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April 17, 2019

Andrew Joyce  
Chairman of the Albany County Legislature

Written testimony from:  
Dr. Carrie Wade, Director of Harm Reduction Policy, R Street Institute

In Opposition to Local Law No. "E" for 2019 - Prohibiting the Sale of Flavored Tobacco Products

Chairman Joyce and members of the Albany County Legislature:

The R Street Institute is a nonprofit, nonpartisan public policy research organization based out of Washington, D.C. We strive to promote free markets and effective government policies in many areas, including tobacco harm reduction.

My academic background is in the neural mechanisms of addiction, evaluating neurochemical and anatomical changes that happen in the brain following the onset of addiction. There has been a lot of progress made toward understanding the biological factors that lead to dependence and addiction, and we have learned a great deal about how addiction can best be treated and managed. I believe that harm reduction approaches can positively affect the health and wellness of people who use addictive substances, which is why I write to you out of concern about the proposal to prohibit the sale and distribution of non-tobacco-flavored e-cigarettes. While well-intentioned, this proposal will adversely affect public health by limiting safer alternatives to combustible cigarettes for the very people it aims to protect. We encourage your county to consider policies that reflect the reduced risk of e-cigarettes compared to combustible cigarettes.

The best available science indicates that e-cigarettes are not likely to exceed 5 percent of the harm associated with combustible cigarettes—a conclusion supported by both Public Health England and the National Academy of Sciences. Also, like traditional nicotine replacement therapies, e-cigarettes do not produce environmental tobacco smoke that harms bystanders. Policies that encourage smokers to switch to e-cigarettes if they cannot or do not wish to quit will significantly reduce the enormous burden of disease that combustible cigarettes impose on society. It is estimated that e-cigarettes have the potential to save up to 6 million lives by the year 2100 if only 10 percent of current smokers switch from combustible cigarettes over the next 10 years. Furthermore, over the last five years, e-cigarettes are thought to have contributed to a more rapid decline in adolescent smoking rates than seen in previous years.



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*The International Journal of Environmental Research and Public Health* reports that limitations on flavor choices negatively impact user experience. About 40 percent of former and current adult smokers predict that removing their ability to choose flavors would make them less likely to remain abstinent or attempt to quit smoking. In fact, data suggests that current smokers are partial to the flavor of traditional tobacco, while fruit and sweet flavors are preferred by former smokers.

Policies that treat e-cigarettes the same as combustible cigarettes encourage current smokers to continue smoking, to the detriment of their health. Conversely, policies that reflect the reduced harm of e-cigarettes can significantly decrease the enormous burden of disease that combustible cigarettes impose on society. This includes policies that allow flavors to be available to current smokers who consider them an attractive feature of e-cigarettes.

I applaud the efforts of Albany County's legislators to recognize the impact of smoking and take steps to reduce the prevalence of smoking and e-cigarette use among youth. Toward that end R Street supports 21-to-purchase initiatives. However, it is important to recognize the potential of e-cigarettes to mitigate the risks associated with combustible cigarettes if we wish to encourage a healthful populace.

Thank you for your time and consideration.

Respectfully submitted,

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