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Testimony from:

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In OPPOSITION to HB 6450, “An Act Implementing the Governor’s Budget Recommendations Concerning Public Health.”

March 3, 2021

House Public Health Committee

Chair and members of the committee,

My name is Marc Hyden, and I am the director of state government affairs for the R Street Institute, which is 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. That is why HB 6450 is of special interest to us.

The R Street Institute has long been concerned with the impacts of smoking combustible cigarettes. Years before it became law, we supported efforts to raise the age to purchase tobacco products to 21 years old, and urge officials to enforce such measures in order to keep tobacco products out of the hands of youth.

Further, we believe that science-based harm reduction strategies are key to limiting the hazards facing people who use addictive substances but for whom abstinence approaches will not work. While I believe that HB 6450 was drafted with the noblest of intentions, I believe that it could work against what I presume is the goal of reducing harm.

One of the most promising weapons used to combat the dangers of combustible cigarettes are e-cigarettes. The simple truth is that e-cigarettes are fast becoming one of the number one tools smokers use to quit and are a far better alternative to combustible cigarettes.<sup>1</sup> In fact, the venerated Public Health England stated that e-cigarettes are 95 percent less harmful than combustibles, and according to a recent study, they are a more effective cessation tool than nicotine replacement therapies, like the patch or gum.<sup>2</sup> Given this, the Connecticut Legislature ought to be pleased when more adult smokers consider switching to less harmful e-cigarettes.

However, e-cigarettes’ reduced harm profile may not be enough to encourage some smokers to quit smoking for good, but e-cigarette flavors give adults another reason to switch from combustible cigarettes. Indeed, studies show that adults greatly prefer non-tobacco flavors.<sup>3</sup> However, if all non-tobacco flavors are banned—as is proposed in this bill—then that greatly reduces the likelihood that

current smokers will make the switch to less harmful products. This is something that Connecticut cannot afford to risk. As it stands, around 480,000 Americans die from tobacco usage a year—many right here in Connecticut—and roughly 12.2 percent of those in Connecticut smoke combustible cigarettes.<sup>4</sup>

Beyond these matters, banning flavored e-cigarettes will likely foster the creation of an unregulated black market to meet consumer demand, and this poses a real risk. This market may ultimately lead to the proliferation of unregulated, adulterated products that may result in serious public health effects.

The bottom line is that Connecticut should not remove tools and incentives that help smokers kick the habit. Rather, Connecticut should ensure that the people have the opportunities and tools in place to make less harmful decisions. That is why it is critical for the legislature to re-think HB 6450.

Thank you for your time.

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<sup>1</sup> Shu-Hong Zhu et al., “E-cigarette use and associated changes in population smoking cessation: evidence from US current population surveys,” *The BMJ*, July 26, 2017.

<https://www.bmj.com/content/358/bmj.j3262>

<sup>2</sup> Ann McNeill et al., *Evidence review of e-cigarettes and heated tobacco products 2018: executive summary*, Public Health England, March 2, 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>; J Hartmann-Boyce, et al., “Can electronic cigarettes help people stop smoking, and do they have any unwanted effects when used for this purpose?,” *Cochrane*, Issue 10, Oct. 14, 2020. [https://www.cochrane.org/CD010216/TOBACCO\\_can-electronic-cigarettes-help-people-stop-smoking-and-do-they-have-any-unwanted-effects-when-used](https://www.cochrane.org/CD010216/TOBACCO_can-electronic-cigarettes-help-people-stop-smoking-and-do-they-have-any-unwanted-effects-when-used)

<sup>3</sup> Christopher 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, Article 33 (June 28, 2018). <https://harmreductionjournal.biomedcentral.com/articles/10.1186/s12954-018-0238-6>

<sup>4</sup> Centers for Disease Control and Prevention, “Tobacco-Related Mortality,” Department of Health and Human Services, April 28, 2020. [https://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/health\\_effects/tobacco\\_related\\_mortality/index.htm](https://www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/tobacco_related_mortality/index.htm); Centers for Disease Control and Prevention, “Map of Current Cigarette Use Among Adults,” *Centers for Disease Control and Prevention*, Department of Health and Human Services, Sept. 14, 2020. <https://www.cdc.gov/statesystem/cigaretteuseadult.html>