts among teens" says the Center for Disease Control and Pervation. What I read from them tells me that smoking can really harm everyone espesally teens. We as a comunnity need to stop tobacco and drug abuse for our genoration.

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:13:51 PM

Testimony for WAM on 2/19/2020 10:00:00 AM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jessa	Individual	Support	No

Comments:

Hello! My names Jessa S. :). I'm from Hana, Maui which is on the eastside of the hawaiian island Maui. I'm 13 years of age and a 8th grade student. My reason for this is to tell u my opinion on Why tobacco products shouldn't target youths. I think tobacco products shouldn't target the youth because if this targets our youth it could change their future, which when they get into society they can change other peoples future. Such as if they get too addicted to tobacco at a young age such as 13-18 years old they wont be doing as well in school which when they get older they won't have a much of a future they could be proud of. The kids these days see ads on how these products are ok for them to use. Such as the people that make these products as everyday looking objects. Like office supplies, children juice boxes, jacket strings, and etc. So with this said I would want these kids to have a better future by not using these "products" and live a healthy non tobacco life.

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:17:23 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jacob pu	Individual	Support	No

Comments:

am a 8th grade student. i think tobaco products are bad for kids because they have different kinds of flavors that are adicting to kids.

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:17:55 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Dietrich	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:18:30 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kawelo	Individual	Support	No

Comments:

Hi i am a 8th grader from Hana middle school and i think that tobacco flavored products shouldnt be a thing because tobacco can be very adicting and for it to be a vape flavor is really bad because it contains nicotine that causes all types of deseases including pocorn lungs and cancer.

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:20:08 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kainalu	Individual	Support	No

Comments:

i am an 8th grader from hana high and elementary school. It is the kids choice if they want to do drugs if they want to die.

if the tobacco company grows and people are dieing from tobacco we can shut them down for killing somebody

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:21:40 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ekolu	Individual	Support	No

Comments:

I am a student of hana high and elementary school. Im an 8th grader. I would like you to stop the sale of flavored tobacco products, because they types of products are what get students like me addicted. Having it flavored is what catches our attention and makes us want to use it. SO if you take it off the shelf and stop the companies from making it, it will never be available for us to use. You can make a difference in our lives by helping us out, and making it a law for all those companies to following by not having it made period.

THank you,

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:24:36 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alexia	Individual	Support	No

Comments:

Hi my name is alexia i'm in 8th grade and i think they should not sell tabaco to kids.



**SB-2903-SD-1**

Submitted on: 2/18/2020 1:27:42 PM

Testimony for WAM on 2/19/2020 10:00:00 AM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
william	Testifying for hana high and elementary	Support	No

Comments:

The use of flavored tobacco should be banned and all use of tobacco should be frowned upon in the public.

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:28:35 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kaimana	Individual	Support	No

Comments:

hi i am an 8th grader from hana hi and i have seen what vaping can do to kids. vaping is a plague that we need to destroy before its to late. us kids dont know better but the big tobacco companies do. they are poisoning the keiki of hawaii nei just so they can fill their pockets. this dirty system needs to be destroyed for the sake of the children of hawaii.

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:32:50 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shaunnie tolentino-kaiwi	Individual	Support	No

Comments:

My name is Shaunnie im a 8th grader here at Hana High and Elementary school. I am writing this to testify on my behalf saying that the tabaco company should not be targeting us young youths. I have seen the product that they are making and it looks like what every child would like to have. It looks like a juice box, candy and jackets that make them hide it. These types of things should not be happening. It is dangerous for us kids and if you care for young children and their future, you need to put a stop to this kinds of companies. Flovoring is what is drawing us young kids to vape. Stop it once and for all.

Mahalo,

Shaunnie

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:33:04 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kiluapaka	Individual	Support	No

Comments:

I'm a eight grade student and im writing about how tabacco can atract youth and that insted of doing tabacco, get help from others.

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 1:36:30 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
seaena	Individual	Support	No

Comments:

My name is Seaena, im in 8th grade and i think tobaco companies should not target students or young children like us teenagers because tobaco products are bad for our health. Also it could hurt or kill us teenagers because our bodies are still developing, and with all the chemicals you guys put in that shit its bad for our body!!!. PUT A STOP TO IT!!! Ban flavors in all tobacco products and dont have penalties for youth so they can get adult help.

from seaena

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 2:06:56 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicholas Winters	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 2:07:57 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
pua	Individual	Oppose	No

Comments:

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 4:31:02 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ned Garcia	Individual	Oppose	No

Comments:



**SB-2903-SD-1**

Submitted on: 2/18/2020 5:22:22 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tammy Young	Individual	Oppose	No

Comments:

Don't take away the flavors I like. Taking from people is NOT ALOHA.

