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Testimony from:
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In OPPOSITION to HB 2457, “RELATING TO THE YOUTH VAPING EPIDEMIC”

March 11, 2020

Senate Commerce, Consumer Protection, and Health Committee

Chairwoman Baker and members of the committee,

My name is Anthony Lamorena, and I am a former Hawai’i resident and a government affairs associate for the R Street Institute, a nonprofit, nonpartisan public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government in many areas, including tobacco harm reduction, and that’s why HB 2457 is of special interest to us.

Here at the R Street Institute, we have long supported raising the legal age to buy tobacco products to 21, enforcing laws to keep such products out of minors’ hands and encouraging adults to never smoke. Though I believe the sponsors of this bill have the best intentions and share our goal to promote public health, this bill will undoubtedly lead to negative consequences. And as someone who worked on state policy in Hawai’i, this issue is personal to me.

An outright ban on flavors of e-cigarettes will discourage an untold number of adult smokers from quitting combustible cigarettes. Studies have found that [adults enjoy flavors](#) such as mint and mango, and banning them may keep smokers from switching to less harmful alternatives like e-cigarettes.¹

While not completely safe, e-cigarettes are definitely less harmful than their combustible counterparts.² [Public Health England](#) has stated that they are at least 95 percent safer, a conclusion supported by the National Academies of Sciences, Engineering and Medicine.³ The reason vaping presents a reduced risk is because it doesn’t employ the traditional cigarette combustion process that releases around 7,000 chemicals—some of which are highly carcinogenic.

¹ C. Russell et al., “Changing patterns of first e-cigarette flavor used and current flavors used by 20,836 adult frequent e-cigarette users in the USA.” *Harm Reduction Journal* 15, 33, 2018. <https://doi.org/10.1186/s12954-018-0238-6>.

² Kathleen Sebelius, “The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General,” U.S. Office of the Surgeon General, 2014.

³ Ann McNeill et al., “Evidence review of e-cigarettes and heated tobacco products 2018,” Public Health England, 2018. <https://www.gov.uk/government/publications/e-cigarettes-and-heated-tobacco-products-evidence-review/evidence-review-of-e-cigarettes-and-heated-tobacco-products-2018-executive-summary>.

“The Public Health Consequences of E-cigarettes,” National Academies of Science, Engineering and Medicine, January 2018. <http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-e-cigarettes.aspx>.

E-cigarettes have quickly become the [number one quit tool](#) in the United States, allowing an untold number of Americans finally ditch cigarettes.⁴ A study in the United Kingdom has shown that vaping products have helped [tens of thousands](#) of their citizens quit smoking.⁵ The importance of this health issue cannot be understated. The significance of combustible cigarette use should not be forgotten in this conversation, because about [1,400](#) Hawai’ian adults perish every year from smoking combustible cigarettes.⁶

Furthermore, evidence does not support the narrative that e-cigarettes serve as a gateway to combustible cigarette use. In fact, there have generally been [sharp declines](#) in youth and adult smoking where vaping has seen an increase.⁷

Finally, by banning flavors, the Legislature would only aid the creation of an unregulated, underground market for e-cigarette flavors, which could have disastrous consequences. Indeed, the outbreak of the vaping illness in 2019 was tied to black market sales of THC-containing vaping devices, and it resulted in numerous deaths. While these illnesses were not linked to nicotine-containing e-cigarettes, there is no reason to think that black market e-cigarettes could not be adulterated.

The Hawai’i Legislature shouldn’t create barriers to less harmful adult behavior or encourage the creation of dangerous black markets. Rather, we should work together to find solutions that work to improve public health, save lives and keep tobacco products out of our keiki’s hands.

Mahalo.

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⁴ Zhu Shu-Hong, et al., “E-cigarette use and associated changes in population smoking cessation: evidence from US current population surveys,” BMJ, 2017. <https://www.bmj.com/content/358/bmj.j3262>.

⁵ “Evidence review of e-cigarettes and heated tobacco products 2018,” Public Health England, 2018. <https://www.gov.uk/government/publications/e-cigarettes-and-heated-tobacco-products-evidence-review/evidence-review-of-e-cigarettes-and-heated-tobacco-products-2018-executive-summary>.

⁶ “Hawaii,” Tobacco Free Kids 2020, <https://www.tobaccofreekids.org/problem/toll-us/hawaii>

⁷ DT Levy, et al. “Examining the relationship of vaping to smoking initiation among US youth and young adults: a reality check.” Tob Control, November, 2019. <https://www.ncbi.nlm.nih.gov/m/pubmed/30459182/>.