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Testimony from:
Anthony Lamorena, Government Affairs Associate, R Street Institute

In OPPOSITION to SB 24, “An act relating to banning flavored tobacco products and e-liquids”

February 24, 2021

Senate Health and Welfare Committee

Chair Lyons and members of the committee,

My name is Anthony Lamorena, and I am 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 is why SB 24 is of special interest to us.

Here at the R Street Institute, we are very cognizant of the adverse impact of combustible cigarettes. 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 this bill to have the best intentions and share our goal to advance public health, this bill will have negative consequences.

Studies have demonstrated that e-cigarettes are undoubtedly a less harmful alternative to combustible cigarettes.¹ Public Health England has stated that “vaping is at least 95% less harmful than smoking”, which is also a conclusion supported by the National Academies of Sciences, Engineering, and Medicine.²

¹ U.S. Department of Health and Human Services, *The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General*, U.S. Office of the Surgeon General, 2014. https://www.ncbi.nlm.nih.gov/books/NBK179276/pdf/Bookshelf_NBK179276.pdf

² 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>;

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



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Vaping has a reduced risk profile, in part, because it does not employ the traditional cigarette combustion process that releases around 7,000 chemicals—some of which are highly carcinogenic.

Furthermore, e-cigarettes have quickly become the number one tool used to quit smoking in the United States, allowing an untold number of Americans to ditch cigarettes finally.³ A study in the United Kingdom has found that vaping products have helped tens of thousands of their citizens quit smoking.⁴

Yet e-cigarettes' reduced harm profile may not be enough to prompt some smokers to quit smoking, but e-cigarette flavors give adults another reason to switch from combustible cigarettes. Indeed, studies show that adults greatly prefer non-tobacco flavors. But if all non-tobacco flavors are banned, then that greatly reduces the odds that current smokers will make the switch to less harmful products. The significance of combustible cigarette use should not be forgotten in this conversation as well, because about 1,000 Vermonters perish per year from smoking.⁵

Further, the evidence also does not support the inaccurate 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.⁶

The complete ban on flavors for e-cigarettes will discourage countless adult smokers from quitting combustible cigarettes. The Vermont Legislature should not be putting up barriers to less harmful adult behavior or encourage the creation of dangerous black markets. Rather, we should work together to find

³ 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>.

⁴ Ann McNeill, et al. <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>.

⁵ "Tobacco Surveillance in Vermont," Vermont Department of Health. Nov. 9, 2020.

<https://www.healthvermont.gov/health-statistics-vital-records/surveillance-reporting-topic/tobacco#:~:text=In%20Vermont%2C%20smoking%20costs%20the,Vermont%20over%20the%20last%20decade.>

⁶ David T 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/>.



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solutions that work to improve public health, save lives and keep tobacco products out of the hands of kids.

Thank you.

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