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 6:08:56 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David McCann	Individual	Oppose	No

Comments:

**SB-2903-SD-1**

Submitted on: 2/18/2020 6:23:16 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Colleen Fox	Individual	Support	Yes

Comments:

Aloha,

I am in support of SB2903. Flavored tobacco targets youth and 95% of smokers start before legal age for smoking. The tobacco companies want kids to get addicted to nicotine while they are teens because very few people start smoking or vaping after they are 21. Flavored tobacco is part of the same ploy we've seen by the tobacco companies for decades, trying to entice kids into starting using tobacco. Please ban all flavored tobacco products.

Mahalo for putting the health of our keiki first.

Colleen Fox, PhD

Makiki

**LATE**

February 18, 2020

**Strong Support of SB 2903 RELATING TO FLAVORED TOBACCO PRODUCTS.**

To the House of Representatives

Hrg: Wednesday, February 19, 2020, 10:00 A.M., Conference Room 211

**I strongly support SB 2903 RELATING TO FLAVORED TOBACCO PRODUCTS, which would Bans the sale of flavored tobacco products.**

Sadly, Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation, just behind Colorado. Flavors are designed to appeal to kids, while nicotine gets them hooked for life. We must act now to regulate the industry and protect youth from these predatory flavored tobacco products and a lifetime of addiction.

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 SB 2903 RELATING TO FLAVORED TOBACCO PRODUCTS 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*

**LATE**

**SB-2903-SD-1**

Submitted on: 2/18/2020 9:19:45 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Poynter	Individual	Oppose	No

Comments:

Date: February 18, 2020

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

Re: Strong Opposition of SB2903, Relating to tobacco flavored products

Hrg: February 19, 2020 at 10:00am at Capitol Room 211

Dear Committee Members:

I strongly oppose SB2903 which attempts to *ban the sale of flavored tobacco products. Effective January 1, 2021.*

**This bills looks to prohibit products that are recognized to help adults.** I have been a smoker for 18 years, and for the past 5 years I have been off of traditional tobacco by switching to e-cigarettes. There have been many studies in the United States and outside our country that support vaping as an alternative to smoking cigarettes. Flavors happen to be a very important factor when adults are making their decision to switch from combustible cigarettes to vaping. Prohibiting flavor options creates a barrier to becoming tobacco free and, as a result, many people will actually be encouraged to continue smoking traditional cigarettes instead of making the switch to a product that is estimated to be 99% less hazardous than smoking traditional cigarettes.

As an adult, flavors played a major role in the process of me quitting traditional cigarettes. If there is no PMTA reform at the FDA level and if local, state or federal government continue to ban access to these products, law-abiding adults like me will be

less free to choose a healthier alternative. You will have vapors that are former smokers go back to smoking traditional cigarettes.

**Banning flavored tobacco products will not curb teen vaping.** If you look at surveys for teen use, curiosity was by far the number one reason why youth started vaping. Some agencies believe that flavors hook kids, but adults favor flavors as well. Flavors are an important aspect of vapor products as they help people who are quitting smoking disassociate nicotine consumption from inhaling smoke and the taste of burning tobacco.

Instead, please consider stronger laws that should deter the purchase of e-cigarettes among Hawaii's youth. The state of Hawaii already has a strong age to 21 law in place which should be enforced heavily to deter kids from attaining these products. Most adult users use the flavor products as well, in which a flavor ban will impact the adult consumers. If this bill is truly targeted to help youth, address the youth issue not penalize adults.

**Banning flavors may have unintentional consequences.** Banning flavored e-liquids may drive a black market causing increased risk of e-liquids being made incorrectly and potentially harming thousands of vapers/citizens in the state. Right now the FDA have certain regulations in place for facilities and have standardized guidelines to ensure product safety. If people start making their own e-juice or e-liquid this may create more unintentional harm to the people of Hawaii. Making vaping illegal products seems counterintuitive and smokers who switched to vaping will end up vaping illegal products, which may make the problem even worse.

E-cigarettes are a healthier alternative. Traditional tobacco kills up to 14,000 people per day worldwide. E-cigarette use has helped traditional tobacco users quit and making the switch helps save lives. There are numerous studies that have shown vapor emitted from electronic smoking devices (ESDs) to have much lower levels of toxicants present in traditional tobacco smoke. Long term health effects of vaping are unknown compared with traditional tobacco such as cigarettes. ESD vapor are likely to be much less, if at all, harmful to users or bystanders (Hajek, P., Etter, J.F., Benowitz, N., et.al., Electronic cigarettes: review of use, content, safety, effects on smokers and potential for harm and benefit. Society for the Study of Addiction, vol 109, issue 11, Nov. 2014. 1801-1810).

Dr. Michael Siegal of the Boston University of Public Health, an expert in public health, supports vaping as an alternative to cigarettes. In his professional opinion, e-cigarette use is more reasonably effective than most nicotine replacement therapies via pharmaceutical products which often have nicotine in them. E-cigarettes are increasingly popular among smokers as an alternative and there is no hard evidence of regular use to be as detrimental as traditional tobacco. Just the fact that e-cigarettes enable users to reduce or quit smoking is a huge benefit and could save the state in health care costs. Banning flavors will leave smokers without this helpful solution and may cause smokers to go back to traditional smokers if no alternative is allowed.

Please allow the people of Hawaii to continue to access e-cigarettes to help with their tobacco addiction. There are harmful medications available of which have been used to treat tobacco addiction that have dangerous side-effects. For example Chantix can cause depression, seizures, cardiovascular and blood vessel complications. These medications can be very expensive. E-cigarettes are definitely a healthier alternative. I have been vaping for 5 years after smoking cigarettes since I was in the 7th grade. I feel stronger, healthier (breathe better) and my sense of taste has returned. There are positive effects of e-cigarettes. Please don't take away the opportunity and personal choice for tobacco smokers to access lower cost alternatives.

I strongly oppose HB2903 and ask you to kill this bill on the spot.

Mahalo,

Electronically signed

Jonathan Poynter

**SB-2903-SD-1**

Submitted on: 2/18/2020 10:39:35 PM

Testimony for WAM on 2/19/2020 10:00:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Cyd L. Hoffeld	Individual	Support	No

Comments:

Aloha,

I **strongly support SB2903** which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes. These candy flavored and menthol tobacco products have caused Hawai'i's youth to have one of the highest rates of middle and high school students currently using e-cigarettes in the nation.

The tobacco industry has a long history of marketing their products to youth who will become nicotine dependent and consumers for life.

When we **strongly support SB2903**, we support the health and wellbeing of our keiki now and into their future.

Mahalo,

Cyd L. Hoffeld



**LATE**

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

My name is Ramic Santiago and I **support** SB2903 SD1: RELATING TO FLAVORED TOBACCO PRODUCTS.

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 Ways and Means  
Thursday, February 19, 2020; 10:00 a.m.  
State Capitol, Conference Room 211

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

I support SB2903 SD1: RELATING TO FLAVORED TOBACCO PRODUCTS.

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 SB2903 SD1 to save our children for the future.

Sincerely,

Jennifer Hausler  
Pearl City, 96782

Date: February 18, 2020  
To: The Honorable Donovan Dela Cruz, Chair  
Senator Gilbert Keith-Agaran, Vice Chair  
Members of the Committee on Ways and Means

From: Ruthie Diaz, BSW  
[rddiaz@hawaii.edu](mailto:rddiaz@hawaii.edu)  
Honolulu, HI 96813

Re: Support for SB2903 SD1: RELATING TO FLAVORED TOBACCO PRODUCTS

Hearing: Wednesday, February 19, 2020 at 10:00 am at Conference Room 211

---

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

Thank you for the opportunity to submit testimony in **SUPPORT** of SB2903 SD1: RELATING TO FLAVORED TOBACCO PRODUCTS.

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 SB2903 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 SB2903 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

**LATE**

**SB-2903-SD-1**

Submitted on: 2/19/2020 8:22:50 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nash Witten	Individual	Support	No

Comments:

**LATE**

Aloha

My name is Victorya Chanel and I am part of the Peer Education Program at Aiea High School . I am here to write my support of SB2903. I as a high school student as sad as it is to say I'm constantly surrounded by people using e-cigarette devices. The vaping epidemic among youth is just so outrageous, vaping has gotten out of hand I see so many kids vaping and to a lot of people they are not surprised by it anymore. Vaping should not be a common thing among youth but it sucks to say that it is, one of the many reasons it is so common for youth is of the advertising of flavors.

These flavors are candy-like so kids are like they wanna try and see if they have some taste to it, some of these flavors are unicorn milk, sour patch kids, sour straws, watermelon, etc. These companies advertising vaping products are just in turn targeting the youth because vaping is also made up to seem better than cigarettes, so kids are made to believe that it is safer but its not.

I think what hurts most is that I personally know people who vape and it sucks to see how they change as a person but it seems that at 13 years old its ok to be addicted to vaping and the more that these flavors are continued to be made. Kids will want to continue using these e-cigarette devices. For me it's like everyday people who vape just get younger and younger and you may think it is only high schoolers involved in this vaping epidemic but that is where you are wrong. Kids in middle school vape and it is something that is normal to them. I can't say that at least for myself vaping shouldn't be something common among kids who are 12 years old and younger.

These flavors need to be discontinued because vaping has gotten out hand with these flavors and if something is done, then some real change can happen amongst kids who abuse vaping. Bill SB2903 can help lessen the appeal of vaping to kids because once the flavor of what they like to do is gone they won't see a reason to vape because it does not appeal to them.

Sincerely,  
Victorya Chanel.

**LATE**

**SB-2903-SD-1**

Submitted on: 2/19/2020 10:12:40 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chien-Wen Tseng	Individual	Support	No

Comments: