



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

H.B. NO. 756, H.D. 1, RELATING TO HEALTH.

BEFORE THE:

HOUSE COMMITTEES ON CONSUMER PROTECTION & COMMERCE AND ON
JUDICIARY & HAWAIIAN AFFAIRS

DATE: Friday, February 7, 2025

TIME: 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Chelsea Okamoto, Deputy Attorney General

Chairs Matayoshi and Tarnas and Members of the Committees:

The Department of the Attorney General (Department) supports this bill and offers the following comments.

This bill prohibits retailers from selling flavored nicotine products and nicotine product flavor enhancers, as well as mislabeling e-liquid products as nicotine-free. It also establishes fines of up to \$1,000 for each offense, with collected fines deposited into the general fund. Additionally, the bill authorizes the Department of Health to appoint, commission, or contract for services of inspectors and establishes program specialist positions and a hearing officer position.

Hawaii's youth has been disproportionately affected by the nationwide vaping epidemic. The Department supports the Department of Health's administrative enforcement of the ban on the sale and distribution of flavored nicotine products and its efforts to prevent Hawaii's youth from being targeted by and addicted to these products.

To strengthen the bill, the Department recommends the following amendments:

1. Add a section to repeal section 328J-11.5, HRS, which preempts county ordinances regulating tobacco sales, to allow for a more comprehensive approach to addressing the proliferation of flavored tobacco products.
2. Adopt the appropriation amount (\$1,000,000) in H.B. No. 1116 (2025) (page 16, lines 1-6) to carry out the purposes of this bill.

3. Reinsert the original number of positions being established (i.e. two full-time equivalent program specialist positions (2.0 FTE) and one full-time equivalent hearing officer position (1.0 FTE)) in section 3 (page 13, lines 13 to 18) and section 4 (page 13, line 19, to page 14, line 6).
4. Restore the original effective date of January 1, 2026, in place of the current defective date.

We respectfully ask the Committee to pass this bill with our recommended revisions. Thank you for the opportunity to testify.



**STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
'A'UNIKE MOKU'ĀPUNI NO KA NĀ KĀWAI KULA**

PRINCESS VICTORIA KAMĀMALU BUILDING
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543

February 7, 2025

The Honorable Representative Scot Z. Matayoshi, Chair
House Committee on Consumer Protection & Commerce
The Honorable Representative David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs
The Thirty-Third Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Matayoshi, Representative Tarnas, and Committee Members:

SUBJECT: HB 756, HD 1 Relating to Health

The Hawaii State Council on Developmental Disabilities **SUPPORTS HB 756, HD1**, which prohibits the sale of flavored nicotine products and the mislabeling of e-liquids as nicotine free. Establishes penalties for violations. Authorizes the Department of Health to appoint, commission, or contract for services of inspectors. Establishes two full-time equivalent program specialist positions and one full-time equivalent hearing officer position.

This bill is a vital step in our state's commitment to protecting all communities from the dangers of nicotine use and addiction. The tobacco industry has long targeted vulnerable populations, using aggressive yet appealing marketing tactics in promoting flavored nicotine products. These flavored nicotine products disproportionately affect minors, individuals with developmental or intellectual disorders (I/DD), low-income communities, and racial minorities. **HB 756, HD 1** establishes a strong framework to prevent access to nicotine products in our communities.

The proposed legislation banning flavored nicotine products can positively impact individuals with intellectual or developmental disabilities by reducing their risk of addiction, improving health outcomes, and decreasing exposure to harmful substances. Nicotine use can be attributed to severe effects on the developing brain. According to the 2016 U.S. Surgeon General's report on e-cigarette use, nicotine consumption during adolescence interferes with the development of brain circuits responsible for attention, learning, and the risk of addiction.

In Hawai'i, smoking-related diseases lead to approximately \$526 million in healthcare expenses and result in 1,400 deaths each year. This has a direct effect on the development of Hawaii's youth. It has been reported that 81% of youth in Hawai'i who have used tobacco products report that their first experience was with a flavored product. Addressing these considerations will help protect vulnerable populations while promoting the overall public health in Hawai'i.

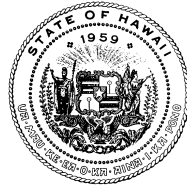
Thank you for the opportunity to submit testimony in **support of HB 756, HD 1.**

Sincerely,



Daintry Bartoldus
Executive Administrator

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'ŌKELE

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

**Testimony in SUPPORT of H.B. 756, H.D. 1
RELATING TO HEALTH**

REPRESENTATIVE SCOT Z. MATAYOSHI, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

REPRESENTATIVE DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Hearing Date: February 7, 2025

Room Number: Conference Room 325
and Videoconference

1 **Fiscal Implications:** The fiscal impact of a ban on flavored nicotine products in Hawaii would
2 result in modest reductions in Hawaii's tax revenues while at the same time leading to
3 reductions in chronic diseases and health care spending, including Medicaid spending in the
4 state.

5 **Department Position:** The Department of Health (DOH) supports House Bill 756, House Draft 1
6 (H.B. 756, H.D. 1) and offers proposed technical amendments for clarity.

7 **Department Testimony:** H.B. 756, H.D. 1 is a critical public health measure that prohibits the
8 sale of flavored nicotine products (including menthol) and nicotine product flavor enhancers,
9 prohibits the mislabeling as nicotine-free any e-liquid products containing nicotine, allocates an
10 unspecific amount of funding to the DOH for the purposes of establishing inspectors and
11 hearings officer positions, and imparts authority to the DOH to adopt and amend interim
12 administrative rules and contract a third party for services related to enforcement, inspections,
13 or administration of this law.

Over the past decade, the vaping crisis in Hawaii has evolved and expanded to both younger and older age groups. The latest estimates show that current use of e-cigarettes among high school youth is at 13.2% which is down slightly from 14.8% in 2021, however, middle school e-cigarette use increased by 35%, to 10.3% in 2023 from 6.7% in 2021.^{1,2} Moreover, there was a rise in middle school e-cigarette use for every other e-cigarette indicator including experimentation or ever use (12.8% to 16.9%), daily use (1.2% to 2.0%), and frequent use (1.8% to 2.7%).^{3,4,5}

Overall adult vaping has also risen from 7.2% in 2021 to 8.8% in 2022⁶, and most concerning is the prevalence among young adults. The latest estimates are that 27.4% of people ages 18-24 years old and 16.8% of 25-34 years old report current e-cigarette use.⁷ The trends indicate that youth who were exposed to e-cigarettes in high school and middle school in 2018, when vaping was declared a national epidemic⁸, are now the young adults who report current vaping.

Anecdotally, educators in elementary schools in Hawaii are reporting children as young as second grade being caught possessing e-cigarettes. The changing nature of the vaping crisis, shifting to younger ages, and rise in use among those in middle school and young adults raises

¹ Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, High Schools, County-level. (n.d.). Retrieved January 29, 2025, from https://hhdw.org/report/query/result/yrebs/VaporCurr/VaporCurr_HS_CNTY.html

² Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, Middle Schools, County-level. (n.d.). Retrieved January 29, 2025, from https://hhdw.org/report/query/result/yrebs/VaporCurr/VaporCurr_MS_CNTY.html

³ Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Ever use, Middle Schools, County-level. (n.d.). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrebs/VaporEver/VaporEver_MS_CNTY.html

⁴ Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Frequent use, Middle Schools, County-level. (n.d.). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrebs/VaporFreq/VaporFreq_MS_CNTY.html

⁵ Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Daily use, Middle Schools, County-level. (n.d.). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrebs/VaporDaily/VaporDaily_MS_CNTY.html

⁶ Hawai'i IBIS - Query Result—Hawaii's Behavioral Risk Factor Surveillance System (BRFSS) Data—E-cigarettes—Current use. (n.d.). Retrieved January 29, 2025, from <https://hhdw.org/report/query/result/brfss/SmokeECigsCurr/SmokeECigsCurrCrude11.html>

⁷ Hawai'i IBIS - Query Result—Hawaii's Behavioral Risk Factor Surveillance System (BRFSS) Data—E-cigarettes—Current use. (n.d.). Retrieved January 29, 2025, from <https://hhdw.org/report/query/result/brfss/SmokeECigsCurr/SmokeECigsCurrCrude11.html>

⁸ Stein, R. (2018, December 18). Surgeon General Warns Youth Vaping Is Now An "Epidemic." NPR. <https://www.npr.org/sections/health-shots/2018/12/18/677755266/surgeon-general-warns-youth-vaping-is-now-an-epidemic>

1 concerns about the failure of current efforts to curb this public health issue among future
2 generations.

3 The absence of protective policies to act as a preventive buffer between the promotion
4 of enticing electronic smoking devices (ESDs), also known as e-cigarettes, and youth,
5 contributed to the ongoing marketing and unrestricted access to nicotine. Nationally, sales
6 data showed that high dose nicotine products with 5% nicotine or higher increased from 5% of
7 total sales in 2017 to 81% in 2022.⁹ According to data from the 2024 National Youth Tobacco
8 Survey, e-cigarettes remain the most commonly used tobacco product by U.S. youth at 5.9%,
9 followed by nicotine pouches at 1.8%. More than 8 out of 10 youth e-cigarette and nicotine
10 pouch users reported using flavored products at 88% and 86% respectively.¹⁰ The most used
11 e-cigarette flavors were fruit, followed by candy, desserts, or other sweets, mint, and
12 menthol.¹¹ For youth nicotine pouch users, the most used flavor was mint followed by fruit.¹²

13 Youth are especially vulnerable to the harm and addictiveness of nicotine.¹³ Nicotine
14 impacts the parts of the adolescent brain responsible for memory, learning, and attention and
15 can also worsen anxiety, irritability, and impulsivity.¹⁴

16 The changing nature of the vaping crisis, shifting to younger ages with notable rise in
17 use among middle schoolers and elevated prevalence in young adults continues to raise
18 concerns about the need for protective measures. The DOH supports H.B. 756, H.D. 1 as a

⁹ Ali, FRM, et al., "Trends in US E-cigarette Sales and Prices by Nicotine Strength, Overall and by Product and Flavor Type, 2017-2022," *Nicotine & Tobacco Research* 25(5):1052-1056, 2023.

¹⁰ Center for Tobacco Products. (2025). Results from the Annual National Youth Tobacco Survey. FDA. <https://www.fda.gov/tobacco-products/youth-and-tobacco/results-annual-national-youth-tobacco-survey>

¹¹ Center for Tobacco Products. (2025). Results from the Annual National Youth Tobacco Survey. FDA. <https://www.fda.gov/tobacco-products/youth-and-tobacco/results-annual-national-youth-tobacco-survey>

¹² Center for Tobacco Products. (2025). Results from the Annual National Youth Tobacco Survey. FDA. <https://www.fda.gov/tobacco-products/youth-and-tobacco/results-annual-national-youth-tobacco-survey>

¹³ *The Effects of Nicotine on The Adolescent Brain—Vaping Side Effects. Get the Facts Here.* - Tobacco Free CA. (n.d.). Retrieved January 28, 2021, from <https://tobaccofreeca.com/e-cigarettes/the-effects-of-nicotine-on-the-adolescent-brain/>

¹⁴ *The Effects of Nicotine on The Adolescent Brain—Vaping Side Effects. Get the Facts Here.* - Tobacco Free CA. (n.d.). Retrieved January 28, 2021, from <https://tobaccofreeca.com/e-cigarettes/the-effects-of-nicotine-on-the-adolescent-brain/>

critical public health measure to safeguard the health of our children and ensure a healthier future for all residents of Hawaii.

Offered Amendments: The following amendment is offered for Section 2. 321-B, page 11, lines 9 to 11. The change is recommended since the current language references § 342J-4, HRS, gives the DOH authority to adopt hazardous waste regulations, but it does not tell generators how to properly dispose of hazardous waste. Retailers of ESDs are generators of hazardous waste since nicotine is acutely toxic.

“The cost of proper disposal of electronic smoking devices and e-liquids as hazardous waste pursuant to rules adopted in accordance with section 342J-4 shall be borne by the retailer.”

Thank you for the opportunity to testify.



HB756 Flavored nicotine products

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Scott Z. Matayoshi, Chair

Rep. Cory M. Chun, Vice Chair

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

Friday, Feb 7, 2025: 2:00: Room 325 Videoconference

Hina Mauka Strongly Supports HB756:

ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS.

My name is Brian Baker. I am the Chief Operating Officer for Hina Mauka, a mental health and substance use disorder treatment and prevention agency for thousands of adults and adolescents on Oahu and Kauai, including recovery-oriented services and housing transitional living programs.

**Flavored tobacco products are
an enticement for youth to begin
using and become lifelong users.**

Hina Mauka provides this testimony as a Prevention and Treatment agency, member of the Hawaii Substance Abuse Coalition (HSAC), and as a member of the Tobacco Coalition.

We strongly support HB756, as there is an increasing trend, up from 70% of youth using a flavored tobacco product in 2019, to 80% in 2020, per the National Youth Tobacco Survey. (CDC, 2024)

This is a **LOCAL** problem. In Hawai'i, Native Hawaiian youth in high school have the highest rates of e-cigarette use (33.3%), followed closely by Pacific Islanders at 27.9%. (HHDW, 2023)

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

References

- CDC. (2024, May 15). CDC. Retrieved from CDC: https://www.cdc.gov/tobacco/about-data/surveys/national-youth-tobacco-survey.html?CDC_AAref_Val=https://www.cdc.gov/tobacco/data_statistics/surveys/nyts/index.htm
- HHDW. (2023, March 30). "Hawai'i IBIS – Summary Health Indicator Report – E-Cigarettes – Current Smoking, High School.". Retrieved from HHDW: hhdw.org/report/indicator/summary/VaporCurr_HS.html



HB756 HD1 Ban Flavored Tobacco
COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Scot Z. Matayoshi, Chair

Rep. Cory M. Chun, Vice Chair

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

Friday, Feb 7, 2025: 2:00: Room 329 Videoconference

Hawaii Substance Abuse Coalition Supports HB756 HD1:

ALOHA 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 for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery-oriented services.

We all know that vaping has candy flavors and names that appeal to youth and that vaping has extraordinarily high addictive nicotine levels resulting that vaping among Hawaii youth is at epidemic proportions. Ending flavored tobacco is a good idea to protect kids from increasing their likelihood of addiction.

- **Prevents Youth Initiation** – [Flavored products are driving this epidemic, where 85% of youth e-cigarette users use flavored products.](#) Most young people start using tobacco flavored products. Sweet flavors like fruit, mint, and candy mask the harshness of tobacco, making it more attractive to first-time users. [Menthol is just as, if not more, harmful than any other flavor in tobacco.](#) Notorious for its ability to mask the harshness of tobacco, menthol makes it easier to start and harder to quit.
- **Reduces Addiction Risks** – Nicotine is highly addictive, and early exposure increases the likelihood of long-term dependence. By removing flavored options, fewer kids will develop nicotine addiction. [Ending the sale of flavored tobacco products will reduce the appeal of these products and protect our keiki from a lifetime of addiction.](#)
- **Lowers Health Risks** – Flavored tobacco products, including e-cigarettes, can cause lung damage, heart disease, and other serious health issues. Preventing youth use helps avoid these long-term health consequences.
- **Disrupts Industry Targeting** – Tobacco companies have historically used flavored products to attract young users. Banning flavors takes away one of their key marketing tools for hooking new customers. Ending the sale of all flavored tobacco will advance health equity –In Hawai'i, 78% of Native

Hawaiian and Pacific Islander smokers use menthol cigarettes (Hawai'i BRFSS, 2008).

Let's join with the many cities and states that have restricted flavored tobacco, which effectively reduced youth vaping and smoking rates. Please **support Hawai'i's Public Health Efforts**

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



Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe
Members of the Committees on Consumer Protection
and Commerce and Judiciary and Hawaiian Affairs

On behalf of the Coalition for a Tobacco-Free Hawai'i's (CTFH) Youth Council, thank you for allowing us to submit testimony in **strong support of HB756_HD1** .

The CTFH Youth Council is a nationally recognized group of youth leaders fighting to envision and create a Hawai'i centered on uplifting community public health beyond the reaches of Big Tobacco. Our council comprises middle school, high school, and college students, with representation from across Hawai'i's counties. We have been working to end the sale of flavored tobacco products for the past seven years.

Hawai'i is facing a youth vaping epidemic. Hawai'i high school and middle school students have disproportionately high use rates of e-cigarette products. Containing toxic chemicals like nicotine and formaldehyde, these products have long-term health impacts, significantly harming the developing brain, altering nerve cell functioning, and negatively impacting heart and lung function. Without policy action, over 21,000 Hawai'i youth alive today will die from tobacco-related illness if smoking rates don't change.

Central to the youth vaping epidemic is an industry with a troubling history in our island home. From exploiting Native Hawaiian labor on tobacco plantations to the image of sexualized "hula girls" on cigarette advertisements, Big Tobacco has capitalized on Hawai'i's unique culture and legacy of colonialism to turn a profit off the backs of the most vulnerable. Of those groups, youth have often been the most targeted, in Hawai'i and beyond.

For many, commercial tobacco use has manifested into a coping mechanism, creating a temporary sense of relaxation to deal with struggles like anxiety, body dysmorphia, and even intergenerational trauma, increasing dependence on the device while preserving the underlying symptoms—making e-cigarettes a deadly tool for profit in a worsening crisis of youth mental health. Today, consistent with the countless stories of Hawai'i youth fighting nicotine addiction or watching their friends and family do so, Big Tobacco is exploiting our people, our culture, and

our vulnerabilities through the use of flavored tobacco products.

Aloha Sun Juice, Lilikoi Lychee, Pass-O-Guava Nectar, Luau Punch, and POG are just a few of the more than 15,500 e-cigarette flavors, often designed specifically to entice local youth. It comes as no surprise, then, that 81% of youth who ever used tobacco started with a flavored product, and 97% of youth who vape currently use a flavored product.

Menthol, in particular, one of the most popular flavors among Hawai'i youth, uses added chemicals to create a cooling sensation that, coupled with its minty flavor, makes it easier to start vaping and harder to quit. The industry, which considers Hawai'i a "Menthol State," has invested heavily in promoting these products across the islands, driving public health disparities in Native Hawaiian and Pacific Islander communities, with 78% of smokers from these communities using menthol cigarettes. Flavors, then, are the pinnacle of Big Tobacco's modern design for Hawai'i—creating devices that specifically market to and addict the communities whose systemic vulnerabilities are a direct consequence of the history of exploitation they participate in.

The industry won't go down without a fight. Spending \$22.2 million annually on marketing and hundreds of thousands on lobbying in Hawai'i alone, the tobacco industry's relentless presence in daily life on the islands isn't an accident—it's intentional.

Banning the sale of *all* flavored tobacco products would work to end this deadly cycle of addiction, manipulation, and exploitation. It's not just Hawai'i youth who support this. A 2024 Ward Research poll of registered voters in Hawaii found that the vast majority of voters agree, too: 74% support a ban on all flavored tobacco products, including menthol cigarettes. We have also received endorsements from over a hundred organizations listed below.

Last, the Hawaii Attorney General's office recently sent [a letter warning 800 tobacco retailers](#) in Hawaii to stop selling illegal flavored products, which have flooded the market here in Hawaii and across the country. Hundreds of illegal products still fill their shelves. The FDA has approved 34 devices, only one of which is flavored, yet the most popular brands with Hawai'i youth are still widely available. We can't depend on the FDA to crack down on these retailers; we need the state to take action by passing **HB756_HD1!**

Mahalo,
Coalition for a Tobacco-Free Hawai'i Youth Council

JOSH GREEN, M.D.
GOVERNOR



ANNE E. LOPEZ
ATTORNEY GENERAL

MATT DVONCH
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
Ke 'Oihana O Ka Lolo Kuhina
CRIMINAL JUSTICE DIVISION – TOBACCO ENFORCEMENT UNIT
425 QUEEN STREET
HONOLULU, HAWAII 96813
Ph. (808) 586-1203
Fax. (808) 586-1224
EMAIL: atg.tobacco@hawaii.gov

January 16, 2025

Dear Tobacco Retailer:

The State of Hawaii's Department of the Attorney General ("the Department") is aware that retailers, distributors, and others may be distributing and selling unauthorized and illegal tobacco products to Hawaii consumers. This includes electronic smoking devices (ESDs, also commonly referred to as e-cigarettes) and oral nicotine pouch products. Nicotine is an addictive substance, and unauthorized products may contain additional dangerous ingredients not listed on the packaging, putting Hawaii consumers at risk.

For a tobacco product or a product containing nicotine to be sold legally in Hawaii or anywhere in the United States, it must be authorized by the Food and Drug Administration ("FDA"). Without this authorization, we cannot verify what ingredients these products contain and whether they are safe. To date, only 34 e-cigarettes¹ and 4 oral nicotine products (none of which are oral nicotine pouches)² have been authorized by the FDA to be sold in the United States.

Please review the enclosed list of e-cigarettes that have been authorized by the FDA as of this letter's date, to ensure that you are not displaying for sale, selling, shipping, or assisting in the sale or distribution of illegal e-cigarettes. Any e-cigarettes not on the enclosed list have not been authorized by the FDA and are not legal to sell in Hawaii.

You may also access an up-to-date, searchable FDA database for authorized products at the following website: <https://www.accessdata.fda.gov/scripts/searchtobacco/>. The Department asks that you remove from your shelves any products not authorized for

¹ A list of the e-cigarettes authorized by the FDA is attached

² The authorized oral nicotine products are Verve Discs Blue Mint, Verve Discs Green Mint, Verve Chews Blue Mint, and Verve Chews Green Mint

Page 2
January 16, 2025

sale and return them to their distributor or manufacturer, keeping in mind that these products may be considered hazardous materials.

As a reminder, electronic smoking devices (ESDs) and e-liquids are now included in the Cigarette Tax and Tobacco Tax Law, found in chapter 245 of the Hawaii Revised Statutes (HRS). Wholesalers and dealers of ESDs and e-liquids in the State of Hawaii are required to have a tobacco license issued by Hawaii's Department of Taxation (DOTAX). DOTAX may suspend, revoke, or decline to renew any tobacco license for good cause, which may include instances where a licensee has failed to comply with federal law pertaining to the sale, importation, acquisition, possession, distribution, or transportation of tobacco products. (See HRS §245-2). Recent changes in the law also include new criminal offenses relating to the shipment of tobacco products, including ESDs and e-liquids, to a person or entity in Hawaii that does not hold a tobacco license issued by DOTAX.

The Department appreciates your business' partnership in keeping illegal products off shelves, especially unauthorized, flavored e-cigarettes that could fall into the hands of children. We urge you to take all steps to ensure that you are complying with all existing state laws, which the Department enforces, and federal laws. The Department recognizes that online sales of these products are also an issue and regularly pursues actions to address such violations.

If you have any questions regarding this matter or if you have any information regarding persons or businesses that may be selling these unauthorized and illegal e-cigarettes and vaping products, please do not hesitate to contact us at atg.tobacco@hawaii.gov or by calling the Department's Tobacco Enforcement Unit at 808-586-1203.

We appreciate your help in putting an end to the distribution and sale of these unauthorized and illegal products in Hawaii.

Sincerely,



Richard Stacey
Deputy Attorney General

Enclosure

PARTIAL LIST OF SUPPORTERS



HEALTH ORGANIZATIONS

'Ohana Health Plan
Adventist Health – Castle
Aloha Care
AMA/HMA Student Chapter at JABSOM
American Academy of Pediatrics – Hawaii Chapter
American Heart Association
American Lung Association
Bay Clinic Inc.
Blue Zones Project
Campaign for Tobacco-Free Kids
Coalition for a Drug-Free Hawaii
Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute
Hamakua Kohala Health Centers
Hawaii – American Nurses Association (Hawaii-ANA)
Hawaii COPD Coalition
Hawaii Dental Hygienists' Association
Hawaii Health and Harm Reduction Center
Hawai'i Nurses' Association OPEIU Local 50
Hawaii Public Health Association
Hui No Ke Ola Pono
Hui Ola Pono (UH Public Health's Student Organization)
Kaho'omiki; Hawaii Council of Physical Activity and Nutrition
Kauai Rural Health Association
Keiki Injury Prevention Coalition
Na Lei Wili Area Health Education Center, Inc.
The Queen's Health Systems
Tobacco Prevention Project, Daniel K. Inouye College of Pharmacy
University of Hawaii Student Health Advisory Council
US COPD Coalition
Waimānalo Health Center

HEALTH & COMMUNITY LEADERS

Kathryn Akioka, RRT / TTS

Joy Barua

Forrest Batz, PharmD

Frank Baum, MD

Deborah Bond-Upson

Dale Carstensen

Valerie Chang

Dyson Chee

Danelle Cheng

Bridgitte Daniel

May Rose Dela Cruz, DrPH

Andrew Fox, MD

Shani Gacayan

Donita Garcia

Asaka Herman

Pedro Haro, MPH

Cyd Hoffeld

Colleen Inouye, MD

Lila Johnson

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Katherine May, PsychD

Bryan Mih, MD

Kristin Mills

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Kimberly Golis-Robello

Mary Santa Maria

Anne Takata, DC

Patty Kahanamoku-Teruya

Chien-Wen Tseng, MD

John A Hau'oli Tomoso

Jennifer Valera

Cecilia Villafuerte

Linda Weiner, MD
Andre Weston, MDiv
Matthew Wong

YOUTH AND COMMUNITY ORGANIZATIONS

After-School All-Stars Hawaii
American Youth Soccer Organization (AYSO)
Association of Hawaiian Civic Clubs
Bad Boys Football Club
Big Island Interscholastic Federation (BIIF)
Hale 'Ōpio Kaua'i Inc.
Hawaii Children's Action Network
Hawaii Interscholastic Athletic Directors Association
Hawaii State Commission on Fatherhood
Hawaii State Teachers Association (HSTA)
Hawaii State Youth Commission
Hawai'i Youth Climate Coalition
Hawaii Youth Services Network
Honolulu Youth Commision
Kanu o ka 'Āina Learning Ohana (KALO)
Kauai Path Inc.
LearningBond
Pacific American Foundation
Parents for Public Schools of Hawai'i
Partners in Development Foundation
Residential Youth Services & Empowerment (RYSE)
The Friends of Kamalani and Lydgate Park
Waipahu Intermediate Youth For Safety

BUSINESSES

Country Courier, LLC
Hana Lima Physical Therapy
Home Remedies Interior Design
JCS Enterprises Inc.
Pediatric Therapies Hawaii

OAHU NEIGHBORHOOD BOARDS

Kuliouou-Kalani Iki Neighborhood Board 02
Kaimuki Neighborhood Board 04
Diamond Head Neighborhood Board 05
Palolo Neighborhood Board 06
McCully-Moiliili Neighborhood Board 08
Makiki-Tantalua Neighborhood Board 10
Ala Moana/Kakaako Neighborhood Board 11

Nuuanu/Punchbowl Neighborhood Board 12
Downtown-Chinatown Neighborhood Board 13
Liliha/Puunui/Alewa Neighborhood Board 14
Aliamanu-Salt Lake Neighborhood Board 18
Aiea Neighborhood Board 20
Pearl City Neighborhood Board 21
Waipahu Neighborhood Board 22
Ewa Neighborhood Board 23
Mililani-Waipio Neighborhood Board 25
North Shore Neighborhood Board 27
Koolauloa Neighborhood Board 28
Kahaluu Neighborhood Board 29
Kaneohe Neighborhood Board 30
Kailua Neighborhood Board 31
Waimanalo Neighborhood Board 32
Mililani Mauka- Launani Valley Neighborhood Board 35
Nanakuli-Mailii Neighborhood Board 36

SCHOOLS

Damien Memorial School
Hawaii Association of Independent Schools (HAIS)
Hawaii Council of Private Schools (HCPS)
Holy Family Catholic Academy
Island Pacific Academy
Maryknoll School
Maui Preparatory Academy
Mid-Pacific Institute
Roots School
St. Andrew's Schools
Saint Louis School





Hawaii COPD Coalition
700 Richards St., Suite 2410
Honolulu, HI 96813
hicopd@gmail.com
(808)699-9839

February 5, 2025

Honorable Chairs Representatives Matayoshi and Tarnas
Honorable Vice-Chairs Representatives Chun and Poepoe
Members of the House Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs

RE: **Strong Support for HB756,HD1, Relating to Health (ban flavored nicotine)**

Dear Chair Yamashita, Vice Chair Kitagawa, and members of Finance Committee,

This measure is extremely critical to the health of the children of our state and our entire state as well. **Please strongly support and vote in favor of HB756,HD1**, which will ban the sale of flavored nicotine products and mislabeled e-liquid products.

I am Executive Director of the Hawaii COPD Coalition and serve over 45,000 Hawaii adults diagnosed with COPD in Hawaii (with an estimated equal number still undiagnosed). Chronic Obstructive Pulmonary Disease or COPD is an umbrella of diseases which include emphysema, chronic bronchitis and chronic asthma. Since 2007, I have worked in Hawaii, nationally and internationally with countless people who have had their lungs and lives horribly affected by tobacco and nicotine. Many of these people have become disabled and unable to perform jobs and hobbies they enjoyed, spending a lot more time and resources with healthcare providers and requiring support from society than they or any of us would like.

Sadly, our state is in the middle of a youth vaping epidemic! In Hawai'i one in three high school students and on in five middle school students reported "current use of e-cigarettes according to the Hawai'i YRBSS 2019! Of these youth, 8 in 10 youth currently using e-cigarettes reported using a flavored product, up from 7 in 10 in 2019 (National Youth Tobacco Survey). Ending the sale of flavored tobacco products will reduce the appeal of these products and protect our keiki from a lifetime of addiction.

Flavors in tobacco products entice youth, while the nicotine keeps them **hooked for life**. In 2020, 8 in 10 youth who currently use e-cigarettes reported using a flavored product, up from 7 in 10 in 2019 (National Youth Tobacco Survey). ***Our organization is daily working to help those whose lungs have been ruined by exposure to smoke and we are trying to reduce our numbers, NOT increase them.***

- Ending the sale of flavored tobacco products will reduce the appeal of these products and protect our keiki from a lifetime of addiction.

- Menthol is just as, if not more harmful than, any other flavored tobacco. Notorious for its ability to mask the harshness of tobacco, menthol makes it easier to start and harder to quit.
- We aim to protect our keiki and reduce the burden of tobacco in our communities, and we must include menthol.
- Ending the sale of flavored tobacco will advance health equity - disparities in tobacco use are due to the tobacco industry's history of marketing menthol cigarettes to youth and people of color.
- ***In Hawai'i, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes (Hawai'i BRFSS, 2008).***
- Mint and menthol-flavored e-cigarettes are one of the most popular flavors among youth.

It is well-established that nicotine is a HIGHLY addictive drug and impacts the developing brain. Pediatricians have reported the brain continues to develop and grow until the young adult is 26 years old! Studies have shown that using e-smoking devices result multiple harms to the lungs, as detailed on the John Hopkins website, [What Does Vaping Do to Your Lungs? | Johns Hopkins Medicine](http://www.hopkinsmedicine.org/health/wellness-and-prevention/what-does-vaping-do-to-your-lungs) at www.hopkinsmedicine.org/health/wellness-and-prevention/what-does-vaping-do-to-your-lungs.

Menthol is at least as harmful as other tobacco and nicotine flavors. It is known for its ability to mask the harshness of tobacco and makes using nicotine easier to start and harder to quit. If our aim is to protect our vulnerable keiki and reduce the burden of tobacco in our communities, menthol MUST be included. Ending the sale of all flavored tobacco and nicotine will advance health equity—disparities in tobacco use are due to the tobacco industry's history of marketing menthol tobacco products to youth and people of color.

The March 2021 Tobacconomics Fact Sheet estimates that more than 3,000 smokers (5.6% of menthol smokers) would quit when flavored and menthol products are banned. Additionally, the fact sheet estimates 700 premature smoking-caused deaths will be avoided. Additionally, fewer youth will be initiated into smoking because without menthol and other flavors, nicotine is harsh. Preventing kids in Hawaii from becoming addicted smokers would secure millions of dollars in future health cost savings.

Please help protect the lungs and lives of our children from these very harmful products that are spreading virally in our communities and schools, from elementary through high school and beyond. **We urge you to pass HB756,HD1 and help it become law ASAP.** The Hawaii COPD Coalition thanks you very much for your careful consideration of this most important and timely bill.

Very truly yours,

Valerie Chang

Valerie Chang
Executive Director



February 5, 2025

To: COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Scot Z. Matayoshi, Chair
Rep. Cory M. Chun, Vice Chair

Re: SUPPORT OF HB756 HD1 RELATING TO HEALTH

Hrg: Friday, February 7, 2025 at 2PM

Aloha Chair Matayoshi, Vice Chair Chun and Members of the Committee,

The Hawai'i Public Health Association (HPHA) is a group of over 450 community members, public health professionals, and organizations statewide dedicated to improving public health. Our mission is to promote public health in Hawai'i through leadership, collaboration, education and advocacy.

The Hawaii Public Health Association supports HB756 HD. This measure is important because in our state, 13.2% of high school students and 10.3% of middle school students still report "current use" of e-cigarettes. With 8 in 10 kids starting with a flavored tobacco product, we need to prohibit the sale of flavors that are addicting our keiki. Please pass this bill to keep our children safe from the harms of the tobacco industry.

Thank you for the opportunity to provide testimony on this important issue.

Respectfully submitted,

Holly Kessler
Executive Director



Date: February 6, 2025

To: Rep. Scot Z. Matayoshi, Chair
Rep. Cory M. Chun, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

From: Liza Ryan Gill, Campaign Manager, Campaign for Tobacco-Free Kids HI

Re: **SUPPORT for HB756 HD1, Relating to Health**

Hrg: February 7, 2025 at 2:00pm

Dear Chair Matayoshi, Vice Chair Chun, and Members of the Committee:

The Campaign for Tobacco-Free Kids & the Tobacco-Free Kids Action Fund are pleased to **SUPPORT HB756 HD1** which would prohibit the sale of flavored nicotine products and the mislabeling of e-liquids as nicotine free. The Campaign for Tobacco-Free Kids is the nation's largest non-profit, non-governmental advocacy organization solely devoted to reducing tobacco use and its deadly toll by advocating for public policies that prevent kids from using tobacco and help smokers quit. It is encouraging to see states continue to take thoughtful, evidence-based steps to reduce the number of kids who start using tobacco and help tobacco users quit.

While Hawai'i has made great strides in reducing tobacco use, tobacco use remains the number one preventable cause of premature death and disease in Hawai'i and the nation, killing 490,000 Americans annually, including 1,400 in Hawai'i.¹

Prohibiting the sale of flavored tobacco products in retailers is a critical step that will help protect keiki living in Hawai'i from the unrelenting efforts by the tobacco industry to hook them 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,

¹ U.S. Department of Health and Human Services. *Eliminating Tobacco-Related Disease and Death: Addressing Disparities—A Report of the Surgeon General* (p.15). 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, 2024. CDC, Best Practices for Comprehensive Tobacco Control Programs, 2014, <https://www.cdc.gov/tobacco/stateandcommunity/guides/pdfs/2014/comprehensive.pdf>.

who are almost always kids. These products are pervasive and are marketed and sold in a variety of kid-friendly flavors. With their colorful packaging and sweet flavors, flavored tobacco products are often hard to distinguish from the candy displays near which they are frequently placed in retail outlets. **Eight out of ten youth who have ever used a tobacco product started with a *flavored* product.**²

New definitions are critical for capturing emerging products, like nicotine pouches and products flavored with synthetic cooling chemicals. Nicotine pouches, which are available in a variety of flavors and nicotine strengths,³ are increasingly popular among youth and are marketed as “completely smoke and tobacco-free.”⁴ Some of these products are marketed as commercial tobacco-free but use nicotine derived from tobacco, while other products use synthetic nicotine that is created in a lab. The number of youth using nicotine pouch products more than doubled in recent years, and the 2024 National Youth Tobacco Survey indicates that one in five youth who use nicotine pouches use them daily.⁵ The most popular brand of nicotine pouches is Philip Morris International’s Zyn.⁶ “Zynfluencers” on TikTok and other social media platforms promote the product to young people and have helped dramatically increase sales in recent years. Nicotine pouches like Zyn are following the JUUL playbook when it comes to attracting kids – viral presence on social media, easily concealable from parents and teachers, and available in a wide range of sweet flavors. Between 2018 and 2023, the number of Zyn cans shipped in the U.S. rose from 6 million to 334 million.⁷

Additionally, tobacco companies have introduced tobacco products with synthetic cooling agents that mimic the effects of menthol. A report released last year from the U.S. Surgeon General concluded that, “Natural and synthetic cooling agents that have been found in some tobacco products (a) act on different parts of the oral cavity and the respiratory system to enhance the experience of smoking or use of other tobacco products and (b) can mimic the pharmacological and somatosensory effects of menthol but may not have a distinguishing taste

² 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.

³ Majmundar, A, et al., “Nicotine Pouch Sales Trends in the US by Volume and Nicotine Concentration Levels From 2019 to 2022,” *JAMA Network Open* 5(11):e2242235, 2022, doi: 10.1001/jamanetworkopen.2022.42235. World Health Organization (WHO) study group on tobacco product regulation, *Report on the scientific basis of tobacco product regulation: ninth report of a WHO study group*, WHO Technical Report Series, No. 1047, 2023, <https://iris.who.int/bitstream/handle/10665/372463/9789240079410-eng.pdf?sequence=1>.

⁴ Public Health Law Center & American Lung Association-California, *Zyn & The Rise In Popularity Of Nicotine Pouches*, August 2024, <https://www.publichealthlawcenter.org/sites/default/files/resources/Popularity-of-Nicotine-Pouches-FAQ.pdf>.

⁵ Park-Lee, E, et al., “E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024,” *Morbidity and Mortality Weekly Report (MMWR)* 73(35):774-778, September 5, 2024, <https://www.cdc.gov/mmwr/volumes/73/wr/pdfs/mm7335a3-H.pdf>.

⁶ Goldman Sachs, *Americas Tobacco: NielsenIQ Data thru 8/10: Total nicotine sales declines modestly accelerate*, August 20, 2024.

⁷ Public Health Law Center & American Lung Association-California, *Zyn & The Rise In Popularity Of Nicotine Pouches*, August 2024, <https://www.publichealthlawcenter.org/sites/default/files/resources/Popularity-of-Nicotine-Pouches-FAQ.pdf>.

or odor. Cooling agents, even those without a taste or odor, have the potential to increase the appeal of tobacco products, facilitate their use, and contribute to tobacco-related health disparities. Comprehensive flavor policies that account for these agents will better protect public health.”⁸ For example, “menthol-like” flavored cigarettes that contain synthetic cooling agents that mimic the effects of menthol, are branded and colorfully packaged just like their menthol predecessors and are marketed with terms like “smooth” and “fresh” just like menthols, have been introduced in states with flavor restrictions in attempt to evade the law.⁹ In addition, states that have passed flavor restrictions have seen the introduction of flavor enhancers, which are typically drops or flavored strips¹⁰ that can be added to non-flavored products to give them a flavor like menthol.¹¹

E-cigarettes and nicotine pouches with synthetic coolants have also become popular in recent years. The 2024 National Youth Tobacco Survey found that over half of youth e-cigarette users and nearly one-quarter of youth nicotine pouch users have used products with flavor names that include the word “ice” or “iced.”¹² In California, which prohibited the sale of flavored tobacco products as of December 2022, sales of e-cigarettes with cooling flavors have increased more than six-fold and sales of nicotine pouches with cooling flavors have increased more than eight-fold as companies seek to evade the state’s flavor law.¹³ California’s law was recently amended to prohibit tobacco products that elicit a cooling sensation, and Hawai’i should follow suit. **We are happy to see that HB756 HD1 includes definitions that encompass every product that contains nicotine, that is intended for human consumption as well as emerging products, like nicotine pouches and products flavored with synthetic cooling chemicals.**

Flavored Tobacco Products Are Popular Among Youth

Although tobacco companies claim to be responding to adult tobacco users’ demand for variety, it’s clear that flavored tobacco products play a key role in enticing new users, particularly kids, to a lifetime of addiction. This growing market of flavored tobacco products is undermining progress in reducing youth tobacco use.

⁸ HHS, *Eliminating Tobacco-Related Disease and Death: Addressing Disparities: A Report of the Surgeon General (p.8)*, 2024, <https://www.hhs.gov/sites/default/files/2024-sgr-tobacco-related-health-disparities-full-report.pdf>.

⁹ Jabba, SVM, et al. (2023). “Synthetic Cooling Agent and Other Flavor Additives in “Non-Menthol” Cigarettes Marketed in California and Massachusetts After Menthol Cigarette Bans,” *JAMA*, 330(17), 1689-1691.

¹⁰ <https://www.smokersoutletonline.com/accessories/ocb-flavor-card-menthol.html>.

¹¹ Michael O. Chaiton et al., The use of flavour cards and other additives after a menthol ban in Canada, 30 *TOBACCO CONTROL* 601 (2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7856206/>.

¹² Park-Lee, E., et al., “E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024,” *MMWR* 73(35):774-778, September 5, 2024, <https://www.cdc.gov/mmwr/volumes/73/wr/pdfs/mm7335a3-H.pdf>.

¹³ CDC Foundation, “Monitoring U.S. E-Cigarette Sales: National Trends,” <https://tobacomonitoring.org/>. CDC Foundation, “Monitoring Sales: Nicotine Pouch Trends,” https://tobacomonitoring.org/wp-content/uploads/2025/01/Nicotine-Pouch-Brief_1.10.2025.pdf. Data from Circana, which includes e-cigarette sales data from convenience stores, gas stations and other retail store chains. Sales from the internet and tobacco-specialty stores, including vape shops, are not included.

These sweet products have fueled the popularity of e-cigarettes and cigars among youth. A government study found that **eight out of ten of kids who have ever used tobacco products started with a flavored product.**¹⁴ Across all tobacco products, the data is clear: flavored tobacco products are overwhelmingly used by youth as a starter product, and preference for flavors declines with age.

Nationally, e-cigarettes have been the most commonly used tobacco product among youth since 2014. Today, youth e-cigarette use remains a serious public health concern, with over 1.6 million youth, including 7.8% of US high schoolers, reporting current e-cigarette use in 2024, according to the National Youth Tobacco Survey (NYTS).¹⁵ Nearly 90% of youth e-cigarette users report using flavored products.¹⁶ According to the 2023 Hawai'i Youth Risk Behavior Survey, 13.2% of Hawai'i high school students and 10.3% of middle school students are current e-cigarette users.¹⁷

Kids are not just experimenting with e-cigarettes, but are using them frequently, leading to an addiction that is difficult to break. According to the 2024 NYTS, 42.1% of high school e-cigarette users reported vaping on 20 or more days/month, and 29.7% reported daily use.¹⁸ This youth addiction crisis has been fueled by the growth of high nicotine e-cigarettes—many contain as much nicotine as 200 cigarettes.¹⁹ Nicotine is a highly addictive drug that can have lasting damaging effects on adolescent brain development—the brain keeps developing until about age 25. In particular, nicotine use can harm the parts of the adolescent brain responsible for attention, learning, mood and impulse control.²⁰ The Surgeon General concluded that, “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”²¹

¹⁴ 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.

¹⁵ Park-Lee, E., et al., “E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024,” *MMWR* 73(35):774-778, September 5, 2024, <https://www.cdc.gov/mmwr/volumes/73/wr/pdfs/mm7335a3-H.pdf>.

¹⁶ Park-Lee, E., et al., “E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024,” *MMWR* 73(35):774-778, September 5, 2024, <https://www.cdc.gov/mmwr/volumes/73/wr/pdfs/mm7335a3-H.pdf>.

¹⁷ Centers for Disease Control and Prevention (CDC). 2023 Youth Risk Behavior Survey Data. Available at <https://nccd.cdc.gov/Youthonline/App/Default.aspx>.

¹⁸ Park-Lee, E., et al., “E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024,” *MMWR* 73(35):774-778, September 5, 2024, <https://www.cdc.gov/mmwr/volumes/73/wr/pdfs/mm7335a3-H.pdf>.

¹⁹ Diaz, MC, et al., “Bigger, stronger and cheaper: growth in e-cigarette market driven by disposable devices with more e-liquid, higher nicotine concentration and declining prices,” *Tobacco Control*, published online August 3, 2023.

²⁰ HHS, *The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General*, CDC, Office of Smoking and Health (OSH), 2014, <http://www.surgeongeneral.gov/library/reports/50-years-of-progress/index.html>. See also: CDC Office on Smoking and Health, “Quick Facts on the Risks of E-cigarettes for Kids, Teens, and Young Adults,” March 2019. Accessed August 9, 2019.

²¹ 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.

Youth e-cigarette users are also at risk of smoking cigarettes. 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.”²² More recent research confirms this finding.²³ Therefore, it is critical for any policy restricting sales of flavored tobacco products to include e-cigarettes.

While the FDA has had regulatory authority over e-cigarettes since 2016, it has been slow to implement the required premarket reviews for e-cigarettes. Under a federal court order, FDA faced a deadline of September 9, 2021 to determine whether e-cigarettes meet the statutory standard to stay on the market. However, the FDA failed to finish reviewing e-cigarette marketing applications by this deadline and illegal, flavored e-cigarettes still remain widely available. Recently released data from the Truth Initiative show that while the FDA has authorized 34 e-cigarette products for sale, these products only make up only 13.7% of the market, meaning that **86% of the e-cigarette market is for unauthorized, illegal products.**²⁴ Hawai’i can act much quicker than the FDA to protect from illegal, flavored e-cigarettes that target our keiki with varieties like lu’au punch and lychee ice.

Menthol Cigarettes and Flavored Cigars Increase Youth Smoking and Exacerbate Health Disparities

No other flavored product contributes more to the death and disease caused by tobacco use than menthol cigarettes. Menthol cools and numbs the throat, reducing the harshness of cigarette smoke, thereby making menthol cigarettes more appealing to youth who are initiating smoking. As the only flavored cigarette left on the market, it’s also no surprise that menthol cigarettes are popular among youth. About half of youth who have ever tried smoking started with menthol-flavored cigarettes.²⁵ 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.

²² 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>.

²³ Berry, KM, et al., “Association of Electronic Cigarette Use with Subsequent Initiation of Tobacco Cigarettes in US Youths,” *JAMA Network Open*, 2(2), published online February 1, 2019; Pierce, JP, et al., “Use of E-Cigarettes and Other Tobacco Products and Progression to Daily Cigarette Smoking,” *Pediatrics*, 147(2), published online January 11, 2021.

²⁴ Truth Initiative, U.S. retail sales data show 86% of e-cigarette sales are for illegal products, November 6, 2024, <https://truthinitiative.org/research-resources/tobacco-industry-marketing/us-retail-sales-data-show-86-e-cigarette-sales-are#:~:text=New%20research%20from%20Truth%20Initiative,the%20market%20are%20illegal%20products..>

²⁵ 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.

- Young people who initiate using menthol cigarettes are more likely to become addicted and become long-term daily smokers.

There is also evidence that the industry has targeted the Hawaiian population. A Surgeon General's report released last year found that, "The tobacco industry has viewed Native Hawaiian people as an important market for menthol cigarettes since at least the 1980s."²⁶ In the 1980s, a marketing group strategized how to reach Native Hawaiians with Kool cigarettes, a popular menthol brand. The agency recommended that Kool employ "ethnic advertising" in Hawai'i, recommending the use of models that were "fun, happy-go-lucky young people in their 20s...[who have] full social calendars and spend a lot of time outdoors at the beach... people who display what islanders call the aloha spirit."²⁷ An assessment of tobacco advertising in Hawai'i found that Kool, a popular menthol brand, was the most heavily advertised brand across Hawai'i in the early 2000s.²⁸ The 2020 Behavioral Risk Factor Surveillance System shows that prevalence is high among ethnic groups that comprise a significant proportion of Hawaii's population, with 79% of Filipino smokers, 78% of Native Hawaiian smokers, and 69% of Japanese smokers usually smoking menthol cigarettes. The CDC estimates that prohibiting the sale of menthol cigarettes will help 4,400 Hawai'ians quit smoking.²⁹

Cigars come in hundreds of kid-friendly flavors like "Berry Fusion," "Cocoa," and "Cherry Dynamite," and can be as cheap as 3 for 99 cents. These flavors increase youth initiation, progression to regular use and are associated with greater potential for addiction.³⁰ While cigar smoking is often perceived as an activity of older men, a troubling number of today's cigar smokers are youth and young adults. The wide assortment of flavors, colorful packaging, and affordability of many cigars make them an appealing tobacco product for youth. In 2024, 330,000 youth were cigar smokers and cigar smoking among Black high schoolers is double that of White high schoolers.³¹ The 2024 Surgeon General's report found that, "Tobacco industry documents suggest that product design and flavoring was a deliberate and iterative process to optimize the appeal of cigarillos and little cigars to youth, women, and African American people who smoke, especially those who smoke mentholated tobacco products."³² Cigar smoke is

²⁶ HHS, *Eliminating Tobacco-Related Disease and Death: Addressing Disparities: A Report of the Surgeon General* (p.15), 2024, <https://www.hhs.gov/sites/default/files/2024-sgr-tobacco-related-health-disparities-full-report.pdf>.

²⁷ Anderson, SJ, "Marketing of menthol and consumer perceptions: a review of tobacco industry documents," *Tobacco Control*, 20(Suppl 2): ii20-ii28, 2011.

²⁸ Glanz, K, et al., "Operation Storefront Hawaii: Tobacco Advertising and Promotion in Hawaii Stores," *Journal of Health Communication*, 11(7): 699-707, 2006.

²⁹ CDC, Menthol Fact Sheets—Hawaii, https://www.cdc.gov/tobacco/basic_information/menthol/state-menthol-fact-sheets.html#HI.

³⁰ FDA, *Scientific Assessment of the Impact of Flavors in Cigar Products*, March 2022, <https://www.fda.gov/media/157593/download>.

³¹ Jamal, A, et al., *MMWR* 73(41):917-924, October 17, 2024.

³² HHS, *Eliminating Tobacco-Related Disease and Death: Addressing Disparities—A Report of the Surgeon General*, 2024, at 254.

composed of the same toxic and carcinogenic constituents found in cigarette smoke.³³ Cigar smoking causes cancer of the oral cavity, larynx, esophagus and lung, and daily cigar smokers have an increased risk of heart disease, chronic obstructive pulmonary disease (COPD), and an aortic aneurysm.³⁴

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 die a premature death as a result. Prohibiting the sale of menthol cigarettes and other flavored tobacco products is an important step toward protecting our children from the tobacco industry's aggressive efforts to hook children to a deadly, addictive product. This issue is about protecting our kids and saving lives.

Thank you for your consideration on HB756 HD1. This policy has the strong potential to save lives in Hawai'i.

Sincerely,

Liza Ryan Gill
Campaign for Tobacco-Free Kids HI

³³ Pickworth, WB, et al., "Dual Use of Cigarettes, Little Cigars, Cigarillos, and Large Cigars: Smoking Topography and Toxicant Exposure," *Tobacco Regulatory Science* 3(Suppl 1):S72-S83, April 2017. Chen, J, et al., "Biomarkers of Exposure among U.S. Cigar Smokers: An Analysis of 1990-2012 National Health and Nutrition Examination Survey (NHANES) Data," American Association for Cancer Research, 2014.

³⁴ NCI, *Cigars: Health Effects and Trends*, 1998.

Testimony Presented Before the
House Committee on CONSUMER PROTECTION & COMMERCE
And
House Committee on JUDICIARY & HAWAIIAN AFFAIRS

HEARING: Friday, February 7, 2025 at 2:00PM

PLACE: Room 325 State Capital and via videoconference



by

Hawai'i – American Nurses Association (Hawai'i-ANA)

HB756, HD1– Relating to Health

Chair Scot Z. Matayoshi, Vice Chair Cory M. Chun, and members of the House Committee on Consumer Protection and Commerce and Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Judiciary and Hawaiian Affairs Committee, thank you for providing this opportunity for Hawai'i - American Nurses Association (Hawai'i-ANA) to provide testimony **in strong support of HB756, HD1**. This measure would prohibit the sale or distribution of all flavored nicotine products, including products with menthol, and prohibit the mislabeling of products as nicotine free, as a way to reduce the use of tobacco products by our youth in Hawai'i.

Hawai'i-ANA is the professional association for over 17,000 registered nurses who live and work in Hawai'i. We advocate for improvement of the health of vulnerable populations in Hawai'i. With 8 in 10 youth 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. This legislation would remove the thousands of flavored tobacco products, as well as menthol cigarettes, that are addicting our keiki. Ending the sale of flavored tobacco products will reduce the appeal of these products and protect our keiki from a lifetime of addiction.

Accordingly, the Hawai'i-ANA urges your favorable consideration of this measure.

Thank you for the opportunity to testify in strong support of this measure.

Contact information for Hawai'i – American Nurses Association:

President, Dr. Denise Cohen, PhD, APRN, FNP-BC

Chair of Advocacy Committee: Dr. Linda Beechinor, DNP, APRN, FNP-BC

Phone (808) 779-3001. 500 Lunalilo Home Road, #27-E, Honolulu HI 96825



**TESTIMONY OF TINA YAMAKI, PRESIDENT OF THE RETAIL MERCHANTS OF HAWAII
FEBRUARY 7, 2025
HB 756 HD1 RELATING TO HEALTH**

Good afternoon, Chair Matayoshi and Chair Tarnas and members of the House Committee on Consumer Protection and Commerce and the House Committee on Judiciary & Hawaiian Affairs. I am Tina Yamaki, President of the Retail Merchants of Hawaii.

The Retail Merchants of Hawaii was founded in 1901, RMH is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, local, national, and international retailers, chains, and everyone in between.

We Strongly Oppose HB 756 HD1 Relating to Health. This measure prohibits the sale of flavored nicotine products and nicotine product flavor enhancers and the mislabeling of e-liquids as nicotine free; establishes penalties for violations; authorizes the Department of Health to appoint, commission, or contract for services of inspectors; establishes positions; appropriates funds and is effective 7/1/3000.

This measure has economic consequences for the state. Hawaii's tobacco sales generated over **\$82 million in tax revenue** in 2024, a significant contribution to the state's economy. This represents a **\$1 million decline** from 2023, indicating that individuals are quitting smoking and vaping or reducing their usage. Additionally, the state's vaping tax, enacted just a few years ago, has already contributed over **\$6.7 million in revenue**. Eliminating flavored nicotine products would further shrink this revenue stream, impacting state-funded programs such as community health centers, cancer research, and emergency medical services initiatives to name a few. We also wonder what state funded programs will be downsized or cut if this tax revenue is lost? How is the state going to make up for the shortfall and how much will it cost businesses?

Furthermore, local businesses across the State that sell tobacco and vape products would suffer significant losses. National data shows that flavored e-cigarettes account for nearly **85% of all vape product sales**, meaning a **ban would cripple this industry, leading to potential store closures and job losses for hundreds of workers**.

Flavored nicotine products are not just used by young people but also by millions of adult smokers seeking to quit traditional cigarettes. According to a 2020 study published in JAMA Network Open, more than **60% of adult vapers use fruit or sweet flavors** rather than tobacco flavors, as they find these flavors more effective in helping them stay away from cigarettes.

Public health organizations such as Public Health England have stated that vaping is at least 95% less harmful than smoking, reinforcing the importance of flavored products as a harm-reduction alternative. If flavors are banned, many former smokers could return to smoking combustible tobacco, negating years of public health progress.

A ban on flavored nicotine products does not eliminate demand but rather pushes consumers to the black market, where products are unregulated and potentially hazardous. The Centers for Disease Control and Prevention (CDC) has reported that black-market THC vape products were responsible for more than 2,800 lung injury cases and 68 deaths nationwide in 2019 alone. By prohibiting legally regulated products, Hawaii risks fueling an illicit market with unsafe alternatives. Furthermore, people who have contacts in the military would also be able to get flavored tobacco and vape products from military outlets – tax free.

Additionally, banning flavored products could drive more consumers back to combustible cigarettes. Studies have shown that adult smokers are more likely to quit if they switch to flavored vapor products, making them a valuable harm-reduction tool.

We also want to make it clear that retailers are NOT the ones selling vaping devices and products to those who are under 21 years of age. Retailers often go as far as not selling to the adult that accompanies the minor into the store if it is revealed that the device or product that they are seeking to purchase is for the minor. Retailers have no control over their products once they are sold and the customer walks out the door with them. It is often the case that **an adult family member or friend purchases vape devices or tobacco products for the minors and gives it to the minor away from the retail store.** Many of minors are obtaining their cigarettes and vaping devices from their parents or older friends or purchasing them on the illegal black market. We have seen a significant spike in theft and tobacco and vape products are a favorite to be stolen. Those selling stolen goods do not care to see how old someone is nor is any tax collected on the sale.

Instead of enacting an outright ban, **Hawaii should focus on strengthening enforcement of existing laws to prevent youth access to include consequences aimed at the minors who are vaping and those who purchase the products for the minors.** Make law breakers accountable for their actions. Adults who can legally purchase these items should not be denied access if the aim is at minors.

According to the 2023 National Youth Tobacco Survey (NYTS), **youth vaping rates have declined significantly over the past three years due to stronger age restrictions, enforcement, and public education campaigns.** In fact, the percentage of high school students who currently vape dropped from 27.5% in 2019 to 10% in 2023. This shows that regulation - not prohibiting - is working.

Rather than penalizing law-abiding adults and businesses, the state should direct resources toward better enforcement of age restrictions, stricter penalties for those friends and family who provide minors with tobacco and vape products, and consumer education.

This measure would devastate Hawaii's small businesses, reduce critical tax revenue, push consumers toward unregulated markets, and remove a key harm-reduction tool for adult smokers. A more effective approach would be to enforce current laws, educate the public, and ensure responsible access to regulated nicotine products.

Mahalo again for this opportunity to testify.



3610 Waialae Ave • Honolulu, HI 96816



(808) 592-4200



tyamaki@rmhawaii.org



ABC Stores
766 Pohukaina Street
Honolulu, Hawaii 96813-5391
www.abcstores.com

Telephone: (808) 591-2550
Fax: (808) 591-2039
E-mail: mail@abcstores.com

February 6, 2025

Chair Scot Z. Matayoshi
Vice Chair Cory M. Chun
Consumer Protection & Commerce Committee

Chair David A. Tarnas
Vice Chair Mahina Poepoe
Judiciary & Hawaiian Affairs

Re: ABC Stores Testimony of Opposing HB756 HD1

Aloha Chair Matayoshi, Vice Chair Chun, the Senate Committee on Commerce and Consumer Protection, Chair Tarnas, Vice Chair Poepoe, and the House committee on Judiciary and Hawaiian Affairs.

My name is John Mark Mageo, Employee Relations and Government Affairs Manager of ABC Stores and I am writing to you on behalf of ABC Stores. We operate in Hawaii, Las Vegas, Guam, and Saipan and employ over 2,200 residents. I am deeply concerned about the proposed legislation to remove flavored products from the market.

While the intention behind this legislation is to reduce demand for these products, it is important to recognize that it will not eliminate the demand. Instead, it will push sales to other streams of distribution where flavored products remain available, including the black market and illegal online sales. This shift will not only undermine the goal of the legislation but also create significant challenges for law enforcement.

Removing this segment of our business will result in major tax shortfalls, forcing the government to seek alternative sources of revenue. Hawaii residents have recently received tax relief due to extreme economic pressures. Increasing taxes in other areas to compensate for the loss of revenue from flavored products would be highly problematic and counterproductive.

The loss of revenue will also make it difficult, if not impossible, for businesses like ABC Stores to maintain current staffing levels. This will lead to job losses and economic instability for many families in our community. Furthermore, the state will face increased burdens on enforcement efforts if these regulations are imposed.

Repealing preemption would cost the state millions of dollars and create undue burdens on retailers across Hawaii. I urge you to consider the unintended consequences of passing this bill. It will have a detrimental impact on local businesses, the state's economy, and the livelihoods of many residents.



ABC Stores
766 Pohukaina Street
Honolulu, Hawaii 96813-5391
www.abcstores.com

Telephone: (808) 591-2550
Fax: (808) 591-2039
E-mail: mail@abcstores.com

I hope you will take these concerns into account and reconsider the proposed legislation.
Thank you for your time and attention to this matter.

Mahalo,

John Mark Mageo
Employee Relations and Government Affairs Manager
(808) 597-3312
jmageo@abcstores.com



The Honorable Scot Matayoshi
Chair
House Committee on Consumer Protection & Commerce
Hawai'i State Capitol, Room 422
415 South Beretania Street
Honolulu, HI 96813

The Honorable David Tarnas
Chair
House Committee on Judiciary & Hawaiian Affairs
Hawai'i State Capitol, Room 422
415 South Beretania Street
Honolulu, HI 96813

Dear Chair Matayoshi, Chair Tarnas, and members of the Committees,

I write to you on behalf of Japan Tobacco International U.S.A., Inc. ("JTI USA"), an importer and distributor of tobacco products based in Raleigh, N.C. We appreciate and support the efforts your committee is undertaking to outlaw the sale of illicit, mislabeled flavored e-liquids in both HB 756 and look forward to working with you on stopping the flow of illegal product from China and around the world. However, we stand with our retailers, distributors, and adult consumers of currently legal tobacco products in opposition to the proposed bans on all flavored tobacco products.

JTI USA has and continues to take the issue of youth access seriously and believes, unequivocally, that minors under the legal purchase age should not have access to any tobacco products. Nationwide youth tobacco use is at record lows, but more work is needed, which is why we support stringent age verification enforcement and participate in efforts to increase compliance training and educational resources at retailers as a member of the *WeCard* Manufacturer Advisory Council.

The prohibition contemplated in both bills is likely to increase illicit sales of menthol cigarettes and other flavored, currently legal, tobacco products. Not only will this empower criminals, who have no regard for the law, regulatory compliance, or age verification, but it could potentially put law abiding citizens in contact with criminal elements and lead to unfortunate and unneeded interactions with law enforcement.



The proposed bans would have catastrophic effects on the fiscal position of the State of Hawai'i. Menthol cigarettes, alone, are estimated to represent more than a third of the cigarettes purchased in the state. By eliminating menthol cigarettes from the market, the state will lose out on substantial tax revenue, both excise and sales. Not only would this create an immediate budget shortfall in the short-term, but it would also see the state struggle to pay off bonds that have been secured against cigarette tax revenue.

We have steadfastly supported regulation that is grounded in evidence-based science, which is why we believe the best way to counter youth access to these products, especially vapor products, is to limit the sale of flavored products in Hawai'i to those products which have received a marketing authorization from FDA or have a properly pending premarket tobacco product application that was submitted prior to September 9, 2020, and remains under review or has been stayed by a court. A proposal such as this would focus regulatory attention on the thousands of illicit products entering the market from China and other nefarious actors, who target teenagers with these already illegal products. Further, this would allow other FDA-authorized products designed to reduce potential harm to enter the market after a comprehensive scientific review.

JTI USA believes minors should never consume or have access to any tobacco products. It is our belief, however, that adults who are aware of the risks associated with tobacco use should be free to legally purchase a range of products that meet their needs. Because of this we believe these current legislative efforts should be abandoned. We stand ready to work with the Committee on areas of agreement on ID verification and on a vapor products registry that would severely limit youth access to tobacco, without impinging the rights of adult tobacco users.

Sincerely,

A handwritten signature in black ink, appearing to read 'John McDonald'.

John McDonald
Corporate Affairs & Communications



HAWAI'I YOUTH SERVICES NETWORK

677 Ala Moana Blvd., Suite 904

Honolulu, Hawai'i 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Vonnell Ramos, President
Cyd Hoffeld, Vice President
Sione Ford Naeata, Treasurer
Greg Tjapkes, Secretary

Judith F. Clark, Executive
Director

Network Membership

Access to Independence
Big Brothers Big Sisters Hawai'i
Bobby Benson Center
Child and Family Service
Coalition for a Drug-Free Hawai'i
Domestic Violence Action Center
EPIC 'Ohana, Inc.
Friends of the Children's Justice
Center of Maui
Get Ready Hawai'i
Hale Kipa, Inc.
Hale 'Opio Kaua'i, Inc.
Hawai'i Children's Action
Network
Hawai'i Health & Harm
Reduction Center
Hawaii Island Community'
Health Center
Ho'ola Na Pua
Ho'okele Coalition of Kaua'i
Ka Hale Pomaika'i
Kokua Kalihi Valley
Kaua'i Planning and Action
Alliance
Lines for Life Youth Line
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
PHOCUSED
Piha Wellness and Healing
Planned Parenthood of the
Great Northwest, Hawaii
Alaska, Kentucky, Indiana
Residential Youth Services
& Empowerment (RYSE)
Salvation Army Family
Intervention Services
Sex Abuse Treatment Center
Susannah Wesley Community
Center
The Catalyst Group

January 97, 2025

To: Representative Scot Matayoshi, Chair
And members of the Committee on Consumer Protection and
Commerce

Representative David Tarnas, Chair
Committee on Judiciary and Hawaiian Affairs

TESTIMONY IN SUPPORT OF HB 756 HD1 RELATING TO HEALTH

Hawaii Youth Services Network (HYSN), a statewide coalition of
youth-serving organizations, supports HB 756 Relating to Health.

Banning the sale of flavored tobacco products was a top priority
recommendation by the youth and young adults who attended the
Hawaii Children and Youth Summit.

Hawaii has a high rate of youth vaping and manufacturers target
youth in their marketing efforts. Banning the sale of flavored tobacco
products will reduce youth tobacco usage and prevent the serious
health problems that result from tobacco use.

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark, MPH
Executive Director



1200 Ala Kapuna Street • Honolulu, Hawai'i 96819
Tel: (808) 833-2711 • Fax: (808) 839-7106 • Web: www.hsta.org

Osa Tui, Jr.
President

Logan Okita
Vice President

Cheney Kaku
Secretary-Treasurer

Ann Mahi
Executive Director

**TESTIMONY TO THE HAWAI'I HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
AND COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS**

Item: HB 756, HD1 – Relating to Health

Position: Support

Hearing: Friday, February 7, 2025, 2:00 pm, Room 325

Submitter: Osa Tui, Jr., President - Hawai'i State Teachers Association

Dear Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe and members of the committees,

The Hawai'i State Teachers Association (HSTA) supports HB 756, HD1 which prohibits the sale of flavored nicotine products and the mislabeling of e-liquids as nicotine free.

As many know, the dangers of flavored nicotine products, particularly for our youth, cannot be overstated. HSTA believes it is imperative to protect our keiki from the harmful effects of nicotine addiction and prevent another generation from falling victim to the tobacco industry's predatory tactics.

The statistics presented in HB 756, HD1 paint a clear picture of the alarming rise of flavored nicotine use among Hawai'i's youth, with products disguised as candy and local flavors to entice them. HSTA recommends passage of HB 756, HD1 to safeguard our keiki and ensure a healthier future for Hawai'i.

Mahalo.

February 7, 2025

To: Members of the Hawaii House CPC/JHA Committees
From: Americans for Tax Reform
Re: **Oppose HB 756**

Dear Representative,

On behalf of Americans for Tax Reform (ATR) and our supporters across Hawaii, **I urge you to oppose HB 756, which would limit access to life saving smoking alternatives and cause enormous confusion with improper labelling requirements.** It is especially important that you oppose the flavor ban component of HB 756, as it would seriously limit lifesaving, reduced-risk tobacco alternatives such as electronic cigarettes, products that have proven critical to the process of helping adults quit smoking.

Studies have repeatedly shown that flavors in vapor products, which HB 1778 would prohibit, are crucial to helping adult smokers make the switch to vaping. Adults who use flavored vapor products are 43% more likely to quit smoking than an adult who uses unflavored products, according to a recent study from ten of the world's top experts in cancer prevention and public health.

Furthermore, bans on flavored vaping products are shown to cause increased youth cigarette smoking. A study from Dr. Abigail Friedman at the Yale School of Public Health found that **when San Francisco imposed a flavor ban in 2018, youth smoking rates doubled.**

Before San Francisco's flavor ban, the city had lower youth smoking rates than comparable counties like New York and Los Angeles. But after the flavor ban, San Francisco's youth smoking rate rose to 6.2%, while comparable districts had an average rate of just 2.8%. Contrary to the claims of anti-vaping advocates, **flavors play no role in youth uptake of vaping.** Academic studies have found that teenage non-smokers' "willingness to try plain versus flavored varieties did not differ" and a mere 5% of vapers aged 14-23 reported it was flavors that drew them to e-cigarettes. National Youth Tobacco Survey results have shown no increase in nicotine dependency among youths since flavored products entered the market.

State budgets would also be negatively affected under this legislation. **Tax revenue would take a big hit, as smuggling of illicit products from more liberal jurisdictions facilitates a flourishing black market.** Those products, of course, are sold illegally – and therefore always tax-free. Keeping flavors on the market is not only the right thing to do for current and former Hawaiian smokers looking for a way to quit, but it is also in the interest of the state government itself.

Real world evidence from Massachusetts demonstrates that flavor bans can come at significant cost to the state. Since Massachusetts implemented a ban on all flavored tobacco products in mid-2020, cross-border purchases and the creation of a booming black market have more than made up for the decline in sales in the Commonwealth. In the first six months since the ban was enacted, Massachusetts retailers sold 17.7 million fewer cigarette packets compared to the same period in the prior year, while neighboring Rhode Island and New Hampshire together sold 18.9 million more. It is clear that Massachusetts residents simply stocked up across state lines. **This policy failure is costing Massachusetts more than \$10 million each month in excise tax revenue.** Hawaii must not make the same mistake that has been made in Massachusetts, as residents may seek to order sketchy devices from unregulated online websites, or turn to products smuggled in from the continental U.S. instead.

722 12th Street N.W.

Fourth Floor

Washington, D.C.

20005

T: (202) 785-0266

F: (202) 785-0261

www.ATR.org



Blanket bans would incentivize smuggling and the sale of illicit tobacco, adversely affecting state tax collections while manifesting a surge in criminal activity. And restricting the use of electronic cigarettes, proven to be 95% safer than traditional combustible tobacco and twice as effective as alternatives such as patches or gums, could lead to further strains on the state budget thanks to the healthcare costs incurred by people who simply keep smoking instead.

Finally, it is crucial to note that this bill would force products without any nicotine to be labelled as nicotine products nonetheless. Confusion would run rampant among smokers looking to quit and even current vapers hoping to break their nicotine addiction. It is silly to impose a labelling requirement that defies reality.

About E-Cigarettes and Vapor Products:

- Traditional combustible tobacco remains one of the leading preventable causes of death in Hawaii. **The negative health effects of combustible tobacco come from the chemicals produced in the combustion process, not the nicotine.** While highly addictive, nicotine is a relatively benign substance like caffeine and nicotine use “does not result in clinically significant short- or long-term harms”.
- Nicotine replacement therapies such as nicotine patches and gums have helped smokers quit for decades. In recent years, advancements in technology have created a more effective alternative: **vapor products and e-cigarettes. These products deliver nicotine through water vapor, mimicking the habitual nature of smoking while removing the deadly carcinogens that exist in traditional cigarettes.**

Benefits of E-Cigarettes and Vapor Products:

- **Vapor products have been proven to be 95% safer than combustible cigarettes and twice as effective at helping smokers quit** than traditional nicotine replacement therapies.
- Vaping has been endorsed by over 100 of the world’s leading public health organizations as safer than smoking and an effective way to help smokers quit.
- **Studies have repeatedly shown that flavors, which HB 756 would ban, are critical to helping adult smokers make the switch to vaping.** Adults who use flavored vapor products are **43% more likely to quit smoking** than an adult who uses un-flavored products, according to a recent study from ten of the world’s top experts in cancer prevention and public health.
- A University of Glasgow study showed that e-cigarettes particularly help disadvantaged persons quit smoking. **HB 756 will have a tremendous impact on public health and would decrease socioeconomic disparities significantly as it will prevent localities from prohibiting life-saving treatment.**
- **Vapor products would save over 250,000 lives** if a majority of Hawaii smokers made the switch to vaping, extrapolating from a large-scale analysis performed by leading cancer researchers and coordinated by Georgetown University Medical Centre.

722 12th Street N.W.

Fourth Floor

Washington, D.C.

20005

T: (202) 785-0266

F: (202) 785-0261

www.atr.org

Opposing HB 756 would protect consumers and businesses across Hawaii, ensure state tax collections are not depressed by misguided local taxes and regulations, and would prevent a patchwork of ordinances that would make Hawaii a more expensive place to do business – all while avoiding major confusion with unnecessary labelling requirements. It is imperative for state lawmakers to use their power to safeguard their constituents from harmful policies. As such, I urge you to **vote NO on HB 756**. Tens of thousands of lives quite literally depend on it.

Sincerely,

Dennis Hull
State Affairs Coordinator
Americans for Tax Reform

722 12th Street N.W.

Fourth Floor

Washington, D.C.

20005

T: (202) 785-0266

F: (202) 785-0261

www.atr.org



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HIPHI Initiatives

Coalition for a
Tobacco-Free Hawai'i

Community-Based Research &
Evaluation

Community Health
Worker Initiatives

COVID-19 Response

Environmental Health

Hawai'i Drug & Alcohol-Free Coalitions

Hawai'i Farm to School Network

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective/Healthy Aging &
Community Living

Public Health Workforce Development

Date: February 6, 2025

To: Representative Scot Z. Matayoshi, Chair
Representative Cory M. Chun, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

RE: Strong Support for HB 756 HD1, Relating to Health

Hrg: Friday, February 7, 2025 at 2:00 PM, Room 325

The Coalition for a Tobacco-Free Hawai'i, a program of Hawai'i Public Health Institute,¹ is in **strong support of HB 756 HD1** which would end the sale of all flavored tobacco products, including menthol cigarettes, statewide.

Tobacco-related disease continues to be the leading cause of preventable death in the United States, resulting in 480,000 deaths annually,² with 1,400 of those deaths happening each year in Hawai'i.³ 95% of adult cigarette smokers started before they turned 21 years of age,⁴ so it's clear that to eliminate the harms of tobacco in our society, we need to prevent youth from ever starting. 81% of Hawai'i youth who use tobacco started with a flavored product, and by ending the sale of all flavored tobacco products, including menthol cigarettes, Hawai'i can prioritize the health and safety of our future generations.⁵

A report by the U.S. Food and Drug Administration, issued in 2013, found that menthol cigarettes led to increased smoking initiation among youth and young adults, more significant addiction, and decreased success in quitting smoking.⁶ Candy, sweet, and menthol-flavored tobacco attracts youth and makes nicotine tolerable. The widespread availability of flavored tobacco products has such a negative impact on public health that nearly 400 localities have passed restrictions on the sale of flavored tobacco products, and over 200 of those communities restrict the sale of menthol cigarettes as well.⁷ The problem has been affecting youth in Hawai'i for so long, in the past year and a half, three out of the four counties in Hawai'i have already passed legislation prohibiting the sale of flavored tobacco products. These policies though are unable to go into effect without state legislation to restore the counties' ability to regulate the sales of tobacco products.



Flavored products are driving youth use.

Flavors in tobacco products entice youth, and nicotine keeps them addicted. In 2024, 8 in 10 youth who use e-cigarettes reported using a flavored product. Of youth e-cigarette users, 87.6% use flavored products, and fruit, candy, and *mint* are reported as the most popular flavors.⁸ Most of the flavored e-cigarette products used by youth contain extremely high levels of nicotine. One 5% strength nicotine e-cigarette marketed as containing 5,000 puffs contains as much nicotine as 30 packs of cigarettes.⁹ Additionally, the tobacco industry continues to develop, market, and promote new flavored products like nicotine pouches that are growing in popularity among youth. Ending the sale of **all** flavored tobacco products will reduce their appeal and protect our children from a lifetime of addiction.

Many flavored tobacco products are being sold illegally.

According to the U.S. Food and Drug Administration, the agency that regulates the marketing, manufacturing and distribution of tobacco products, the vast majority of flavored electronic smoking devices are illegal. Beginning in 2019, the FDA has outlined a formal process for manufacturers of electronic smoking devices to apply for authorization to be marketed and sold in the United States. To date, the FDA has only granted marketing authorization orders for 34 e-cigarette products. These products were authorized because the FDA characterized them as having a public health benefit, to be used as a cessation tool, while at the same time not appealing to youth.

Menthol is a significant risk to health in Hawai'i.

Tobacco companies use menthol as a calculated tactic to hook new consumers. Menthol's cooling and numbing properties mask the harshness of tobacco. The tobacco industry aggressively targets its marketing to certain populations, including young people, women, and racial and ethnic minority groups. Menthol is one of the most popular flavors in Hawai'i, with 80% of Native Hawaiian smokers and 70% of Filipino smokers using menthol cigarettes.¹⁰

Studies show that youth and young adults are more likely to try a menthol cigarette as their first cigarette, and those who first start with a menthol cigarette are more likely to continue smoking. In Hawai'i, 63% of those who smoke use menthol cigarettes compared to 28% who smoke them nationally.¹¹ Menthol enhances the effects of nicotine, which is an addictive drug. Menthol can make tobacco products even more addictive, and in recent years, tobacco companies have increased the amount of nicotine in some menthol cigarettes. If menthol cigarettes were no longer available, an estimated 4,400 additional adults in Hawai'i who smoke would quit smoking.¹²

Hawai'i voters want regulations.

In a December 2024 poll¹³ of registered Hawai'i voters conducted by Ward Research on behalf of the Coalition, 74% support a law prohibiting all flavors, including menthol, of tobacco products, and e-cigarettes. In addition, 73% of respondents said that school-aged children vaping or using e-cigarettes is a major problem and 71% believe that the use of e-cigarettes or vaping devices is harmful for Hawai'i's children, teens and families.

Thank you for the opportunity to submit testimony in strong **support of HB 756 HD1**. By passing this legislation with the suggested amendments, the legislature sends a strong, clear message to the public that our state is committed to uplifting the health and well-being of its residents and showing that community health is more important than tobacco profits.



Mahalo,

A handwritten signature in blue ink, appearing to read 'Scott Stensrud', is shown on a light gray background.

Scott Stensrud
Coalition for a Tobacco-Free Hawai'i Statewide Youth Council Coordinator
Hawai'i Public Health Institute

1 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.

2 Centers for Disease Control and Prevention. (2023, May 4). *Burden of cigarette use in the U.S.* Centers for Disease Control and Prevention.

<https://www.cdc.gov/tobacco/campaign/tips/resources/data/cigarette-smoking-in-united-states.html>

3 *The toll of tobacco in Hawaii.* Campaign for Tobacco-Free Kids. (n.d.).

<https://www.tobaccofreekids.org/problem/toll-us/hawaii>

4 Commissioner, O. of the. (n.d.). *FDA issues final rule increasing the minimum age for certain restrictions on tobacco sales.* U.S. Food and Drug Administration.

<https://www.fda.gov/news-events/press-announcements/fda-issues-final-rule-increasing-minimum-age-certain-restrictions-tobacco-sales>

5 Truth Initiative. *Flavors.* June 2021.

https://truthinitiative.org/sites/default/files/media/files/2021/06/Truth_FlavoredTobacco_FactSheet2021_FINAL.pdf

6 Commissioner, O. of the. (n.d.-b). *FDA issues final rule increasing the minimum age for certain restrictions on tobacco sales.* U.S. Food and Drug Administration.

<https://www.fda.gov/news-events/press-announcements/fda-issues-final-rule-increasing-minimum-age-certain-restrictions-tobacco-sales>

7 Bach, L. (2025, January 8). *States & localities that have restricted the sale of flavored tobacco products.* Campaign for Tobacco-Free Kids.

<https://assets.tobaccofreekids.org/factsheets/0398.pdf>

8 Products, C. for T. (n.d.). *Results from the annual National Youth Tobacco Survey (NYTS).* U.S. Food and Drug Administration.

<https://www.fda.gov/tobacco-products/youth-and-tobacco/results-annual-national-youth-tobacco-survey>

9 Stanford University Tobacco Prevention Toolkit. (n.d.). *Factsheets.*

<https://med.stanford.edu/tobaccopreventiontoolkit/take-and-teach/toolkit-factsheets.html>

10 Matters, H. H. (n.d.-a). *Hawaii health matters.* Hawaii.

<https://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=12619&localeId=14&localeChartIdxs=1%7C2%7C6>



11 Centers for Disease Control and Prevention. (2024, March 28). *Sociodemographic and temporal differences in menthol cigarette use among us adults who smoke, 1999–2018*. Centers for Disease Control and Prevention. https://www.cdc.gov/pcd/issues/2024/23_0291.htm

12 Centers for Disease Control and Prevention. (2024a, February 16). *State menthol fact sheets*. Centers for Disease Control and Prevention. https://www.cdc.gov/tobacco/basic_information/menthol/state-menthol-fact-sheets.html#HI

13 This study by Ward Research, Inc. summarizes findings from a phone survey among n=700 Hawai'i registered voters (maximum sampling error +/- 3.7%), conducted between October 25 to November 22, 2024.



Hawaii Dental Association

Committee: House Consumer Protection and Commerce
House Judiciary and Hawaiian Affairs

Time/Date: 2:00 p.m., February 7, 2025

Location: State Capitol Conference Room 325 and via Videoconference

Re: HB 756, HD1, Relating to Health

Aloha Chair Matayoshi, Chair Tarnas, and members of the committees,

The Hawaii Dental Association (HDA) is a professional association comprised of approximately 950-member dentists. **We are in support of HB 756, HD1**, relating to health. This bill will prohibit the sale of flavored tobacco products and nicotine product flavor enhancers and the mislabeling of e-liquids as nicotine free.

HDA expresses its opposition to use of oral tobacco, including vaping nicotine from e-cigarettes, and urges people using any type of tobacco product to quit. Tobacco use is causally associated with higher rates of tooth decay, receding gums, periodontal disease, mucosal lesions, bone damage, tooth loss, jawbone loss and more. That is why the Hawaii Dental Association, like the American Dental Association, is working with dentists, educators, public health officials, lawmakers, and the public to prevent and, hopefully, eliminate the use of all tobacco products. HDA supports regulatory and legislative action to ban the sale and distribution of all e-cigarette and vaping products, with the exception of those approved by the FDA for tobacco cessation purposes and made available by prescription only. We will continue to support legislation aimed at enhancing and promoting oral health.

HDA is a statewide membership organization representing dentists practicing in Hawaii and licensed by the State of Hawaii's Board of Dentistry. HDA members are committed to protecting the oral health and well-being of the people of Hawaii, from keiki to kupuna and everyone in between.

Mahalo for the opportunity to testify in support of HB 756, HD1.

HB-756-HD-1

Submitted on: 2/6/2025 10:21:07 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Travis Yoshinaga	Marukin Market	Oppose	Remotely Via Zoom

Comments:

Testimony in Opposition to HB756 HD1

Dear Chair, Vice Chair, and Members of the Committee,

My name is Travis Yoshinaga, and I am the owner of Marukin Market. I am here today to strongly oppose this bill, not just as a business owner, but as someone who witnesses firsthand the negative impact of the black market on our islands every day.

Hawai‘i is already struggling with illegal activities, including game rooms, monster homes, crystal meth, ghost guns, and fireworks—all of which continue to flood into our state despite existing laws. People are growing frustrated with rising crime and homelessness, and now, this bill threatens to add yet another problem.

Prohibiting menthol cigarettes and flavored vapes will not eliminate demand—it will simply drive consumers to the black market. Criminals will exploit this ban, just as they do in other states. In California, for example, vans from out of state now supply menthol cigarettes and vapes to eager customers, selling them at inflated prices while avoiding taxes. Meanwhile, legitimate businesses like mine, which follow the law, pay rent, and contribute tax revenue, will be forced to close, leading to job losses and economic decline.

The reality is that people always find a way. Already, menthol alternatives exist—Amazon sells flavored balls that can be inserted into filters, and menthol drops can be added to cigarettes. These workarounds show that prohibition does not stop access, it only shifts it underground. And unlike licensed retailers, black market sellers do not check IDs, increasing the risk of youth access.

Law enforcement agencies are already stretched thin. The ATF is overwhelmed, and even our local police struggle to respond to urgent incidents. In my own store, when a man pulled out a large knife while a senior customer was present, it took 10 to 15 minutes for officers to arrive after I activated the silent alarm. If this bill passes, criminals will be waiting outside our businesses, selling illegal products tax-free while we fight to survive.

Supporters of this bill may point to declining cigarette and vape sales in California as a success, but those numbers fail to account for the explosion of illicit activity. If this bill passes, Hawai'i will face the same fate—business closures, lost tax revenue, and a surge in unregulated sales.

I urge you to reconsider the unintended consequences of this legislation. While the goal may be public health, the reality is that this bill will do more harm than good. Let's not create another black market crisis that law enforcement cannot control.

Thank you for your time and consideration.



Testimony in Strong Opposition to House Bill 756 HD1 on 2-7-25

Dear House CPC/JHA Committees,

The Hawaii Smokers Alliance STRONGLY OPPOSES HB 756 relating to the ridiculous prohibition of flavors for vaping and tobacco products on retailers, constituents, and visitors that enjoy e-cigarette. The pernicious House Bill 756 is strongly opposed for the following reasons:

1. This flavor ban will place local retailers at a massive disadvantage when they now have to compete with online, smuggled, or person to person transactions. The vape products have a much higher value to volume ratio than most traditional tobacco products making them highly prone to smuggling, mailing, or in person transport from the mainland. Making the flavored products not available in stores will close many a retailers' door.
2. In addition, HB756, will also be immediately countered by simply adding flavoring not intended for vaping into the product. This flavoring will not have been tested for compatibility. This will create a significant public health problem since these substances are unregulated, can cause adverse reactions, and could even be laced with drugs such as fentanyl. This is already a problem with online pharmaceuticals.
3. Simply put, this bill WILL NOT WORK because of the ease of subverting it. The only people that will "win" are anti-smoking lobbyists that get a cash performance bonus for passing HB756.
4. Additionally, the major of users of these products are Democrats. We simply can't understand why the majority party would attack its' own voters with a bill such as this and turn people away from their own party or to more reasonable Democrats wanting to gain office in the primaries.
How about actually representing constituents that love these products instead?

Respectfully request that this shameful bill which is doomed to fail not leave the CPC/JHA committee. Thank you for your time.

Sincerely,

Michael Zehner, Co-chair of the Hawaii Smokers Alliance.

808-952-0275. Hawaiiismokersalliance.net

HB-756-HD-1

Submitted on: 2/6/2025 11:01:53 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Char	BMA Mart	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Brian, and I have been a proud local business owner in Honolulu for over 12 years. I am writing today in strong opposition to HB756. While I understand the intent behind this bill, I fear it will create devastating consequences for small business owners like myself, pushing many of us closer to the brink of closure while failing to adequately address the health crisis it aims to solve. Many store owners can't leave their stores to attend these in person hearings to share our very important concerns because staffing our stores is extremely difficult and very costly when these hearings can take all day. I would urge you to consider scheduling these with more lead time to ensure you are hearing the public voice.

Small businesses are the backbone of our community, yet we are constantly fighting to survive in an already challenging economic climate. Rising costs, increased regulations, and the lingering effects of the pandemic have left many of us hanging by a thread. HB756 would only add to this desperation, placing an undue burden on business owners who are simply trying to stay afloat and support our employees, our families, and our community.

The reality is that bills like these, which seek to outright abolish certain products or services rather than implement reasonable, phased solutions, do not fix the underlying health issues they seek to address. Instead, they drive commerce underground, encourage unregulated markets, and push consumers toward alternative sources, often without any safeguards or oversight. This not only fails to protect public health but also strips businesses of the ability to adapt and work toward practical solutions.

Furthermore, the unintended consequences of HB756 will be far-reaching. Local businesses will suffer losses that may be impossible to recover from, jobs will be lost, and consumers will seek out alternatives in ways that harm the very communities this bill seeks to protect. Rather than enacting sweeping prohibitions, we should be working together; "business owners, legislators, and health advocates to find balanced approaches that address health concerns without crushing the local economy.

I urge you to consider the real impact this bill will have on small businesses and oppose HB756. We need policies that support local businesses, not drive them out of existence.

Mahalo for your time and consideration.

Brian Char

Local Business Owner, Honolulu



**Testimony to the House Joint Committee on Consumer Protection and Commerce and
Judiciary and Hawaiian Affairs
Friday, February 7, 2025; 2:00 p.m.
State Capitol, Conference Room 325
Via Videoconference**

RE: HOUSE BILL NO. 0756, HOUSE DRAFT 1, RELATING TO HEALTH.

Chair Matayoshi, Chair Tarnas, and Members of the 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** House Bill No. 0756, House Draft 1, RELATING TO HEALTH.

By way of background, the HPCA represents Hawaii's Federally Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines to over 150,000 patients each year who live 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.

The bill, as received by your Committee, would prohibit the sale or distribution of all flavored nicotine products, including products with menthol, and prohibit the mislabeling of products as nicotine-free.

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 harms our citizenry on a generational basis with people experimenting at even earlier ages. Because of this, the HPCA supports efforts that would create disincentives for consumers to use these products.

Accordingly, the HPCA urges your favorable consideration of this measure.

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.

HB-756-HD-1

Submitted on: 2/6/2025 11:22:51 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerald Morita	Cigarettes and Things	Oppose	Written Testimony Only

Comments:

Dear Chair and Members of the Committee,

My name is Gerald Morita, and I have been a business owner in Hawaii for the past 14 years. I strongly oppose HB 756 due to its unintended consequences, which will negatively impact public health and community safety. While I support efforts to reduce youth access to tobacco and vapor products, this bill goes too far by banning FDA-authorized menthol and flavored vapor products that have been proven to help adult smokers transition away from combustible cigarettes. By removing these harm reduction alternatives from the legal market, the state risks backtracking on public health progress and forcing adult consumers back to traditional tobacco products, which are significantly more harmful.

Additionally, prohibiting these products will not eliminate demand—it will merely shift sales to unregulated sources, creating a thriving black market where there are no age restrictions, safety standards, or oversight. We have seen similar outcomes in other jurisdictions where flavor bans have been enacted, leading to increased youth access rather than reducing it. As a business owner, I have always prioritized compliance with age verification laws, but this bill undermines responsible retailers while empowering illicit sellers who operate without consequence. This approach ultimately makes it harder to protect minors and increases risks for consumers who may unknowingly purchase unsafe, unregulated products.

I urge lawmakers to consider more effective, balanced solutions that target youth prevention without harming adult consumers and responsible businesses.

Rather than banning menthol and flavored vapor products outright, the state should focus on enforcing existing regulations, strengthening penalties for illegal sales, and promoting public education on the risks of youth vaping. HB 756 will create more problems than it solves, and I respectfully ask the committee to vote against it. Thank you for your time and consideration.

Sincerely,

Gerald Morita

Cigarettes and Things

Date: February 7, 2025

To: The House Committees on Consumer Protection & Commerce and Judiciary
& Hawaiian Affairs

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

Re: Support for HB 756, Relating to Ending the Sale of Flavored Tobacco

Hearing: Friday, February 7 at 2:00 PM at Conference Room 325

Thank you for the opportunity to submit testimony in SUPPORT of HB 756 which would prohibit the sale and distribution of flavored tobacco products including menthol.

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.

The sale of products like Flume 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.

The sale of candy and fruit-flavored tobacco products entices young people to start using these harmful products which can lead to addiction and cause damage to the developing brain. Menthol should also be banned it masks the harmfulness of tobacco and is one of the very popular flavors among youth. Flavored tobacco products also increase individuals' risk for dual use of vape products and combustible cigarettes. Banning the sale of flavored and menthol tobacco products will help with the health issues disproportionately affecting those of lower socioeconomic status and people of color.

The banning of flavored tobacco products as well as providing tobacco education and cessation programs without monetary penalties for youth, is imperative 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 including menthol in the State of Hawai'i.

Mahalo,
Student Health Advisory Council

HB-756-HD-1

Submitted on: 2/6/2025 11:36:01 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Danny Hwang	Ewa Pantry	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Danny Hwang, and I am a local business owner operating three stores in Hawai'i for over 20 years. I strongly oppose HB 756 due to its severe unintended consequences on small businesses like mine. The proposed ban on menthol and flavored vapor products would eliminate nearly 70% of my sales, making it extremely difficult to sustain operations, support my employees, and contribute to the local economy. As a long-time business owner, I have seen firsthand the challenges of running a business in Hawai'i, and this bill would only make it harder for responsible, law-abiding retailers to survive.

Beyond the economic harm, HB 756 also undermines public health efforts by removing access to FDA-authorized vapor products that serve as a viable harm-reduction tool for adult smokers. These products have undergone rigorous scientific review by the FDA to ensure they meet public health standards and can assist in smoking cessation. By banning these regulated alternatives, the bill may unintentionally push former smokers back to combustible cigarettes, reversing years of progress in reducing tobacco-related harm. Public health policy should be based on science and harm reduction, not prohibition that drives consumers toward more dangerous options.

Additionally, history has shown that bans like this do not eliminate demand but instead create unregulated black markets, making it easier for youth to access illicit and potentially unsafe products. Rather than punishing responsible business owners, we should focus on enforcing existing laws that prevent underage sales and ensuring that only FDA-authorized products remain available to adult consumers. I urge you to consider the economic and public health consequences of HB 756 and vote against this harmful legislation. Mahalo for your time and consideration.

Danny Hwang

Bevmart

Ewa Pantry

Kakaako Smokes



TO: The Honorable Scot Z. Matayoshi, Chair
The Honorable Cory M. Chun, Vice Chair
House Committee on Consumer Protection and Commerce

The Honorable David A. Tarnas, Chair
The Honorable Mahina Poepoe, Vice Chair
Committee on Judiciary & Hawaiian Affairs

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

RE: **HB 756, HD1 – RELATING TO HEALTH
In Strong Support**

DATE: Friday, February 7, 2025
2:00 p.m.; conference room 325 & videoconference

Aloha Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe and Members of the Committees:

My name is Philip Bossert, and I am the Executive Director of the Hawaii Association of Independent Schools.

The Hawaii Association of Independent Schools (HAIS) strongly supports HB 756, HD1.

HAIS is a membership organization that currently represents as its members 100 of Hawaii's independent K-12 schools; and, through its subsidiary, the Hawaii Council of Private Schools (HCPS), licenses all 112 private and parochial K-12 schools in the State.

Approximately 33,000 students attend Hawaii's private and parochial schools and all of them – especially those students of middle school and high school age – are endangered by the current vaping epidemic plaguing Hawaii. 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 HB 756, HD1 because, in creating effective regulations for the sale of e-cigarettes and flavored tobacco products to 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.

February 6, 2025

TO: Scot Z. Matayoshi, Chair
Cory M. Chun, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

David A. Tarnas, Chair
Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

FROM: Cigar Association of America, Inc. (CAA)
(William Goo)

RE: **HB 756, HD1** - Relating to Health
Hearing Date: February 7, 2025
Time: 2:00 p.m.

The Cigar Association of America, Inc. ("CAA") **opposes HB 756, HD1**. Attached is CAA's testimony in opposition.

Thank you for your consideration of this testimony.



February 6, 2025

House Joint Committee on Consumer Protection & Commerce / Judiciary & Hawaiian Affairs
Testimony in Opposition to HB756

Members of the Consumer Protection & Commerce and Judiciary & Hawaiian Affairs Committees,

The Cigar Association of America (CAA) submits the following testimony in opposition to House Bill 756 (the Proposed Flavor Ban). CAA is the leading national trade organization representing the interests of cigar manufacturers, importers, distributors, and major suppliers in the cigar and pipe tobacco industry, and therefore is, a key stakeholder in any discussion on the regulation of these products, as any changes in laws significantly impact its members and their ability to conduct business.

HB756 seeks the same sweeping action of banning flavors and removing adult consumers' ability to choose across nearly all categories of tobacco products – but such draconian measures are simply not justified for cigars or pipe tobacco, as there is no youth epidemic of use or access to these products. CAA estimates that flavored cigars represent up to 47% of the cigar market and nearly all pipe tobacco can be considered flavored simply based on the process that is used to manufacture the product. Passage of the Proposed Flavor Ban would deeply harm Hawaii businesses selling these products and would be a deeply flawed decision.

Put simply, there is no legal, factual, or scientific basis to prohibit the sale of flavored cigars and pipe tobacco, and doing so would be detrimental to Hawaii businesses and deprive adult cigar consumers of their right to a legal product. Surveys conducted or funded by government agencies all show that youth usage of cigars, including flavored cigars, is at historic lows, and youth usage of pipe tobacco is nearly unmeasurable. In fact, youth usage of cigars, including flavored cigars, is at an all-time low both in Hawaii and nationwide. In Hawaii, the most recent survey data available from 2019 showed that high school usage of all cigars was 2.8%.¹ While updated data is not available for Hawaii, nationwide there have been steep declines in youth usage of cigars since 2019. The most recent National Youth Tobacco Survey reported that nationwide youth usage of cigars is at 1.2% and youth usage of pipe tobacco was at 0.5% -- both historic lows. This is compared to the 20.4% of Hawaii youth who currently use alcohol⁴ and the 17.2% who currently use marijuana.

Evidence from other localities demonstrates that if a flavor ban is enacted consumers will purchase products from a black market, and also that flavor bans can increase youth cigarette smoking rates. A study done after a flavor ban was instituted in San Francisco, CA found that "Difference-indifferences analyses found that San Francisco's flavor ban was associated with more than doubled odds of recent smoking among underage high school students relative to concurrent changes in other districts (adjusted odds ratio, 2.24 [95% CI, 1.42-3.53]; P = .001."

¹ Hawaii Youth Tobacco Survey https://hhdw.org/report/query/result/yts/CurrCigar/HS_ST.html



The Proposed Flavor Ban does nothing but restrict the choices of adult tobacco consumers, damage Hawaii businesses, and encourage unregulated black-market sales. Flavored cigars and pipe tobacco are sold through licensed businesses that are vigilant at age verifying the purchase of such products. Imposing a prohibition on the legal sale of these products will do nothing but drive adult consumers to purchase these products through an untaxed black-market. Regarding the unregulated black market, the Tax Foundation has done an extensive study of the cigarettes consumed across the country and the rate at which the products are smuggled from elsewhere. While Hawaii was not part of the study, it does illustrate the large extent of the black market for these products. Hawaii is in a unique situation from other states, however, data has shown that a flavor ban does not actually change behavior, it just changes where consumers purchase their products. As demonstrated above, we have seen this exact situation in Massachusetts due to the flavor ban imposed there in 2020. The data shows that the flavor ban has done little to alter consumer consumption behavior – other than to force Massachusetts consumers to purchase flavored tobacco products in other states. The Tax Foundation stated this upon analyzing the impact of the Massachusetts flavor ban

The end result of the ban, in fact, is that Massachusetts is stuck with the societal costs associated with consumption, while the revenue from taxing flavored tobacco products is being raised in neighboring states. In fact, the flavor ban has been far from successful, as sales in both New Hampshire and Rhode Island experienced double-digit growth—almost making up for the entire decrease in Massachusetts.

Furthermore, a recent analysis has shown that the flavor ban in Massachusetts has not changed menthol smoking rates at all. This data shows that:

in 2022, 36.9% of cigarette smokers used menthol compared to 37.5% in 2019 before the flavored tobacco ban. Despite the ban, adults 18+ continue to use menthol cigarettes, thereby robbing the state of excise and sales tax revenue and challenging the claim that the state would realize savings from reduced usage. In fact, the overall prevalence of cigarette smoking decreased by only 1.6 percentage points from 2019 to 2022.²

In fiscal year 2023, Hawaii cigar excise tax revenues were in excess of \$1.9 million.³ Should these products be prohibited almost half of this revenue would be lost, as well as the additional loss of sales tax revenue collected on the sale of these products.

CAA appreciates the opportunity to submit this testimony in opposition to HB756. We respectfully urge the committee to consider the unintended consequences of this legislation. It would harm law-abiding adults, devastate small businesses, and drastically reduce tax revenue for the state with no tangible impact on

² https://www.necsema.net/uploads/1/2/2/9/122970598/necsema_flavor_ban_whitepaper_1.9.25.pdf

³ <https://files.hawaii.gov/tax/stats/monthly/2023cy-tob.pdf>



reducing youth usage which is already close to immeasurable, and create a black market. This proposal is a solution in search of a problem. We urge the committee to reconsider this proposal in light of the staggering unintended consequences it will have with little to no data supporting that it will change usage patterns in any meaningful way.

Respectfully submitted,

Scott Pearce
President, Cigar Association of America, Inc.

HB-756-HD-1

Submitted on: 2/6/2025 1:21:17 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Grace Sakanishi	China Town Liquor	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to HB756

Aloha Chair, Vice Chair and Members of the Committee,

As a local business owner in Hawai‘i, I strongly oppose HB756 due to its devastating impact on small businesses, retail sales, and the local economy. This bill will drive customers away from licensed retailers and into the hands of unregulated sellers, significantly reducing legitimate sales and tax revenue. Small businesses like mine have already faced mounting challenges, and further restrictions will only push more local shops toward closure, leading to widespread economic hardship. Instead of supporting responsible businesses that follow the law, HB756 will force consumers to seek alternative, unregulated sources.

One of the most concerning consequences of HB756 is the inevitable rise in illegal sales and smuggling. When legal avenues for purchasing these products become too restrictive, consumers will turn to illicit markets that lack oversight and regulation. This not only puts public health at risk but also increases the burden on law enforcement to combat smuggling operations. We have already seen a rise in unregulated products flooding the market, and this bill will only accelerate that trend, making it more difficult to ensure the safety of the products being consumed.

Furthermore, HB756 threatens local jobs and livelihoods. Many hardworking employees in the retail sector rely on businesses like mine to support their families. If this bill passes, business closures and reduced sales will lead to layoffs, harming both workers and the broader economy. Hawai‘i cannot afford to lose more jobs, especially when there are better ways to regulate the industry without eliminating legitimate businesses. I urge you to oppose HB756 and consider solutions that balance public health, business sustainability, and economic stability. Mahalo for your time and consideration.

Thank you for your time,

Grace Sakanashi

Owner, Chinatown Liquor

TESTIMONY IN SUPPORT OF HB 756 HD1

TO: Chairs Matayoshi and Tarnas, Vice-Chairs Chun and Poepoe, and Members

FROM: Michael Paul, Certified Tobacco Treatment Specialist

DATE: February 7, 2025 (2:00pm)

Hawai'i Health & Harm Reduction Center (HHHC) supports HB 756 HD1, which would prohibit the sale of flavored tobacco products in the state.

With the ongoing support of the Hawai'i Community Foundation, HHHC continues to offer smoking cessation services that are tailored to meet the needs of our state's LGBTQ+ people through its [Hawai'i's Last Drag](#) (HLD) program. I proudly work as one of HLD's certified tobacco treatment specialists (CTTS). We work with individuals in ways that are most appropriate for their current needs, with trainings conducted in person or via phone, text, or videoconferencing. We provide smoking cessation products to assist them with quitting the consumption of smoked tobacco and other nicotine products.

Over the course of my professional experience as a CTTS, I encountered more people who use e-cigarettes and have never smoked than I have former smokers that have switched to e-cigarettes/vapes. Overwhelmingly these "never smokers" cite the flavors of these products, typically disposable vapes, as the reason they started using them.

Flavors make the delivery of nicotine, a highly addictive substance, more palatable to new users. I have frequently seen younger people swapping vapes to try each other's flavors, tying a social component into increased physical dependence.

[One study](#) found that "Nicotine increases the motivation for flavor conditioned reinforcers and the present studies show that tobacco flavor additives can interact with nicotine to promote more nicotine self-administration. The interaction between flavors additives and nicotine may promote nicotine exposure and subsequently dependence."

The high concentrations of nicotine found in a majority of disposable vapes, 50mg of nicotine per ml, combine with flavors that our brains already associate with pleasure to create a level of dependence unmatched in any other legally available over the counter product. While products with lower nicotine concentrations exist, the most popular products are the ones with the highest nicotine content.

[The Royal College of Ireland](#) found that many of the chemicals used to flavor e-liquids produce harmful chemicals when heated for inhalation. Of these new chemicals formed by heating up flavored e-liquids in vaping devices 127 were classified as “acute toxic”, 153 as “health hazards”, and 225 as “irritants”. Chemicals responsible for fruit, dessert, and candy flavors, which are very popular among those who vape, were found to create cancer causing chemicals, including [formaldehyde and acetaldehyde](#). It is important to note that many of the chemicals used to flavor e-liquids are rated as safe for food products, however they were never intended or approved to be heated to high temperatures for inhalation.

People who smoke menthol flavored cigarettes have a more challenging time quitting smoking than those that do not smoke menthols. Understanding this, tobacco companies continue to target specific populations like Native Hawaiians, African Americans, and LGBTQ+ persons, increasing health disparities in communities that already face significant obstacles to their health and well-being, including access to preventative health care services. [The Hawai'i Tobacco Quitline](#) found that 81% of Native Hawaiians that enrolled in their program were using menthol cigarettes, compared to 55% for all other enrollees.

Menthol is added to nearly all cigarettes, not just those that are menthol flavored. Per the CDC, “[almost all the cigarettes sold in the United States contain some natural or lab-created menthol](#).” Menthol has a cooling effect and reduces the harshness of tobacco smoke, even at levels so low that no menthol flavor is detectable. Menthol does this by stimulating the trigeminal nerve, the largest cranial nerve, and our olfactory receptors effectively giving a “one -two punch” straight to our brain.

Tobacco companies know how effective menthol is when it comes to driving nicotine dependence. Studying their [publicly available documents](#) reveals they know menthol has a high impact on satisfaction even at low levels of nicotine. More industry-wide documentation has been gathered [here](#).

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those related to substance use and mental health conditions. Many of our program clients and participants have also been deeply impacted by trauma, including histories of physical, sexual, and psychological abuse.

Thank you for the opportunity to testify on this measure.

HB-756-HD-1

Submitted on: 2/6/2025 1:41:15 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Young Park	Wawa Market	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Patrick Park, and I own two businesses employing 20 hardworking individuals. I strongly oppose HB756 because it threatens my ability to keep my businesses open and puts my employees' jobs and other c-stores employees at risk and causes significant further issues with underage usage.

Data supports the decline of usage with these bans, what the data doesn't show is the huge number of illicit products coming in daily via internet or illegal channels. These channels are not responsible and allow product to get into the hands of these children you seem to care so much about.

Small businesses are already struggling with high costs and economic challenges. HB756 adds another burden that could force and other business owners to cut hours, lay off employees, or even shut down. This bill doesn't fix the health concerns it aims to address; instead, it creates unintended consequences that harm local businesses, eliminate jobs, and push consumers toward unregulated alternatives. We have seen this happen before just look at the fireworks ban and the lack of enforcement. Instead of stopping illegal fireworks, it fueled a thriving black market causing death. The same will happen here, driving sales underground, where there is no oversight or safety regulation.

If we want real solutions, we need policies that balance public health with economic sustainability ones that bring business owners, policymakers, and community leaders together rather than imposing sweeping bans that violate the rights to FDA approved products.

I urge you to oppose HB756 and consider approaches that protect both health and local businesses.

Thank you,

Partick Park

HB-756-HD-1

Submitted on: 2/6/2025 1:41:15 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Young Park	Wawa Market	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

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Data supports the decline of usage with these bans, what the data doesn't show is the huge number of illicit products coming in daily via internet or illegal channels. These channels are not responsible and allow product to get into the hands of these children you seem to care so much about.

Small businesses are already struggling with high costs and economic challenges. HB756 adds another burden that could force and other business owners to cut hours, lay off employees, or even shut down. This bill doesn't fix the health concerns it aims to address; instead, it creates unintended consequences that harm local businesses, eliminate jobs, and push consumers toward unregulated alternatives. We have seen this happen before just look at the fireworks ban and the lack of enforcement. Instead of stopping illegal fireworks, it fueled a thriving black market causing death. The same will happen here, driving sales underground, where there is no oversight or safety regulation.

If we want real solutions, we need policies that balance public health with economic sustainability ones that bring business owners, policymakers, and community leaders together rather than imposing sweeping bans that violate the rights to FDA approved products.

I urge you to oppose HB756 and consider approaches that protect both health and local businesses.

Thank you,

Partick Park

HB-756-HD-1

Submitted on: 2/6/2025 1:53:35 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ra Long	R&K Grocery & Liquor	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to HB756

Aloha Chair and Members of the Committee,

As a local business owner in Hawai'i, I strongly oppose HB756 due to its negative impact on small businesses and the local economy. This bill will drive consumers away from licensed retailers, leading to a significant loss in retail sales and tax revenue for the state. Many small businesses like mine are already struggling to stay afloat under the current economic conditions, and additional restrictions will only push more legal businesses toward closure. Instead of supporting responsible retailers, this bill will force customers to seek alternative, unregulated sources, further harming legitimate businesses that comply with state regulations.

One of the most concerning consequences of HB756 is the rise in illegal sales and smuggling. When consumers can no longer access legal and regulated products, they will turn to illicit markets that operate without oversight or safety measures. This not only puts public health at risk but also fuels an underground market that is difficult to control. We have already seen the consequences of prohibition-like policies in other areas, where smuggling operations grow, and unsafe products flood the streets. This bill will not solve the problem—it will only make it worse by pushing sales into the hands of unlicensed and unregulated sellers.

Rather than imposing further restrictions that harm businesses and fuel illegal markets, we should focus on education and prevention efforts to discourage smoking and vaping. Investing in public awareness campaigns and youth education programs will be far more effective in reducing usage than banning or over-regulating products. By providing people with the knowledge and resources to make informed decisions, we can address health concerns without destroying local businesses and creating unintended consequences. For these reasons, I respectfully urge you to oppose HB756. Mahalo for your time and consideration.

Thank you for your time,

Ra Long

Owner, R&K Grocery & Liquor

LATE

HB-756-HD-1

Submitted on: 2/6/2025 2:01:31 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Chon	Kainehe Liquor	Oppose	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is David, and I have been a small business owner on Oahu for over four years. I am submitting this testimony in strong opposition to HB756, which seeks to ban the sale of flavored vapor and menthol products in Hawaii. While I understand the concern for public health, I urge lawmakers to consider the devastating impact this bill will have on small businesses, as well as the unintended consequences that will follow.

As a local business owner, I have worked tirelessly to provide for my family, my employees, and my community. My store, like many others, is already struggling to survive amidst rising costs, supply chain disruptions, and economic uncertainty. If HB756 passes, it will force me—and countless others into an impossible situation, stripping away a significant portion of our business overnight.

But this bill does more than hurt businesses—it fails to address the root issues of public health and consumer behavior. Prohibition does not eliminate demand; it merely pushes sales into unregulated markets. If menthol and vapor products are banned, customers will turn to online vendors, illicit sources, and even dangerous homemade alternatives. This does not protect public health—it makes the situation worse by eliminating age restrictions, quality control, and tax revenue that funds important state programs.

Furthermore, this bill unfairly targets responsible adult consumers who make informed choices. It does not acknowledge the many people who have used vaping products as a harm reduction

alternative to smoking. Rather than enacting outright bans that drive consumers underground, the state should focus on enforcing existing regulations, preventing youth access, and investing in education and cessation programs.

I urge you to consider the real-world consequences of HB756. It will devastate small businesses, harm responsible consumers, and create a black market filled with unregulated products. This is not the solution to our health crisis it is a misguided policy that will do more harm than good.

Please vote in opposition to HB756 and work toward policies that protect both public health and the livelihoods of local businesses.

Mahalo for your time and consideration.

David

Local Business Owner, Oahu



Government Relations

Testimony of
Jonathan Ching
Government Relations Director

LATE

Before:
House Committee on Consumer Protection & Commerce
The Honorable Scot Z. Matayoshi, Chair
The Honorable Cory M. Chun, Vice Chair

House Committee on Judiciary & Hawaiian Affairs
The Honorable David A. Tarnas, Chair
The Honorable Mahina Poepoe, Vice Chair

February 7, 2025
2:00 p.m.
Conference Room 325
Via Videoconference

Re: HB 756, HD1, Relating to Health

Chairs, Vice Chairs and committee members, thank you for this opportunity to provide testimony on HB 756, HD1 which prohibits the sale of flavored nicotine products and the mislabeling of e-liquids as nicotine free, establishes penalties, and authorizes the Department of Health to appoint, commission, or contract for services of inspectors.

Kaiser Permanente Hawai'i SUPPORTS HB 756, HD1.

Kaiser Permanente Hawai'i is one of the nation's largest not-for-profit health plans, serving 12.6 million members nationwide, and more than 271,000 members in Hawai'i. In Hawai'i, more than 4,200 dedicated employees and more than 650 Hawai'i Permanente Medical Group physicians and advance practice providers work in our integrated health system to provide our members coordinated care and coverage. Kaiser Permanente Hawai'i has more than 20+ medical facilities, including our award-winning Moanalua Medical Center. We continue to provide high-quality coordinated care for our members and deliver on our commitment to improve the health of our members and the people living in the communities we serve.

Youth in Hawai'i experience tobacco-related harm at alarming rates. Approximately 1,800 youth in Hawai'i under the age of 18 will try cigarettes for the first time each year. In 2023, approximately 28.8% of high school students and 16.9% of middle school students in Hawai'i reported having used electronic tobacco products at least once. In the same year, 13.2% of high school students and 10.3% of middle school students in Hawai'i reported current use of electronic tobacco products. In 2023, approximately 12.1% of high school students in Hawai'i reported ever

smoking cigarettes and 3.0% reported current cigarette use. A 2015 survey also found that an estimated 41,000 high school students in Hawai'i smoked their first cigarette before the age of 13.

To ensure the future health of our communities, we must help young people avoid becoming hooked on these addictive products. Flavored tobacco plays a key role in convincing young people to try these products. As such, **Kaiser Permanente Hawai'i supports ending the sale of all flavored tobacco products, including flavored e-cigarettes, as we view flavored tobacco as a threat to public health.**

Further, flavored tobacco is extremely prevalent in vaping products, the use of which continues to rise among teens. There are many risks of vaping for teens and young adults, including:

- Inhaled nicotine harms brain development and can lead to addiction and the use of more harmful tobacco products;
- Known short-term health effects and unknown long-term effects; and
- Flavoring and other ingredients may be toxic, and vaping still has negative second-hand smoke effects.

We are particularly concerned about the availability and appeal of flavored tobacco products to youth and we believe HB 756, HD1 is a significant step in restricting access to these dangerous products. This legislation is a positive step toward preventing another generation of young people from living with a lifetime of addiction.

We ask the committee to PASS HB 756, HD1. Mahalo for the opportunity to testify on this important measure.

LATE

HB-756-HD-1

Submitted on: 2/6/2025 2:26:08 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeffery Ko	Kilani Market	Oppose	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

My name is Jeff, and I am the owner of Kilani Market, a small, family-run business that has served our community for years. I am writing in strong opposition to HB756, which seeks to ban flavored vapor and menthol products in Hawaii. This bill is not just a threat to my business—it is a threat to my livelihood, my employees, and the stability of our local economy.

Let me be clear: I support efforts to keep harmful substances out of the hands of our youth. But HB756 is not the answer. Prohibition has never worked—it only pushes sales into the shadows, creating an unregulated black market where there are no safety measures, no ID checks, and no consumer protections. Banning these products in legitimate stores like mine will not stop people from finding them elsewhere. Instead, it will open the door to illegal and potentially dangerous alternatives, further jeopardizing public health.

This bill does not take into account the devastating impact on small businesses like Kilani Market. We are already struggling to stay afloat with the rising cost of goods, high taxes, and economic uncertainty. If HB756 passes, it will gut a major portion of our revenue overnight, forcing us to make impossible decisions—cutting jobs, raising prices on essential goods, or even shutting our doors for good. How can small, locally owned stores survive when lawmakers continue to push us out?

What's most frustrating is that laws like this punish responsible businesses and adults while failing to truly address the root issues. If the goal is public health, why not focus on enforcing existing regulations, improving education, and investing in real solutions rather than banning products outright?

I urge you to think about the long-term consequences of this bill. I urge you to think about the families who rely on local businesses for their income, the workers who will lose their jobs, and the unintended harm this will cause. HB756 is not the answer—it is a step in the wrong direction. Please stand with small businesses and oppose this bill.

Mahalo for your time and consideration.

Jeffery H. Ko

Owner of Kilani Market, Oahu

Maui Youth and Family Services-Adolescent Treatment Team Statement: Bill- **HB756 HD1**

One of the concerning trends among the teens the Maui Youth Family Services (MYFS) Adolescent Treatment Team (ATT) serves is the increase in vaping and using cannabis DAB pens. The DAB pens that the teens purchase have high levels of THC with potency levels of 90 %. This high-potency cannabis is affecting every aspect of a teen's life and limits their future options. The current research from the surgeon general's 2024 report is that teen cannabis use impacts adolescent brain development and its ability to grow and can leave them with long-lasting mental health issues. The schools are reporting an increase in seeing students with these DAB pens, and parents have not been educated on the potential and long-lasting harm of this type of drug use. Educators and parents need more education on how high-potency cannabis is affecting adolescent brain development and mental health. Teens are also not aware of the long-term effects of using cannabis DAP pens and being exposed to high-potency cannabis. The MYFS ATT (Adolescent Treatment Team) would like to provide more education in the schools to teachers, parents, and teens about the dangers.

Once a teen begins to vape nicotine in middle school, there is a faster transition to smoking a DAB pen and high-potency cannabis. The ATT has noticed a significant connection between vaping nicotine and transitioning to smoking high-potency cannabis with a DAB pen, which is essentially vaping. This trend will increase in the future, and there will need to be more teen treatment options.

Taking a proactive approach and educating the community about the connection between early youth vaping rates and high-potency cannabis use will hopefully raise awareness and help identify more services for youth who are struggling with cannabis dependency due to this early vaping exposure.

Heather Long, MS., MA., CSAC., PhD Candidate

Program Director

Maui Youth and Family Services

Adolescent Treatment Services

808-264-6696

hlong@myfs.org

LATE

Maui Youth and Family Services-Adolescent Treatment Team Statement: Bill- **HB756 HD1**

One of the concerning trends among the teens the Maui Youth Family Services (MYFS) Adolescent Treatment Team (ATT) serves is the increase in vaping and using cannabis DAB pens. The DAB pens that the teens purchase have high levels of THC with potency levels of 90 %. This high-potency cannabis is affecting every aspect of a teen's life and limits their future options. The current research from the surgeon general's 2024 report is that teen cannabis use impacts adolescent brain development and its ability to grow and can leave them with long-lasting mental health issues. The schools are reporting an increase in seeing students with these DAB pens, and parents have not been educated on the potential and long-lasting harm of this type of drug use. Educators and parents need more education on how high-potency cannabis is affecting adolescent brain development and mental health. Teens are also not aware of the long-term effects of using cannabis DAP pens and being exposed to high-potency cannabis. The MYFS ATT (Adolescent Treatment Team) would like to provide more education in the schools to teachers, parents, and teens about the dangers.

Once a teen begins to vape nicotine in middle school, there is a faster transition to smoking a DAB pen and high-potency cannabis. The ATT has noticed a significant connection between vaping nicotine and transitioning to smoking high-potency cannabis with a DAB pen, which is essentially vaping. This trend will increase in the future, and there will need to be more teen treatment options.

Taking a proactive approach and educating the community about the connection between early youth vaping rates and high-potency cannabis use will hopefully raise awareness and help identify more services for youth who are struggling with cannabis dependency due to this early vaping exposure.

Heather Long, MS., MA., CSAC., PhD Candidate

Program Director

Maui Youth and Family Services

Adolescent Treatment Services

808-264-6696

hlong@myfs.org

LATE

LATE

HB-756-HD-1

Submitted on: 2/6/2025 2:34:44 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Meiyun He	S&K Wholesale	Oppose	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Meiyun He, and I am a local business owner operating a tobacco wholesale business in Hawaii. I strongly oppose HB 756 due to its devastating impact on local businesses like mine. The proposed ban on menthol and flavored tobacco products would wipe out nearly 70% of my sales, threatening not only my business but also the many local retailers that depend on these products to stay afloat. This bill would hurt responsible, taxpaying businesses while doing little to address the real issues of youth access and illegal sales.

Beyond the economic consequences, HB 756 undermines public health efforts by eliminating FDA-authorized vapor products that have been scientifically reviewed and shown to help adult smokers transition away from combustible cigarettes. By removing regulated alternatives, this bill could unintentionally push more consumers back to traditional smoking, reversing progress in tobacco harm reduction. Public health policies should be based on harm reduction strategies, not broad bans that limit consumer choice and discourage smoking cessation efforts.

Additionally, prohibition has historically fueled illicit markets, and this bill is no exception. If menthol and flavored products are banned, demand will not disappear it will simply shift to illegal sources, making it easier for youth to obtain unregulated products through the black market. Instead of restricting legal businesses that comply with regulations, the state should focus on enforcing existing laws to prevent underage access. I urge you to oppose HB 756 and consider more effective approaches to regulation that protect both public health and local businesses. Mahalo for your time and consideration.

Sincerely,

Meiyun He

S&K Wholesale

LATE

HB-756-HD-1

Submitted on: 2/6/2025 2:48:43 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Juan He	Nonstop Convenience	Oppose	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Juan He, and I am a local business owner operating a convenience store in Hawaii. I strongly oppose HB 756 due to the severe impact it will have on small business owners and their livelihoods. The proposed ban on menthol and flavored tobacco products would eliminate nearly 70% of my sales in this category, making it extremely difficult to sustain my business, support my employees, and continue serving my community. Many small, locally owned stores like mine depend on these legal sales to stay afloat, and this bill would force closures, cutting jobs and reducing tax revenue that funds essential state programs.

Beyond the economic devastation, HB 756 also backtracks on public health efforts by eliminating FDA-authorized vapor products that help adult smokers transition away from combustible cigarettes. These products have undergone extensive scientific review and have been approved based on their potential to reduce harm. By banning them, the state would be pushing adult consumers back to traditional cigarettes, undoing years of progress in smoking cessation and harm reduction. Instead of supporting a strategy that helps smokers quit, this bill removes safer alternatives and limits consumer choice.

Additionally, this ban will only fuel a thriving black market, making it even easier for youth to access unregulated, potentially dangerous products. Prohibition does not eliminate demand—it simply shifts sales to illegal sources where there are no age restrictions or product safety standards. Instead of penalizing responsible business owners who comply with the law, the state should focus on stronger enforcement of existing regulations to prevent youth access. I urge you to oppose HB 756 and consider a more balanced approach that protects public health while allowing local businesses to survive. Mahalo for your time and consideration.

Sincerely,

Juan He

LATE

HB-756-HD-1

Submitted on: 2/6/2025 2:50:20 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Yi	Kona Liquor Store	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to HB 756

Aloha Chair and Members of the Committee,

My name is Brian Yi, and I am a local business owner in Kona, Hawai‘i. I am writing in strong opposition to HB 756, which seeks to ban menthol and flavored tobacco products. While I understand and respect the intent behind this bill, the reality is that it will have severe unintended consequences for local businesses like mine. Banning these products will not eliminate demand but will instead drive consumers to online sellers and unregulated markets, resulting in significant revenue loss for law-abiding retailers. Many small businesses, including convenience stores and vape shops, rely on the sale of these products to sustain operations, and such a ban could force closures and job losses across the state.

Additionally, the passage of HB 756 will significantly impact state tax revenue. Hawai‘i generates millions of dollars in excise taxes from tobacco and vaping products, a critical source of funding for public health programs, education, and other essential services. By eliminating legal sales of menthol and flavored tobacco, the state will inadvertently reduce tax collections while failing to curb overall consumption. Consumers will turn to online retailers, neighboring states, or illicit markets that do not contribute tax revenue to Hawai‘i. This policy could create a financial gap that will have to be filled by other means, potentially burdening taxpayers and harming the very communities this bill aims to protect.

Finally, this bill will disproportionately impact responsible adult consumers who choose these products legally. Menthol products, in particular, are preferred by a large segment of adult smokers, and banning them will not stop consumption but rather push it underground. Instead of outright bans, I urge lawmakers to consider more effective, balanced solutions, such as stronger enforcement against youth access and public education campaigns. A collaborative approach

would better serve the interests of public health while preserving local businesses and tax revenue. For these reasons, I respectfully urge you to vote NO on HB 756. Mahalo for your time and consideration.

Sincerely,

Brian Yi

Owner, Kona Liquor Store

Tobacco & Vaping 101:

Hawaii 2025

LATE

Lawmakers are often bombarded with misinformation on the products used by adults in their state. This annual analysis provides up-to-date data on the adults who use cigarettes and e-cigarette products in the Aloha State. This information also includes data on youth use, impacts of e-cigarettes and analyses of existing tobacco monies.

Key Points:

- In 2023, 102,737 Hawaii adults (9 percent) were currently smoking. This is a 27.4 percent decrease from 2022 and represents 38,905 fewer adults smoking.
- In 2023 (among all Hawaii adults), 5.6 percent of 18- to 24-year-olds, 10.3 percent of 25–44-year-olds, 10.9 percent of 45–64-year-olds, and 7 percent of adults aged 65 years or older were currently smoking combustible cigarettes.
- Among all adults earning \$25,000 or less in 2023, 18.7 percent were currently smoking compared to 5.9 percent of adults earning \$50,000 or more.
- Among all smoking adults in Hawaii in 2023, 26.7 percent were Asian, 25.6 percent were Multiracial (non-Hispanic), 21.1 percent were White, 13.8 percent were Native Hawaiian/Pacific Islander, 11.5 percent were Hispanic, and 1.3 percent were Black.
- In 2023, 115,294 Hawaii adults (10.1 percent) were currently using e-cigarettes. This is a 14.8 percent increase from 2022 and represents 14,774 additional adults vaping.
- Among all vaping adults in Hawaii in 2023, 24.4 percent were 18 to 24 years old, 56.4 percent were 25 to 44 years old, 14.5 percent were 45 to 64 years old, and 4.7 percent were 65 years or older.
- In 2023, for every one Hawaii high school student who was smoking, more than 68 adults were currently using cigarettes.
- In 2023, for every one Hawaii high school student who was vaping, more than 17 adults were currently using e-cigarettes.
- The introduction of e-cigarettes has not led to increases in cigarette smoking, but rather, correlates with significant declines in smoking rates among young adults.
- Between 2016 and 2023, smoking rates among Hawaii adults aged 18 to 24 years old decreased by 53.3 percent.
- E-cigarette use has declined among Hawaii young adults. Between 2022 and 2023, e-cigarette use among 18- to 24-year-olds decreased by 17.9 percent.
- Cigarette excise taxes in Hawaii disproportionately impact low income and low education persons, while failing to significantly reduce smoking rates among that class.
- Among Hawaii adults earning \$25,000 or less, smoking rates increased on average by 0.4 percent annually between 2003 and 2023, while rates among adults earning \$50,000 or more decreased by 3.3 percent during the same period.
- In 2023, among Hawaii adults who did not graduate high school, 18.7 percent were currently smoking, while only 4.8 percent of college graduates were smoking.
- Hawaii woefully underfunds programs to prevent youth use of tobacco and/or vapor products and help adults quit smoking, while simultaneously receiving millions of dollars from the pockets of the adults who smoke. In 2023, for every \$1 the state received in tobacco monies, it spent only \$0.06 on tobacco control efforts.

Tobacco & Vaping 101:

Hawaii 2025

Adult Combustible Cigarette and E-Cigarette Use

In 2023, according to data from the annual Behavioral Risk Factor Surveillance System survey, conducted by the Centers for Disease Control and Prevention, an estimated 102,737 adults (or 9 percent of Hawaiians) were currently smoking. This is a 27.4 percent decrease from 2022 when 12.4 percent reported current cigarette use. There were 38,905 fewer adults smoking in 2023 compared to 2022.

In 2023 (among all Hawaii adults), 5.6 percent of 18- to 24-year-olds, 10.3 percent of 25–44-year-olds, 10.9 percent of 45–64-year-olds, and 7 percent of adults aged 65 years or older were currently smoking combustible cigarettes. Between 2022 and 2023, smoking rates among 18- to 24-year-olds increased by 86.7 percent, yet they decreased among 25–44-year-olds by 27.6 percent and among 45–64-year-olds by 6.5 percent. Smoking rates increased by 22.8 percent among adults aged 65 years or older.

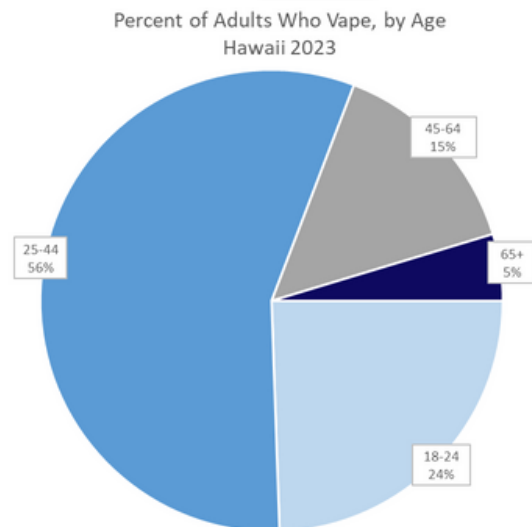
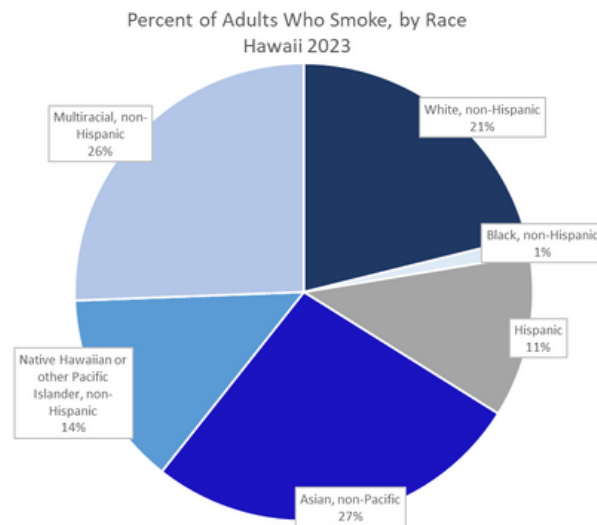
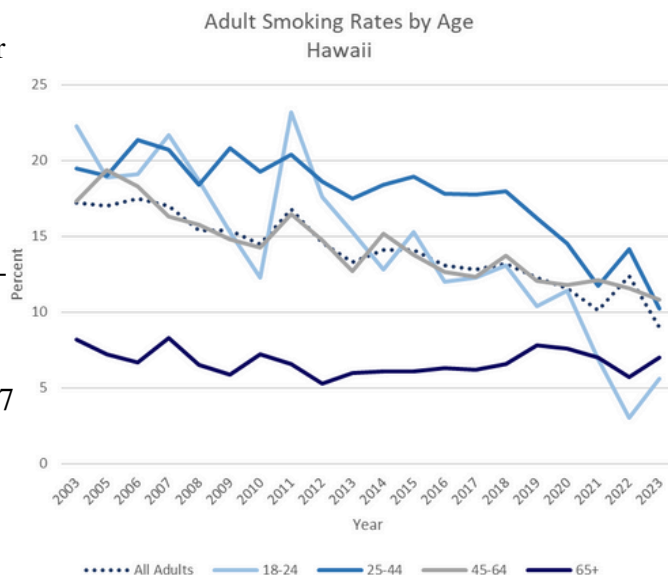
Among all adults earning \$25,000 annually or less in 2023, 18.7 percent reported currently smoking, compared to 5.9 percent of adults who earned \$50,000 or more per year.

In Hawaii, Native Hawaiian/Pacific Islander adults reported smoking at a greater percentage of their identified race at 13.1 percent. This is compared to 12.8 percent of Multiracial (non-Hispanic) adults, 11.7 percent of Hispanic adults, 9.3 percent of Black adults, 7.9 percent of White adults, and 6.1 percent of Asian adults.

Yet, Asian adults made up a larger percentage of Hawaii's total adults smoking population. In 2023, Asian adults accounted for 26.7 percent of Hawaii's current smoking population, compared to Native Hawaiian/Pacific Islander adults, who made up 13.8 percent. Multiracial (non-Hispanic) adults accounted for 25.6 percent, White adults made up 21.1 percent, Hispanic adults accounted for 11.5 percent, and Black adults made up 1.3 percent of Hawaii's adult smoking population in 2023.

In 2023, an estimated 115,294 Hawaii adults (or 10.1 percent) were currently using e-cigarettes. This is a 14.8 percent increase from 2022 when 8.8 percent reported current e-cigarette use. There were an estimated 14,774 additional adults vaping in 2023 compared to 2022. There has been a 134.9 percent increase in adults vaping between 2016 and 2023. There were an additional 67,079 Hawaii adults vaping in 2023 compared to 2016.

Among Hawaii adults currently using e-cigarettes in 2023, 24.4 percent were 18 to 24 years old, 56.4 percent were 25 to 44 years old, 14.5 percent were 45 to 64 years old, and 4.7 percent were 65 years or older. Among adult e-cigarette users in Hawaii in 2023, 75.6 percent were 25 years or older.



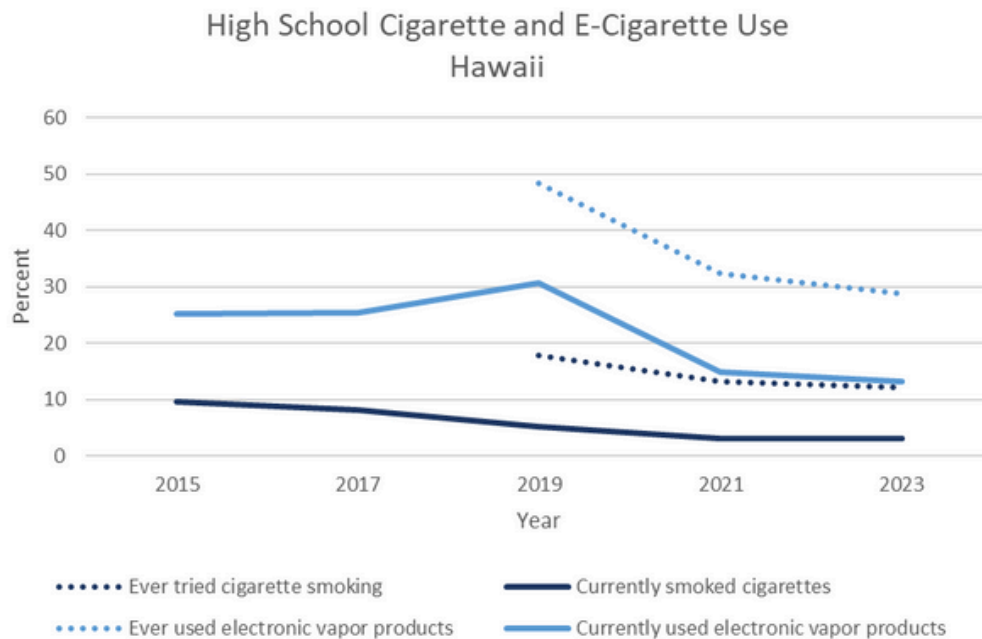
Tobacco & Vaping 101:

Hawaii 2025

Youth Combustible Cigarette and E-Cigarette Use

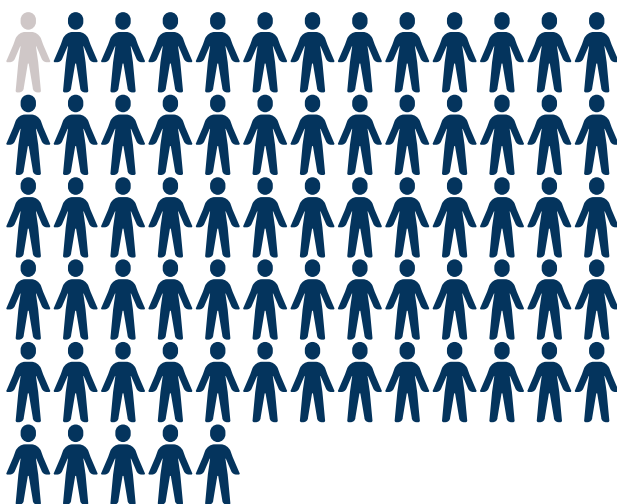
Youth smoking rates are at historic lows in the Aloha State. In 2023, 12.1 percent of high school students reported ever trying combustible cigarettes, while 3 percent reported currently smoking, or having used the product on at least one occasion in the 30 days prior. In 2023, approximately 1,494 Hawaii high school students were smoking, compared to an estimated 102,737 Hawaii adults aged 18 and over who were currently smoking. For every one high schooler student smoking in 2023 in Hawaii, more than 68 adults were currently smoking.

Youth vaping continues to decline in the Aloha State. In 2023, 28.8 percent of Hawaii high school students reported ever using an e-cigarette, and 13.2 percent reported current use. Between 2019 and 2023, ever-use of e-cigarettes decreased by 40.4 percent, while current use declined by 56.9 percent. In 2023, approximately 6,574 Hawaii high school students were vaping, compared to 115,294 Hawaii adults aged 18 and over who were currently vaping. For every one high schooler vaping in 2023 in Hawaii, more than 17 adults were using e-cigarettes.



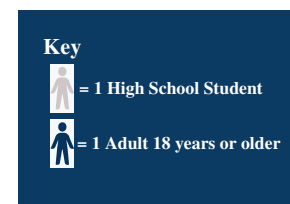
Youth to Adult Smoking Ratio

Hawaii 2023



Youth to Adult Vaping Ratio

Hawaii 2023



Tobacco & Vaping 101:

Hawaii 2025

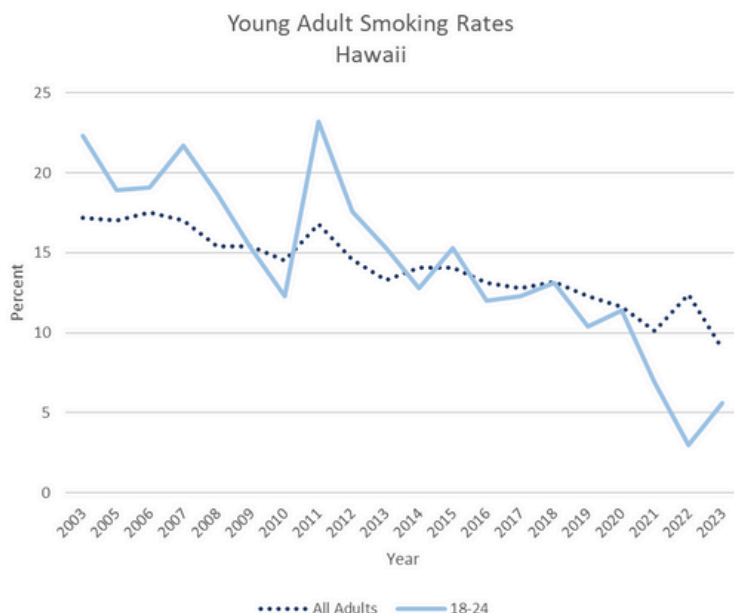
Young Adult Cigarette Use

The introduction of e-cigarettes has not led to increases in young adult cigarette smoking, but rather, correlates with significant declines.

In 2016, 12 percent of Hawaiians aged 18 to 24 years old were currently smoking. Between 2016 and 2023, smoking rates among young adults in the Aloha State decreased by 53.3 percent. Comparatively, among all Hawaii adults, smoking rates decreased by 31.3 percent during the same period. Interestingly, young adult smoking rates have increased in recent years, and should be monitored in future years. Between 2022 and 2023, young adult smoking rates increased by 86.7 percent, compared to a 27.4 percent reduction among all adults.

E-cigarette use has declined among young Hawaii adults. In 2023, 22.5 percent of 18- to 24-year-olds were currently using e-cigarettes, which was a 17.9 percent decrease from 2022.

Given the epic lows in young adult smoking rates, lawmakers must refrain from policies that restrict access to alternatives to smoking.

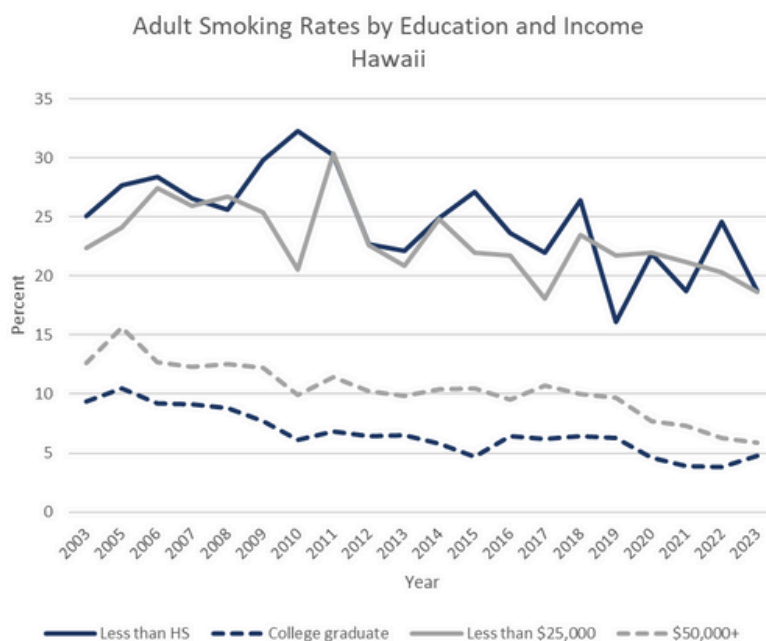


Effects of Cigarette Excise Taxes

Hawaii currently imposes a \$3.20-per-pack state cigarette excise tax. Lawmakers often justify excise taxes on cigarettes to deter persons from using combustible cigarettes. These taxes not only disproportionately harm lower income and lower educated adults; the taxes also fail to significantly reduce smoking rates among those persons.

Among Hawaii adults earning \$25,000 or less, smoking rates increased on average by 0.4 percent annually between 2003 and 2023, while rates among adults earning \$50,000 or more decreased by 3.3 percent during the same period. Among Hawaiians who did not graduate high school, 18.7 percent were currently smoking in 2023, compared to 4.8 percent of college graduates who were smoking.

Lawmakers should refrain from enacting further increases in cigarette taxes given their disproportionate effect on low-income persons, while failing to reduce smoking rates.



Tobacco & Vaping 101:

Hawaii 2025

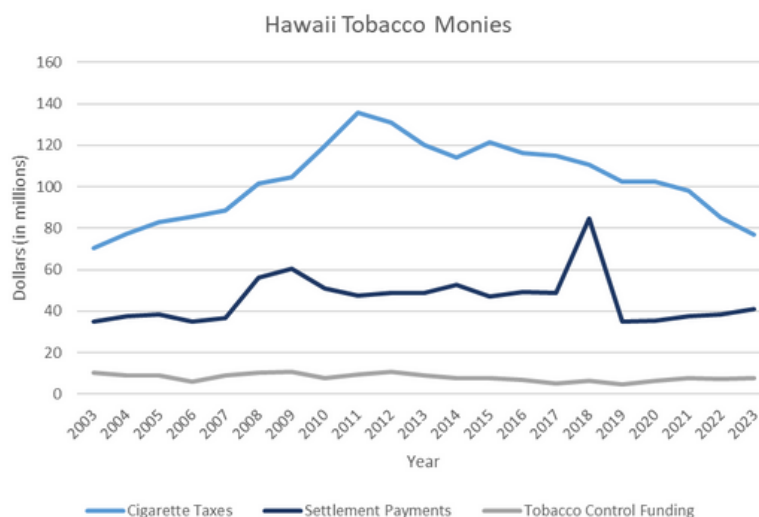
Tobacco Monies

Each year, states receive billions of dollars borne out of the lungs of persons who smoke. This revenue includes excise cigarette taxes and settlement payments. Yet, each year, states spend miniscule amounts of tobacco-related monies on programs to help adults quit smoking and prevent youth use.

In 2023, the Aloha State collected \$76.8 million in state excise tax revenue from combustible cigarettes. This was a 9.8 percent decrease from 2022's \$85.1 million, or \$8.3 million less. Between 2003 and 2023, Hawaii collected more than \$2.1 billion in cigarette taxes.

Since the 2000s, Hawaii has collected annual settlement payments from tobacco manufacturers based on the percentage of cigarettes and tobacco products sold in the state in that year, after successfully suing manufacturers for smoking-related health care costs. Hawaii collected \$40.9 million in settlement payments in 2023, a 6.5 percent increase from 2022's \$38.4 million, or an additional \$2.5 million. Since 2003, the Aloha State collected more than \$964 million in tobacco settlement payments.

While Hawaii collected \$117.7 million in tobacco-related monies in 2023, the state allocated only \$7.6 million in state funding towards tobacco control programs, including cessation, education, and youth prevention efforts, which was a 2.7 percent increase in funding from 2022's \$7.4 million, or an additional \$200,000. This amounts to 9.9 percent of taxes and 18.6 percent of settlement payments. In 2023, for every \$1 the state received in tobacco monies, it spent only \$0.06 on tobacco control efforts. Between 2003 and 2023, Hawaii collected more than \$3.1 billion tobacco monies, yet spent only \$168.6 million (or 5.4 percent) on tobacco control efforts during the same period.



References

1. Data on adult smoking rates comes from the Centers for Disease Control's Behavioral Risk Factor Surveillance Survey including sections on "Demographics - Race," Tobacco Use - All Categories," and "E-Cigarette Use." Accessed October, 2024. <https://www.cdc.gov/brfss/brfssprevalence/>.
2. Data on race and age was compiled using population data from the Annie E. Casey Foundation (<https://datacenter.kidscount.org/>) and Demographic data from the CDC to cross reference the racial population. Then, data from Smoking and Race, and E-Cigarettes and Age, was used to determine the percent of adults who were smoking in 2023.
3. Data on youth tobacco and vapor product use comes from the CDC's Youth Risk Behavior Survey. Accessed October, 2024. https://www.cdc.gov/tobacco/data_statistics/surveys/nyts/index.htm.
4. Data on tax information comes from Orzechowski and Walker, "The Tax Burden on Tobacco Historical Compilation Volume 58, 2023. Print.
5. Data on tobacco settlement payments is from Campaign for Tobacco-Free Kids, "Actual Annual Tobacco Settlement Payments Received by the States, 1998-2023." Accessed October, 2024. <https://www.tobaccofreekids.org/assets/factsheets/0365.pdf>.
6. Data on tobacco control funding is from Campaign for Tobacco-Free Kids, "Appendix A: A History of Spending for State Tobacco Prevention Programs," Accessed October, 2024. <https://www.tobaccofreekids.org/assets/factsheets/0209.pdf>.

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Scot Z. Matayoshi, Chair

Rep. Cory M. Chun, Vice Chair

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

LATE

Friday, February 7, 2025

2:00 PM – Room 325

Testimony In Support of House Bill 756 House Draft 1 Relating to Health

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 Hawai'i 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 the State Legislature to support House Bill 756 House Draft 1 to restrict the sales of flavored tobacco products to protect youth. Tobacco use remains Hawai'i's and the nation's leading cause of preventable death and disease, taking an estimated 480,000 lives every year in the U.S.

It is imperative that the bill restricts all flavors of tobacco, with no exceptions, including menthol and inclusive of all tobacco products for the following reasons:

- 1. Menthol keeps the most vulnerable addicted.** Overwhelming scientific evidence not only supports the restriction of menthol cigarettes to protect public health and save thousands of lives, but also indicates that restrictions should be implemented urgently. The prevalence of menthol tobacco use has remained constant in recent years, despite declines in non-menthol tobacco usage¹. Menthol flavored tobacco products disproportionately affect minorities and other vulnerable populations.
- 2. Menthol is a barrier for quitting tobacco.** In a letter to the Food and Drug Administration dated January 22, 2021, the Hawai'i State Attorney General stated that menthol tobacco products "remain a major barrier to smoking cessation and reduction of smoking-related diseases. Although the tobacco industry argues that a ban will increase illicit trade, these warnings are overblown and self-serving. Robust measures for monitoring and enforcement are already in place. A ban on menthol cigarettes will benefit public health and there are no compelling reasons why these products should remain on the market."
- 3. Menthol is preferred by young people because it masks harsh flavors of tobacco.** Research has shown that mint (or menthol) flavors are the most attractive to the young people. In fact, mint is the number one choice for teens who vape nicotine².

¹ Kuiper NM, et al. Trends in sales of flavored and menthol tobacco products in the United States during 2011-2015. Nicotine Tob Res. 2018;20(6):698–706.

² 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

4. **No tobacco product should be exempt from this policy:** while it's tempting to carve out exemptions for certain types of tobacco products, tobacco companies have a history of exploiting those loopholes. In some markets where cigars have been exempted from similar restrictions, they have simply retooled their products to qualify under available exemptions. In addition, different classifications for different tobacco products can lead to confused retailers and unbalanced enforcement, leaving our keiki vulnerable for addiction.

The need for Hawai'i to protect youth from tobacco is more urgent than ever, with youth e-cigarette use reaching epidemic levels. According to the Centers for Disease Control, in 2019, the last year that data was collected and not impacted by COVID-19, nearly every 1 in 3 high schoolers in Hawai'i vape regularly. This is an over 70% increase in youth vaping rates since 2017. Native Hawaiians and Pacific Islanders have even higher vaping rates than the youth state average.³

Because of the evidence presented, **we strongly recommend that there are no exemptions for any tobacco products or flavors, including menthol, in HB 756, HD1.**

The original version of the bill made it clear that the Honolulu City and County Council had a clear mandate to curb youth vaping. By cutting out all exemptions it gives the clearest and most effective path for the Council to ensure that future generations of youth will not be addicted to tobacco products.

The American Lung Association in Hawai'i urges Councilmembers to support and advocate for policies to protect youth from tobacco use by restricting flavored tobacco products. We urge for your support of HB 756 HD1 with the suggested amendments.

Pedro Haro
Executive Director
American Lung Association in Hawai'i
pedro.haro@lung.org

³ American Lung Association. *State of Tobacco Control – Hawai'i*. 2022

HB-756-HD-1

Submitted on: 2/7/2025 10:50:39 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Grace Kang	Chaminade University Nursing Students	Support	Written Testimony Only

Comments:

We are senior nursing students at Chaminade University, currently enrolled in the Public Health course. As part of our academic work, we are undertaking a Community-Based Participatory Research (CBPR) project aimed at assessing the health needs of a specific population. For this project, we have chosen to focus on school-aged children, with a particular emphasis on the concerning rise of vaping among youth in Hawai'i.

Our project seeks to gather data through various methods, including windshield assessments, trend analysis, and collaboration with community members. The ultimate goal is to identify evidence-based interventions that can effectively address this growing issue. In alignment with our research, we strongly support the 808NOVAPE campaign, the 2025 Public Health Agenda from the Hawai'i Public Health Institute, and the Hawai'i Tobacco Prevention and Control Plan 2023.

The National Youth Tobacco Survey reports that 8 out of 10 youth begin using flavored tobacco products, with 25.2% of e-cigarette users engaging in daily use. Alarming, 89.4% of flavored e-cigarette users are middle and high school students. On a national scale, the Centers for Disease Control and Prevention (CDC) reports that 14.1% of the general population uses vaping products. In Hawai'i, however, this statistic is significantly higher, at 30%.

The dangers of vaping and tobacco use among underage individuals cannot be overstated. Vaping can lead to serious respiratory issues, including irritation and inflammation, while nicotine consumption can increase heart rates and blood pressure. Children's bodies and organs are still developing, making them particularly vulnerable to the harmful effects of tobacco products, including both traditional cigarettes and e-cigarettes. Nicotine exposure at a young age can disrupt the development of the brain, leading to cognitive and emotional difficulties. Studies have shown that nicotine can impair attention, learning, and memory, making it harder for children to succeed academically. Additionally, nicotine use in children has been linked to increased impulsivity and a higher risk of developing mental health issues such as anxiety and depression.

Beyond the physical and cognitive impacts, the consequences of vaping extend to academic performance, emotional well-being, and developmental progress. The marketing of vaping products, which often depicts them as trendy and appealing through colorful designs and enticing flavors, plays a significant role in making these products attractive to children. Furthermore, children from lower-income communities are particularly vulnerable to peer pressure and a lack

of awareness about the risks of vaping. Social media trends also influence perceptions, with many young people viewing vaping as a harmless or even "cool" activity.

Our primary objective is to educate the community—particularly school-aged children—about the risks associated with vaping and tobacco use. We aim to empower children to resist peer pressure and make informed decisions to protect their health. To this end, we advocate for the expansion of anti-vaping campaigns, partnerships with local community organizations, and the provision of resources to reduce the prevalence of underage tobacco use.

Thank you for considering our testimony on this critical public health issue. We are committed to supporting efforts like this hearing to ensure that the voices of concerned community members are heard and acted upon.

HB-756-HD-1

Submitted on: 2/5/2025 1:49:11 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Murakami Akatsuka	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 756, HD1 amended version and the appropriation of funds for two full-time program specialist positions and one full-time equivalent hearings officer position to carry out the work needed to assure monitoring, compliance, and enforcement as described.

Thank you for the opportunity to submit written testimony in strong support of HB 756, HD1 for passage this legislative session.

TESTIMONY HB 756 HD 1

To the Judiciary and Hawaiian Affairs Committee

To the Consumer Protection and Commerce Committee

I am a long-time Kauai pediatrician, and I am writing in that role to strongly support HB 756 HD1 banning flavored tobacco products and mislabeling e-liquids as nicotine-free. We are in the midst of a vaping epidemic in Hawaii, with startling statistics – 13.2% of high school students and about 10.3% of middle school students are regular vapers. E-cigarettes and other flavored products are purposely made attractive to our keiki by their fruit, candy, and menthol flavors. They are, in effect, attractive starter drugs for nicotine inhalation. Nicotine is one of the most addictive substances, especially for children, and by exposing young people early, they are easily hooked for life. Vaping products contain much higher nicotine concentrations than individual cigarettes, which is a strategy put forth by tobacco manufacturers to hook vulnerable teens and preteens and maintain nicotine dependence. Menthol is particularly harmful in vaping liquids and cigarettes because of its ability to mask the harshness of tobacco, thereby making it more palatable. This is a recipe for ever increasing medical costs to treat the long-term consequences of nicotine addiction long into the future. The most practical and expeditious way to prevent introducing vaping liquids to children is to prevent the sale of flavored tobacco products in the first place.

There is a clear-cut way to greatly reduce flavored tobacco use by our most precious resource – our keiki. That is to eliminate access to all flavored vaping liquids by legislation. There is absolutely no reason to avoid this responsibility. We owe it to our children

Linda J Weiner, MD

HB-756-HD-1

Submitted on: 2/5/2025 3:06:37 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Valerie Smalley	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs and Members of the Committee on Consumer Protection and Commerce and Committee on Judiciary and Hawaiian Affairs,

As a Tobacco Treatment Specialist I am in strong support of HB756 HD1. The flavors are used to entice and then inevitably addict children and teens. It has also fooled adults who knew the dangers of smoking into thinking that the flavored vapes was a safer way of them quitting smoking. Flavors in any product that is harmful for our health , both short term and long term , needs to be removed. Lets work together to help Hawaii move in the direction of a healhier place for all of us to live.

Thank you

Valerie Smalley

HB-756-HD-1

Submitted on: 2/5/2025 4:05:13 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
mary santa maria	Individual	Support	Written Testimony Only

Comments:

Dear Representatives,

Mahalo for hearing Bill 756 banning the saleing of flavored tobacco products including menthol.

Mahalo for considering that flavors entice and masked the real culprit; nicotine. Nicotine hooks people no matter what the vehicle they use. Youth like all the flavors that are availble to them, and they are not aware that flavors hide the taste of nicotine, which is adictive.

I strongly support this bill. Mahalo again.

M. Santa Maria

a concerned citizen

HB-756-HD-1

Submitted on: 2/5/2025 4:11:11 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Chang	Individual	Oppose	Written Testimony Only

Comments:

:(

HB-756-HD-1

Submitted on: 2/5/2025 4:31:31 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donita Garcia	Individual	Support	Written Testimony Only

Comments: In Hawai‘i, 13.2% of high school students and 10.3% of middle school students still report “current use” of e-cigarettes. With 8 in 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. This legislation will remove the thousands of flavored tobacco products, as well as menthol cigarettes, that are addicting our keiki.

HB-756-HD-1

Submitted on: 2/5/2025 5:03:33 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jake J. Watkins	Individual	Oppose	Written Testimony Only

Comments:

The proposed legislation will destroy local vape businesses and promote a large black market.

Date: February 5, 2025

To: The Honorable Scot Z. Matayoshi, Chair
The Honorable Cory M. Chun, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

The Honorable David A. Tarnas, Chair
The Honorable Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

Re: **Support for HB 756 HD1**, Relating to Health

Hrg: Friday February 7, 2025 at 2:00 pm via Videoconference Conference Room 325

Aloha House Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs,

As a parent, community member and healthcare professional I am writing in **strong support of HB 756 HD1**, which prohibits the sale of flavored nicotine products and nicotine product flavor enhancers and the mislabeling of e-liquids as nicotine free; establishes penalties for violations. Authorizes the Department of Health to appoint, commission, or contract for services of inspectors; establishes positions; and, appropriates funds.

Hawai'i is in the eighth year of a youth vaping epidemic in which 13.2% of all Hawai'i high school students, 33% of Native Hawaiian high schoolers and 27.9% of Pacific Islander high school students report "current use" of e-cigarettes. Additionally, 10.3% of all Hawai'i middle school students report using e-cigarettes.

Flavored products are driving this epidemic, where 85% of youth e-cigarette users use flavored products. Flavors in tobacco products entice youth, while the nicotine keeps them hooked for life. In 2020, 8-in-10 youth who currently used e-cigarettes reported using a flavored product, up from 7-in-10 in 2019.

Menthol is just as, if not more, harmful than any other flavor in tobacco. Notorious for its ability to mask the harshness of tobacco, menthol makes it easier to start and harder to quit. If our aim is to protect our keiki and reduce the burden of tobacco in our communities, we must prohibit the use of menthol in all tobacco products.

Ending the sale of all flavored tobacco products will reduce the appeal of these products, protecting our keiki from a lifetime of addiction, tobacco-related illness and early death.

I **strongly support HB 756 HD1**, respectfully ask you to pass it out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Keaau, HI

HB-756-HD-1

Submitted on: 2/5/2025 6:01:47 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

Strong support. Thank you.

HB-756-HD-1

Submitted on: 2/5/2025 6:08:23 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Arcelita Imasa	Individual	Support	Written Testimony Only

Comments:

Hi,

Please end allowing the selling of flavored tobaccos. It only entices the kids and makes them addicted to harmful cigarettes. As a doctor, I grieve for the cancer, COPD and so many negative health impacts of cigarettes.

Please do our community a favor.

Thank you,

Arcelita Imasa, MD

Family Medicine

HB-756-HD-1

Submitted on: 2/5/2025 6:21:33 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Lina Liu	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Chair and Members,

I strongly support this bill. Choose Health, NOT Profit. Choose Children, NOT Poison.

Please consider passing this bill.

Mahalo,

Alice Lina Liu

HB-756-HD-1

Submitted on: 2/5/2025 7:06:05 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerraine Hignite	Individual	Support	Written Testimony Only

Comments:

I am in strong SUPPORT of HB756 HD1.

Gerraine Hignite

Pearl City

HB-756-HD-1

Submitted on: 2/5/2025 7:38:59 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gail Silva	Individual	Support	Written Testimony Only

Comments:

I am in strong support of this bill in order to protect our community, especially our youth, from these known health risks.

HB-756-HD-1

Submitted on: 2/5/2025 7:39:42 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patty Kahanamoku-Teruya	Individual	Support	Written Testimony Only

Comments:

Strong support on HB756 relating to Health.

HB-756-HD-1

Submitted on: 2/5/2025 10:48:23 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Faun Skyles	Individual	Support	Written Testimony Only

Comments:

Support for HB 756

I strongly support HB 756 to ban flavored nicotine products in Hawai‘i. Flavors mask tobacco’s harshness, fueling youth addiction—81% of young users start with flavored products. Tobacco companies target kids with candy-like flavors, worsening public health and costing Hawai‘i \$526M annually in healthcare. Menthol products disproportionately harm Native Hawaiian, Filipino, and Japanese communities. Passing this bill will protect our keiki and reduce long-term health costs.

HB-756-HD-1

Submitted on: 2/5/2025 11:39:27 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laverne Moore	Individual	Support	Written Testimony Only

Comments:

TESTIMONY BEFORE THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE, COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS**RE: HB 756, HD1 - RELATING TO HEALTH****FRIDAY, FEBRUARY 7, 2025****Chair Matayoshi, Chair Tarnas and Members of the Committee:**

I am Laverne Moore, a former teacher of the Department of Education, who stands in strong support of HB 756 HD1, relating to health. The main focus of this bill that I support is that it prohibits the sale of flavored nicotine products and nicotine product flavor enhancers and the mislabeling of e-liquids as nicotine free.

As a former high school special education teacher, I don't need research to tell me the results of "E-Cigarette Use among youth and young adults. I witnessed first hand the effects of E cigarette use by our students. They have reduced impulse control, mood disorder, deficits in attention and cognition, constantly leaving the classrooms which turn into performing poorly or missing classes, and becoming dropouts.

Are we going to continue having the tobacco industry profit in the billions by impacting the health, safety and lives of our future generation or are you going to listen to the educators and take steps to regulate these products and address the youth vaping epidemic.

I urge you to support this bill. Mahalo, Laverne Moore

HB-756-HD-1

Submitted on: 2/6/2025 1:56:45 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

HB-756-HD-1

Submitted on: 2/6/2025 4:11:58 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Collins	Individual	Support	Written Testimony Only

Comments:

I'm in strong support of this measure. Please pass it to help save the health and lives of our young people!

HB-756-HD-1

Submitted on: 2/6/2025 5:19:29 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Decoito	Individual	Oppose	Written Testimony Only

Comments:

Good Morning,

I am oppose HB756 HD1 as it imposes my rights as an adult. Banning flavored products especially menthol and even flavored e-cigarettes will not stop anyones purchasing habits. This will only open up illegal ways/methods of getting them into the state.

Harshers penalties to establishments that sell to minors is a better option.

HB-756-HD-1

Submitted on: 2/6/2025 5:28:20 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aimee Grace	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in my individual capacity to strongly support this bill.

As a pediatrician and public health professional, we must take all actions necessary to keep tobacco out of the hands of kids.

Mahalo!

Aimee Malia Grace, MD, MPH, FAAP

HB-756-HD-1

Submitted on: 2/6/2025 5:32:25 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John A. H. Tomoso	Individual	Support	Written Testimony Only

Comments:

RE: HB756 HD1

Aloha,

In Hawai'i, 13.2% of high school students and 10.3% of middle school students still report “current use” of e-cigarettes. With 8 in 10 kids starting with a flavored tobacco product, it is strategically prudent and wise, in the best interests of public health, that we prohibit the sale of flavors that are addicting our keiki right now. Please pass this bill to keep our keiki safe from the harms, the veritable preying ways of the tobacco industry.

Mahalo

John A H Tomoso+, MSW, ACSW

51 Ku'ula St

Kahului, Maui, Hawai'i 96732-2906

john.a.h.tomoso@gmail.com

808-280-1749

HB-756-HD-1

Submitted on: 2/6/2025 6:24:32 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Valera	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Jennifer Valera, and I am writing to express my strong support for HB 756, which aims to end the sale of flavored tobacco products. As a mother, coach, health educator, and resident of North Hawaii, I have witnessed firsthand the alarming rate at which our keiki are becoming addicted to electronic smoking devices.

The enticing flavors of these devices, which mimic familiar snacks, candies, cereals, and juices, create a false impression that they are safe for children. This curiosity often leads our youth to take just one hit, exposing them to extremely high levels of nicotine and setting them on a path to lifelong addiction and struggle. Additionally, there is a growing trend of these devices being used to experiment with other illegal substances.

We must take action to protect the keiki of Hawai'i. They deserve a tobacco-free life, one where they can thrive and grow into the future leaders of our state.

Mahalo,

Jen Valera

HB-756-HD-1

Submitted on: 2/6/2025 6:55:02 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy D Moser	Individual	Support	Written Testimony Only

Comments:

In STRONG SUPPORT of HB 756 HD1.

Aloha Chairs and members of the Committees,

Please vote YES on this measure.

Nancy Moser in Waikoloa on Hawai'i Island

Luke Itomura

February 7, 2025

House Committee on Consumer
Protection & Commerce and
Committee on Judicial & Hawaiian
Affairs

TESTIMONY IN STRONG SUPPORT OF HB756



**Photo of Collected Vapes from Schools Across
Hawaii**

Aloha Chair Scot Matayoshi, Vice Chair
Cory Chun, Chair David Tarnas, Vice Chair Mahina Poepoe, and members of the committees,

Thank you for the opportunity to submit testimony in **strong support of HB756**. I am Luke Itomura, a sophomore at Punahou School. Today, I stand alongside numerous Hawaii youth united against the alarming youth flavored vaping epidemic that threatens our health and future. We collectively believe that passing this legislation is an essential step in protecting the health and future of the youth.

At just 13 years old, I was offered a flavored vape by another youth for the first time. This youth smoker used many tactics to peer pressure me into trying it. Their main tactic was telling me it was a delicious Hawaiian Sun flavor; a local favorite. At that moment, I realized how easy it is to fall for the appeal of flavored vapes. My friends in the sixth grade had also mentioned that they were offered flavored vapes. For people as young as twelve, flavors like watermelon or Jolly Rancher are an enticing death trap. What starts as innocent curiosity can turn into a lifelong addiction filled with lung cancer, strokes, heart disease, and countless other diseases. There is no other product on the market that kills up to 50% of its users who don't quit ([WHO](#)).

Past precedent proves that **bills that end the sale of flavored tobacco are effective**. A study published in JAMA Network evaluating statewide restrictions on flavored e-cigarette sales in the US from 2014 to 2020 found that statewide restrictions were associated with reductions of 25.01% to 31.26% in total e-cigarette unit sales compared to states without restrictions ([Ali et al. 2022](#)). Thus, it is clear that similar results will yield from the passage of HB756, protecting our innocent keiki from Big Tobacco

Many opposers bring up the argument that Hawaii would lose tax revenue by ending the sale of flavored tobacco products. However, the full picture must be taken into account. The reality is that while the state would likely see a reduction of tax revenue in the short term,

long-term cost savings would be substantial. A report by the Campaign for Tobacco-Free Kids ([CTFK](#)) found the following:

Annual healthcare costs in Hawaii directly caused by smoking	\$611 million
Medicaid costs caused by smoking in Hawaii	\$152.3 million
Residents' state & federal tax burden from smoking-caused government expenditures	\$955 per household
Smoking-caused productivity losses in Hawaii (from smoking-caused premature death and illness that prevent people from working)	\$1.1 billion

By passing HB756, Hawaii can reduce these costs, thereby saving more in the long run. A study by Stanford University shows that Hawaii can expect these savings: it found that prohibiting flavored tobacco leads to savings in healthcare expenses and increased labor productivity ([Proctor 2013](#)). **84% of Hawaii registered voters support ending the sale of flavored tobacco products**, justifying that this is a highly wanted policy ([Ward Research](#)).

Flavored tobacco has no place in the hands of the youth. Passing HB756 is the first step in securing a tobacco-free future.

Thank you for your time.

Mahalo,

Luke Itomura

HB-756-HD-1

Submitted on: 2/6/2025 8:50:03 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Makaiwi	Individual	Support	Written Testimony Only

Comments:

I am in strong support of HB756 HD1.

HB-756-HD-1

Submitted on: 2/6/2025 8:56:12 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Theresa A Guinasso	Individual	Support	Written Testimony Only

Comments:

To Whom it May Concern,

I currently work for MauiYouth & Family Services as a CSAC (Certified Substance Abuse Counselor) on the High School campus, Kulanihako'i in Kihei. I see students all day long that come to me because they have gotten addicted to vaping. They report that flavors, especially new attractive flavors keep them addicted and trying more. Personally I feel that we need to not only stop flavors but also more stringent support in the sale of these substances to minors and adults. The chemicals in these products are very dangerous and designed to keep people hooked. The amount of healthy issues, including obstruction to brain development should give us great concern. A young person's brain continues to develop until approximately 25 and any substance that is introduced before full development leads to a higher likelihood of ongoing use or addiction throughout life as compared to someone who starts later in life.

Please protect our youth and place greater restrictions on these companies creating toxins that have serious consequences.

Thank you for listening,

Sincerely,

Theresa Guinasso, MA, CSAC

February 5, 2025

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

My name is Dylan Arisumi, and I am a high school student attending Maui High School. I serve as a member of the youth council for the Coalition for Tobacco-Free Hawai'i. I am in **strong support for HB756**.

As a student, it's hard to ignore when people think vaping is just a harmless trend, but it's not. I've seen how flavored vapes are marketed directly to people like me. Fruit, candy, mint—these flavors make vaping seem harmless, almost like a fun treat. But they're not. Flavored vapes are a gateway for young people to get hooked on nicotine. It's easier to ignore the dangers when the product tastes like candy or fruit. For those of us who play sports, vaping can have an even greater impact. Nicotine and other chemicals found in vapes can harm lung function, making it harder to breathe during physical activity. This means reduced stamina, slower recovery, and less endurance, which can really hold you back in sports. The chemicals can also mess with your brain, affecting focus, coordination, and reaction time—critical things you need in sports. It's really troubling when I see younger students getting involved, thinking it's cool or safe.

Thank you for allowing me to testify and for supporting the youth and our future

Dylan Arisumi
Kahului

Chairs Representative Matayoshi and Representative Tarnas
Vice Chairs Representative Chun and Representative Poepoe
Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I am writing in **strong support of HB756**.

Why is this important? I believe flavored tobacco products are targeting kids because the flavors sound like candy. For example cotton candy, blue raspberry, and more. The impact of nicotine addiction I see in students in my school and community is negatively affecting their academics, participation in sports and clubs, and relationships with family and friends. Due to industry marketing and the wide range of flavors youth look at e-cigarettes like it's normalized and use it to cope with their mental health problems. They often start through other students or someone they know. We're in an age group where we can be so easily influenced that, when one friend does it, so does the whole friend group.

One time during my free period at school my friends were hanging out. another friend came up to us and she sat down. She started vaping said she was vaping and the smoke detector in the bathroom went off and it started saying that security was being called so she ran away. Instead of trying to catch and punish youth who are addicted, we need to get rid of the flavors so they don't even start.

Thank you for the opportunity to testify.

Kaycee Miguel
Ewa Beach

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe

Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

My name is RJ and I am in strong support for bill **HB756** to end the sale of flavored tobacco products.

I have seen many impacts of nicotine addiction in my peers. They seem to feel like they need their vape to get by the day or they will feel poorly. They are so fixated on making sure they get a puff to feel better and perform better. I know peers that vaped that stopped doing what they loved after they started vaping, and I know peers that take vape breaks.

One personal example of how vaping has affected me is I had a best friend lash out at me, and almost got physical because they lost their vape which they just misplaced. They have not apologized and I thought I was a good enough friend to them that they would even have the decency to apologize.

Another example of how vaping has personally affected me is in the last 7 months of owning a license because the driver was distracted from using their vape. During one of these occurrences I noticed that they were reaching for something in the passenger seat, and low and behold it was their vape. That particular event happened when I was on my way to provide testimony at the last Maui County Council hearing that passed our flavor ban in December.

Based on my personal experiences with members in my community who vape, we need to end the sale of flavored tobacco products."

RJ
Lahaina

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

I'm writing to show my support for **HB756**. It would reach the goal of finally ending the sale of flavored tobacco products in our communities and finally protect the youth.

I have seen first hand how vaping can affect youth. It started off in my Sophomore year when I heard that one of the most popular boys bathrooms was closed due to extensive tobacco usage. The smell was coming outside of the door and was barricaded for a long time, preventing anyone from entering. I never knew anyone personally who used tobacco products, but as I grew up, I realized that I knew many of the people who went into the bathrooms to use vape products. I heard news about students using it secretly, and I realized how big of an issue it was. It was so secretive, however, that I hadn't realized until too late. Some of my childhood friends began to use the products, just to try it at first, and started using them more frequently as they gained more access. While I don't think they became addicted, just trying the products in the first place was an immense concern because that is how addictions start.

Tobacco companies are intentionally targeting youth and creating the youth vaping epidemic that we are all experiencing. The fact that flavored tobacco products have innocent flavors and brand names like Hawaiian Sun, Lychee, or even something simple like Bubblegum shows how vapes are targeted towards children. No adult would likely buy such innocent flavors. The flavors and designs of these products entice children, convincing them that it might not be so bad in the beginning, and slowly spiral them into large addictions.

I know how secretive my peers can be when it comes to using tobacco products. Some come to school completely normal, but I know that they used such products over the weekend with their friends. It's a terrifying realization that those around me use those products frequently, eventually leading to addictions that will affect their lives forever. Many of these peers are incredible individuals: they have dreams and the skills to achieve them. Tobacco products and peer pressure to use them both in and out of school should not come in the way of their futures. No financial or other factor should come close to this argument, because these are the futures of youth. Once you start, it's so hard to fix yourself. So let's make sure that people don't start at all.

Chani Chung
Ala Moana

Chairs Representative Matayoshi and Representative Tarnas
Vice Chairs Representative Chun and Representative Poepoe
Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I **support HB756** and its mission to end the sale of flavored tobacco products.

Flavored tobacco products are hooking kids. All of the people I know who use flavored tobacco (vapes) are all under the age of say 17. I know that there are adults who use these products as well, however they are not the majority that I see. Flavors are used to hook people, kids especially, as they make it seem like no big deal, like candy. One of my friends who do vape are hooked not only on specific flavors but also vapes that you can play games on supposedly. The more interesting and inviting the products can seem, the more likely they are to hook kids.

I want these products to be banned due to the effects they have on people's health and to make sure no more of my peers get hooked. I hate to think about how damaged my generation can become just because they got hooked on a flavor while they were younger. I want to live in a future where my peers aren't being targeted by harmful tobacco products.

Rya Ortogero
Kahului

Representative Matayoshi and Representative Tarnas
Representative Chun and Representative Poepoe
Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I'm writing to **support HB756**. This bill would finally end the sales of flavored tobacco products. The tobacco companies have been targeting youth and hooking them on their dangerous substances.

As a current high school student, I see the adverse effects Tobacco products can have on my peers, and helping to end the selling of those products as a whole, and not just in kids, would significantly change the lives of many of those students. When I think back to my experience with flavored Tobacco products, I immediately remember the time when I had to go to the bathroom so wrong that I went during my school's recess period. Ordinarily, I try not to go to the restroom during school hours because I have heard stories about the housing of nicotine use, yet I was still shocked at the number of artificial sick flavors that hit my nose as soon as I stepped inside. There were about four girls, all so consumed with gossiping while smoking their e-cigarettes that they did not even notice when I immediately turned around to leave. I never went to that bathroom again, but I still think about how they were smoking something they knew was not allowed in a public school bathroom and did not even notice when someone walked inside.

It was almost as if it was normalized in middle schools where most students are ages 11 to 14, even though the legal age is 21. Passing this bill will put an end to the illegal substance abuse going on in middle schools, high schools, and even elementary schools, which in turn will lead to more students making the right choices for their bodies.

Please support **HB756**, Thank You for Reading,
Violet Kato

Chairs Representative Matayoshi and Representative Tarnas
Vice Chairs Representative Chun and Representative Poepoe
Members of the Committee on Consumer Protection and Commerce
and Judiciary and Hawaiian Affairs

I **support HB756** so that less people can smoke and vape, especially kids since they are so young and it will hurt them early on if they vape at such a young age. I believe flavored tobacco products are targeting kids because kids love to have flavored things and will enjoy things if they are their favorite flavors. These flavors are often fruity and named in a way where it targets kids like a bubblegum flavor for example.

Impacts of nicotine addiction that I see is wasting a lot of money and time doing these products that have nicotine in them. I know a few people who have been addicted to vapes and cigarettes often starting with products that have a flavor in them. Their addiction has impacted them and others around by often not being able to go over 20 minutes without hitting their vape again and they often begin to cough a lot.

I'm in support of HB756 because that is in the step of finally working towards becoming a tobacco free generation.

Kaulana Kraan
Aiea

Aloha Chairs Representative Matayoshi and Representative Tarnas, Vice Chairs Representative Chun and Representative Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs.

I strongly support **HB756**.

In my middle school, I haven't seen but I heard from some friends about their classmates going in the bathrooms during class and vaping with stuff they somehow got their hands on. Flavors is what is pulling kids to vape more because both the feeling of vaping and the taste is probably more enjoyable than tasting smoke.

Please end the sale of flavored tobacco products to help protect people from vapes.

Mahina
Maui

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

I support HB756.

Some of the impacts of nicotine addiction that I see in the students are hiding in the bathroom to do vape, overall making the bathrooms an unsafe space. I have a friend who did not like the idea of going to the bathroom alone. At the time I could just laugh as a friend but in hindsight the overall stigma and stereotypes of youth using these types of things likely made him feel unsafe. We all deserve to feel safe in our communities and should not feel like we can't enter certain spaces.

This is especially happening to kids because of flavors. It's disgusting how companies are masking vapes under the guise of different flavors, pushing the notion that vapes are a treat akin to candy, with candy/treats being desirable for kids. It is a decision very clearly being done to target children, who are very vulnerable. It's one more thing to trap them into trying it just once to see what the flavors all about, in an addiction that only benefits the companies who market them.

Even if it makes my friends feel unsafe, I believe it's unfair to punish the youth of our age for getting addicted to a substance that they were being subconsciously and maliciously drawn to by big companies. Of course it's not appropriate to vape in class, but we should definitely have help rather than bring down the mindset.

Logan Ortogero
Kahului

Chairs Scot Matayoshi and David Tarnas

Vice Chairs Cory Chun and Mahina Poepoe

Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I **strongly support HB756**, with the goal of ending the harmful sale of flavored tobacco products.

Flavored tobacco products are targeted towards kids. Products often have colorful, eye-catching packaging that resembles candy or snacks, making them more appealing to younger consumers. Flavors often have names that are incredibly vibrant and fun, which can sound appealing to many children. Teens may think that the minty cooling flavor of menthol is less harmful and forgiving than regular tobacco products. However, this is not the case. Vaping in youth has become a massive problem that is affecting the community and that is due to how flavor tobacco is being targeted to us youth.

I believe flavored tobacco products are a direct threat to my health and the health of my peers. I ask you to act now by banning these products and restoring local governments' authority to regulate tobacco, ensuring a safer future for all of us.

Louis Taguchi

Honolulu

January 20th 2025

Aloha Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

I strongly support **HB756** because of the impact I am seeing it has on my friends, community, and youth.

One personal experience is my close college friend vapes and she started with flavored disposable vapes. Whenever she is anxious, she reaches for her vape even though she knows it's not actually helping her in any way. She has recently started smoking menthol cigarettes as well, furthering her nicotine addiction. I am concerned because she now uses both vapes and cigarettes, and I believe this would not have happened if menthol flavors had not been added to tobacco products. She hates the smell of straight tobacco, so had flavors not been added, she probably wouldn't smoke at all.

Flavored tobacco products, especially menthol, must be banned as it is another avenue for youth to become addicted. My close friend, like many others, was first drawn to vaping because of the flavored options, and now that addiction has progressed to smoking cigarettes. The addition of menthol flavors to cigarettes has only made the transition easier for her.

What's also troubling is that she often asks to vape in a car, spreading chemicals around through secondhand smoke. This has the potential to harm others around her, particularly when it comes to children or non-smokers. This is a serious concern that our local governments should address.

It is clear that flavored tobacco products are a daily issue for many youth, our State must address the growing problem.

Thank you for considering this important issue.

Theresa Ng
Honolulu

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe

Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian
Affairs

I strongly support HB756 so that we can end the youth vaping epidemic.

I do not know anyone personally who has become addicted to tobacco products, but I have seen many others in my community and in my school who are constantly craving for the next hit of their vape or waiting for the next moment they can smoke. In school, some students have become so addicted that they smoke in the classrooms and bathrooms because they can't fight their addiction. It makes others around them uncomfortable and puts the individual facing the addiction in a position where they can get in trouble if they haven't already. It affects so many aspects of their lives. Students become so focused on the next time they'll be able to smoke that they stop focusing on their education. Oftentimes, these people with addictions are trying to cope with issues they already have, and smoking only amplifies their issues, creating disorder in their lives. They don't focus on what's important for their success and focus on their addiction instead.

Flavors hook kids. Tobacco companies don't care what happens to their consumers as long as they are able to make money. Kids are easily influenced and nicotine addiction only keeps these kids coming back for more, keeping tobacco companies running. Menthol flavors are appealing to kids. A kid most likely wouldn't want to smoke something that is flavorless and "boring." But when colors and flavors are added to these products, kids will want to participate. Penalizing instead of offering support and counseling for youths struggling with addiction can only add to the negative emotions they are already feeling dealing with their addiction. Penalties may only draw them closer to their addiction rather than leaving it behind.

I have a history of smoking in my family, and it has caused me to lose important people in my life sooner than expected. Smoking isn't the solution to struggles and hardship in life, and only amplifies those negative feelings. After my dad came back from war, he smoked almost every day to cope with the trauma he had faced, but he realized that if he continued to use smoking as a way to cope with his struggles, he wouldn't be able to be around long enough to raise his 4 daughters and maintain a strong family relationship with us.

Addison
Aiea

Chairs Representative Matayoshi and Representative Tarnas
Vice Chairs Representative Chun and Representative Poepoe
Members of the Committee on Consumer Protection and Commerce and
Judiciary and Hawaiian Affairs

I'm in full **support of HB756**. It's something that will really make a difference.

Even though I never tried to vape or smoke, I did have friends around me who vape or smoke. Most of the people that I see that take usage do start to care less about their academics, clubs, and sport. The parents relationship is also deteriorated but depending on the friends they are around with, it seems like it doesn't affect it. It is being advertised as being a healthier option to smoking real cigarettes. However, vaping is definitely more dangerous as it contains more nicotine than the normal cigarettes.

Flavors make it easier to start smoking but harder to quit so it can have a negative influence on teenagers in Hawaii. We should definitely stop anything that contains a harmful dose of nicotine.

Instead of punishing kids for getting hooked on vapes, there should be some kind of reinforcement to prevent more tobacco use. We should ban flavored tobacco so kids will not be exposed to harmful doses of nicotine.

Darren
Aiea

Chairs Representative Matayoshi and Representative Tarnas
Vice Chairs Representative Chun and Representative Poepoe
Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I support HB756 because it will cause meaningful change.

One personal experience I have had is my friend is addicted to vaping, they started vaping a peach ice vape. Their addiction has impacted them because she started getting more headaches and started to feel sick more often. She would never leave anywhere without her vape. We were very close but when she started vaping and using her vape often she started to become grumpy and put in a not so good mood. We would talk less and less and then later on we stopped being friends and our friendship was over because of a vape.

The impact of nicotine addiction I see in students at my school is they have a harder time focusing and learning in class. Vaping is definitely affecting their academics for the peers in my community. But I don't think there should be youth penalties because it is not fair since they are targeting kids with all the fruity flavors.

I believe flavored tobacco products are targeting kids, for example they promote the different kinds of fruity flavors. Also, it's important to me that menthol flavors be included in the ban for both e-cigarettes and other tobacco products because it makes the product look better and look like it tastes good.

Sayde
Ewa Beach

Chairs: Representative Matayoshi and Representative Tarnas
Vice Chairs: Representative Chun and Representative Poepoe
Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I support HB756 because I do know people that have become addicted to tobacco products. I believe that they did start with flavored products. Their addictions kinda lead to a snowball effect, once they started doing it then other people around them started to do it too. Vaping has affected some of my old friends because they had become so reliant on vapes that they would become extremely mad and even unpleasant to be around because of the fact that all they could think about was vaping. It had affected their schoolwork and their personal life a tremendous amount.

Some impacts of nicotine addiction that I see in students are they are extremely dependent on vape, and this makes them miss class time since they are always in the bathroom smoking. In turn, leading them to have diminished grades because they are missing class. In sports, they become out of breath extremely easy and sometimes have trouble breathing. Sometimes it puts strain on our friendship because I don't wanna be around them when they do it.

This is important to focus on because flavored tobacco products are targeting kids because some ads are very colorful and kinda glorify vaping. That is the reason why I believe youth penalties shouldn't be included because sometimes kids make bad decisions and they regret it but they are so addicted that even if they tried to stop they couldn't. So punishing them for one mistake could lead them to just giving up on trying to be better. Also, sometimes kids fall to peer pressure which would be unfair to the kids that were forced to do it.

Please ensure our youth are safe by working to end the sale of flavored tobacco.

Braxton
Waipahu

2025 January 27

Aloha Chairs Scot Matayoshi and David Tarnas, Vice Chairs Cory Chun and Mahina Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I support HB756 because flavored tobacco products have had negative effects on people that I know.

I believe flavored tobacco products target kids because of the way they name the flavors of vapes. I have heard flavors like "Candy" or "Cotton Candy," which I believe could arouse the curiosity of the youth. I know multiple people, from my middle school to now as a high school student, who had and is still vaping. The only vape I had seen them with are flavored. It has affected others because I saw some friends who started to follow their bad habits.

In my personal experience of how tobacco products left a negative impact in my life, friendships I used to hold onto so dearly are broken because I chose not to follow their bad habits which lead to them thinking they needed a different friend group.

Nicotine addiction has a negative mark on my school community, those who vape or had used a vape seemed to always decline on their academics. I believe menthol flavors could be the reason why nicotine addiction is much higher than it needs to be, people I know seem to always use flavored vapes and never a bland or plain vape. That is why we need to end the sale of flavored tobacco products.

Clark Rivera
Aiea

February 2025

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I **fully support HB756** and hope to see that we can end the sale of flavored tobacco this legislative session.

Many of my family members are heavily addicted to cigarettes and vapes, which has become a daily habit for them. Initially beginning with flavored products, they are now hooked on it and have not been able to quit despite numerous attempts. Their addiction has drastically impacted their life and our family as they consistently use their products. Sadly, this story is not unique, as many others, especially young people, have fallen into the same cycle.

At our school, a large number of students are addicted to nicotine products, finding themselves using them daily. They leave class to use them and become more hooked the longer they use them. This addiction leads to constant agitation and an increasing dependency on these products, which heavily impacts their studies and futures. The prevalence of nicotine use among youth is alarming, and we must acknowledge the significant role flavored tobacco products play in this epidemic.

Flavored tobacco products clearly target youth through their marketing and product design. The use of fruity, candy-like, and dessert flavors appeals to younger demographics, making these products more enticing and masking the harshness of tobacco. For instance, flavors like "bubblegum," "blue raspberry," and "cotton candy" directly mimic the flavors of popular childhood treats. Advertisements often feature bright, playful colors and sleek packaging, resembling products meant for children rather than adults. This clever marketing only exacerbates the problem, drawing in more vulnerable individuals, especially teens.

In addition to the fruity flavors, menthol flavors should also be included in the ban because they are particularly harmful. Menthol's ability to mask the harshness of tobacco makes it easier for individuals, especially young people, to start smoking and much harder to quit. It enhances nicotine addiction and disproportionately affects youth and marginalized communities. Excluding menthol from the ban creates a loophole that perpetuates addiction and undermines public health efforts. Protecting all individuals, especially young people, requires a comprehensive ban on all flavored products, including menthol.

Many of my peers in high school have fallen into vaping, often due to the perceived harmlessness of flavored e-cigarettes. One particular friend started using mango-flavored vapes because it "tasted good" and didn't seem dangerous. Over time, their usage escalated, impacting their health and focus at school. They struggled with withdrawal symptoms when trying to quit, highlighting how addictive these products can be. Witnessing how a seemingly innocent habit turned into a dependency has only strengthened my belief that stricter regulations are necessary to prevent youth from becoming victims of nicotine addiction.

Finally, youth penalties should not be included in tobacco regulation bills, as they shift the responsibility away from the tobacco industry and onto the youth—many of whom are simply victims of targeted marketing and peer pressure. Penalizing youth discourages them from seeking help for their addiction and creates stigma, rather than addressing the root causes of the problem. Effective regulation should focus on holding tobacco companies accountable, providing education and support for young people, and

prioritizing prevention and rehabilitation over punishment. The goal should be to break the cycle of addiction and protect future generations from the harmful effects of tobacco.

Ciana Cooper
Kihei

Chairs- Representative Scot Matayoshi and Representative David Tarnas

Vice Chairs- Representative Cory Chun and Representative Mahina Poepoe

Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

I am writing in **support of HB756**. Tobacco is the leading cause of preventable death in the world. Ending the sale of flavored tobacco products would help change this.

A personal story I want to share is that my brother once had an addiction to nicotine in the form of a vape pen, mistaking it for something else. Like many others, he started with a flavored product. This addiction made him more aggressive, especially around me, as I was a consistent witness to his use of it. I often considered telling our parents, but I assumed he knew the consequences and continued anyway, driven by his addiction.

I frequently see kids sneaking away to get a hit, whether it's outside or even during class. Not all of them have poor academic performance, but that is more the exception than the rule—most of them do struggle academically. While I can't speak to how nicotine affects students in sports, I have seen many ads about it on YouTube. I don't often pay much attention to other students who use nicotine products or their relationships with others, but, like my brother, aggressiveness is certainly a common trait.

The presence of nicotine ads is undeniable. I've seen countless ads put out by resellers of nicotine products, often on social media—platforms that are deeply embedded in the lives of my generation. While I wouldn't necessarily blame individual businesses for targeting children, resellers play a significant role in the promotion of these products, and they still fall under the broader nicotine industry.

Menthol in certain products can make them more appealing or presentable, potentially drawing more people in. When marketed as something that makes it "easier" to use, menthol products could definitely attract younger children—whether they're curious about the world around them or already using nicotine products. This targeted appeal can be especially dangerous.

Though I have never used a tobacco or nicotine product myself, I have witnessed its effects on others. I personally can tolerate the choices people make, understanding that everyone has the right to make their own decisions. However, with that freedom, people often make choices they later regret. I've had to sever ties with people I thought were good friends.

Let's end the sale of flavored tobacco products so that we do not have to deal with all of these issues.

CJ

Aiea

Chairs Matayoshi and Tarnas

Vice Chairs Chun and Poepoe

Members of the Committee

My name is Danielle Rego and I am from Waipahu and I support HB756. A majority of my friends from Waipahu are addicted and can't "live" without their vape. One of my closest friends has started vaping since she was 11 (2020) and hasn't been able to go 2 days without it since. I'm afraid for her health and future. Kids fiend for nicotine. Flavored nicotine products will kill this generation.

Danielle

Waipahu

Aloha Chairs Scot Matayoshi and David Tarnas, Vice Chairs Cory Chun and Mahina Poepoe, and Members of the Committee,

I am in strong **support of passing HB756.**

The impact of nicotine addiction that I see in the students at my school and in my community is that they can't go long without nicotine in their hands. While it doesn't seem to affect their academics directly, it definitely affects their participation in sports. Smokers especially have a hard time breathing, which makes it much more difficult for them to perform in high-energy activities like sports.

Personally, I know many individuals who are addicted to tobacco products. Some of them started with flavored products, and I believe that's where the addiction begins. Others started smoking cigarettes at a young age, even as early as 13. Their addiction has caused a range of health issues, from breathing problems to, in some cases, even death.

I believe flavored tobacco products are specifically targeting kids. The way they're advertised makes them look cool and appealing. Although I haven't personally seen these ads, when I was working on my Girl Scout project to end vaping, I did a lot of research and found that these ads are designed to attract young people. The only tobacco-related ads I've seen lately are from survivors of smoking who regret their decision. These ads highlight why it's not worth smoking away your life, literally.

In my own life, many people I know smoke and vape. I always tell them that they shouldn't be using these products because of the damage they're doing to their bodies. Seeing the negative effects of addiction in people close to me has taught me to avoid tobacco products and to never go down that path because of the serious consequences.

Youth penalties should not be included in any tobacco regulation bills because it wouldn't be fair to target kids. Instead, the focus should be on getting rid of flavored tobacco products. By eliminating these flavors, we can prevent youth from starting to vape, getting hooked, or becoming addicted to tobacco in the first place.

Jordan Lopez

Aiea

To: Chair Matayoshi, Vice Chair Chun, and Members of the Committee on Consumer Protection and Commerce

To: Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

I'm in support of HB756. Flavor tobacco affects primarily kids because there's many commercials and these products are packaged in colorful ways and advertisements to target the young youth.

Ahlexia Valdez

Wai'anae

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe
Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I am testifying in strong support of HB756 because I know someone who became addicted to tobacco products, and they started with a flavored product. Their addiction impacted everyone around them because we were all concerned about how it could affect their future.

Nicotine use is very common in our community, and many people can't go too long without using it. Some students feel the urge to use nicotine during school, which distracts them from their learning. Additionally, nicotine use has a clear impact on participation in sports, as it affects the respiratory system, making physical activity more difficult. On top of that, these addictions can negatively affect relationships with family and friends. People worry about their loved ones, and the user's mood is often influenced by their addiction.

I've also seen many advertisements that clearly target kids. The flavored products they advertise are made to be appealing to a younger audience, and I've noticed that many ads use cartoons to promote these products, making it seem like using them is "cool."

Banning these flavored products is essential for the future. If so many young people are using them now, and influencing others to do the same, the long-term impact could be devastating. Once you start, it becomes much harder to quit, and that's something we need to prevent.

Alyssa Duro
Aiea

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe
Members of the Committee

I am testifying in strong support of HB756.

I have seen firsthand how nicotine addiction affects people around me, including friends and family. The most notable case is my dad, who became addicted to smoking cigarettes. Doctors had recommended vapes as a “healthier” alternative, but now he’s just as dependent on his vape as he was on cigarettes. It’s like replacing one addiction with another, and it still has a negative impact on his overall health. Nicotine addiction also affects students in our school, causing many to skip classes or lose focus during lessons because they feel the constant need to take a hit. Despite our school’s ban on vaping, bathrooms still reek of artificial flavors, and we can’t fully stop the presence of vaping on campus. This is a clear sign that more needs to be done to address the issue.

Flavored tobacco products, in particular, are clearly targeting kids. The artificial flavors used—like those found in ice cream or candy—are designed to be appealing to my generation, making it seem like a fun or harmless activity. On top of that, these products are so easily obtainable for kids my age. Many never feel that purchasing them is wrong, and it’s not hard for them to find a way to get their hands on them. This is why I believe it’s so important to restrict the sale of flavored tobacco products. Eliminating these flavors removes a huge selling point that draws in young people. Without the appeal of sweet or fruity flavors, many of my peers may not be as easily influenced to try vaping, which could prevent addiction before it even starts.

Merry Lorhyne
Aiea

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe
& Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

My name is Lillian Chau, a Sophomore attending Maui High School. I am writing to express my **strong support for HB756**. As a student pursuing the medical field and an active member of HOSA - Future Health Professionals, an organization that aims to empower individuals to become leaders in the global health community through education, collaboration and experience, I believe this bill is an important step towards protecting our youth from the dangers of nicotine addiction.

Flavored tobacco products, like e-cigarettes and menthol cigarettes, are specifically designed to attract young people. The sweet and fruity flavors mask the harsh taste of tobacco, making it easier for kids and teens to start using these products. The evidence is clear: By targeting young people with sweet, fruity, and minty flavors, the tobacco industry has effectively created a new generation of nicotine users, many of whom will face long-term health consequences as a result.

As a student, I have experienced first hand how the addiction of nicotine spreads throughout my peers. It starts with one student and by the end of the day, at least 2-4 students are asking to hit that same vape. Once addicted, it can be very hard to quit, which could affect their health, academic performance, and long-term well-being.

We have the power to make a real difference for the future of Maui. By supporting HB756, our youth can be protected from the harmful effects of tobacco and allow for our community to be in a healthier state. I truly believe this is an important step towards a brighter future, and I hope you will vote in favor of it.

Thank you for your time and consideration,

Mahalo,
Lillian Chau
Maui High School

Chairs Representative Matayoshi and Representative Tarnas

Vice Chairs Representative Chun and Representative Poepoe

Members of the Committee of Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I am in **support of HB756** due to the rise of youth nicotine addiction generally caused by the increased use of e-cigarette usage. Hawaii has made great strides to attempt to decrease the numbers by increasing the age of tobacco products to 21 years old and smoke-free car rides while keiki are present. As a recent college graduate, I've seen my peers fall victim to the appealing advertisement and usage of tobacco products, specifically the uprising of vape products like juul, elfbar, and many other products that are rapidly appearing. Hawaii's great efforts to reduce the usage and demand of tobacco products that have greatly affected my family, friends, and community can continue.

Together it is our kuleana to improve public health in our community.

Alexis Cortes-Swanson

Aiea

2/05/2025

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I support HB756 and end the sale of flavored tobacco and prevent further harm to the youth that it has already affected.

There is no reason for a flavored tobacco product to be marketed as 'cotton candy' or 'bubble gum' when loli-pops and jelly beans, which are always directed towards children, have upheld that flavor to be of innocent reputation.

A personal story due to tobacco products is that I have a strained relationship with my uncle who has been a smoker for years, ever since I've known him really. When our family tried giving him a fresh start here on Hawai'i, with a promise that he'd quit, it wasn't easy figuring out that he hadn't exactly dropped the addiction, especially since my brother is a severe asthmatic. Many of my friendly relationships have been stained with the knowledge that my friends had fallen for this flavored-death gimmick because of how my uncle shaped my viewpoint on tobacco products. One example is one friend of mine was having a difficult time that she turned to vapes for comfort. I've only seen her at her lowest right when I think she's looking up. She's been missing school as her relationship with family and friends are impacted as well.

I do not want to see any more of my peers, family members, or friends suffer from the tobacco industry. It is time for a flavor ban.

Jazmine
Waipahu

Aloha Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and
Members of the Committee,

My name is Kaila'i a middle school student at Kamehameha Schools. I have seen that vaping is a problem in the community. For example I have seen family members smoke cigarettes and then transition to vaping. That has affected the person's mentality and the other people around them. Even when I was in elementary there were people who would vape and do that kinds of stuff and it would really effect their relationships. I think kids are easily influenced by some kids in their life because I have heard about people getting vapes and inviting people in the bathroom to vape with them. I think that if these vapes had no flavor nobody would buy them and that is why **I support HB756.**

Kaila'i

Wailuku

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I support HB756 because I know people that have become addicted to tobacco and have started with a flavored product. In response, this has caused them to become very moody. It has also affected them emotionally and with their relationships with others.

The way that companies have been able to target kids is through advertisements with flavors that attract kids. Kids have been victim to harmful tobacco marketing. It encourages youth to try flavors and menthol products because it masks the harsh flavor of tobacco.

A personal experience I want to share is my sister is currently or used to be an cigarette user. This has caused her to be very angry and short tempered. I am sure that vaping was a coping mechanism. This is not healthy and I hope she finds the help that she needs.

I'm proud to support HB756, which seeks to end the sale of flavored tobacco.

Holly Taguma
Lihue

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe
Members of the Committee on Consumer Protection and Commerce and
Judiciary and Hawaiian Affairs

I support **HB756**. It's time for the state to take action and finally end the sale of flavored tobacco that is targeting us kids.

The reason I think we need the ban is because at my school, I see a lot of students who use nicotine almost daily. These are the type of students you see wanting to use the bathroom during class and they are skipping the period. I'm sure their grades are impacted by the way they choose to spend their time.

If we were to pass this bill, it would create a healthier world and allow students not to be corrupted or peer pressured. Just seeing those around me use tobacco products makes me feel uneasy... especially when it comes to second hand vape. I feel in danger just being around those who use it, even though I'm not the one using the product.

Kelsy K.
Kaneohe

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I've seen that nicotine can cause a lot of my friends to become more short tempered and angry whenever they don't have their vape/cigarette. That is why I **support HB756**.

It has affected my community. For example, a couple of my friends liked to vape/smoke and they were introduced to it by other influences such as their own friends or family. I'm unsure if they started with a flavored product but they're addiction had them always wanting to vape/smoke whenever they could.

I've also seen multiple people that are my age selling vapes and flavored tobacco products online or during school/letting people borrow their products.

It is a really big problem and the solution is easy, end the sale of flavored tobacco products.

Kimiyo
Ewa Beach

2/6/2025

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and
Members of the Committee on Consumer Protection and Commerce and
Judiciary and Hawaiian Affairs,

I support **HB756** because every single day I see people who are vaping or smoking every single day because of a simple problem that we have in this world. This problem started in the 1900's where adults would start smoking tobacco which contained nicotine, this became an influence to the next generation and further on until people were having problems with their health.

So people started to look for an alternative which started the creation of the vape. This was supposed to be a healthier alternative to smoking tobacco. But later in the future, vaping became a health hazard not a healthier alternative. Then adults would vape in front of their kids, which would make them interested, making the kids steal or even illegally buy vapes and try it. Now kids these days would just vape and try to hide them and not tell a trusted adult or someone about their problem but instead they get hooked to something that is the most lethal way to die.

I know a bunch of people who smoke or vape. I even have some people that are close to me who vape in the same car or room as me and I hate it with a passion and I want them to stop and throw the vape away. Others get peer-pressured to just try it once but this could ruin a life for good. This is probably the worst way to die or live, since if you have to, have a tube in your throat for someone to breathe.

Royce Takara
Honolulu

Chairs Scot Matayoshi and David Tarnas
Vice Chairs Cory Chun and Mahina Poepoe
Members of the Committee

I strongly believe that youth vaping must be stopped, that is why I **support HB756**. Think about it if a youth, someone like 15 or 16 years old, is vaping. That can lead to really bad consequences. Not only that, but vaping makes it harder for you to breathe too, which leads to worsened performance in sports. So many athletes have the talent and potential to excel in their sport, from football to basketball to track, but are held back by their vaping addiction.

I've seen the effects of nicotine addiction in my peers and there needs to be actions taken so that they are not affected anymore.

Derrick U.

Aiea

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

Smoking has really affected my family. My grandparents smoked for most of their lives, and it hurt their health. My dad, who was around them a lot, developed asthma. He had trouble breathing and needed medicine to help. This is one of the many effects of secondhand smoking. It has caused most of my family down the line to get asthma, like me. This is the reason that I **support HB756**.

Joshua M.
Honolulu

January 30, 2025

Chairs Representative Matayoshi and Representative Tarnas, Vice Chairs Representative Chun and Representative Poepoe, and Members of the Committee on Consumer Protection and Commerce,

I support HB756.

A personal experience with tobacco products is that my grandma started with vapes and she later on became addicted to cigarettes. Her addiction really impacts my family because overall the fact that she does it not only because it is unhealthy but it also affects everyone around her. In school, most students who vape here struggle with focus and concentration because of the nicotine cravings or withdrawal symptoms. It affects their participation in sports because most sports require drug tests. Tobacco products have also affected a friend I had completely. She started off with vapes and later on got addicted to hard core drugs like Xanax and I never saw her again.

I believe that flavored tobacco does target kids because they know kids would get addicted to flavors more easier than a adult would. Examples are the companies making like fruit flavors or bubblegum flavors which is stuff they know teens would love. I also think that it is very important that menthol flavors be included in the ban because it does not help what so ever, It only makes the addiction worse and harder to quit.

Furthermore, I support the Youth Council's stance that youth penalties should not be included in tobacco regulation bills because it is very unfair in punishing minors instead of addressing the real issue which we all know is the tobacco companies that specifically target the young radios because they know they are easier to get at. Penalizing young people can just make the issue worse and overall can lead to even more harmful consequences and make them not want to seek help.

Destiny R.
Honolulu

Chairs: Representatives Matayoshi and Tarnas

Vice Chairs: Representatives Chun and Representative Poepoe and Poepoe

Members of the Committee on Consumer Protection and Commerce

I support HB756.

My close friend's experience:

I started vaping a few years ago, thinking it would be a safer alternative to smoking. At first, I enjoyed the variety of flavors and the idea that it didn't come with the same immediate "stinky" smell that cigarettes do. But looking back now, I wish I had never picked up a vape.

The first problem I noticed was the constant irritation in my throat. I didn't think much of it at first, but over time, it became harder to breathe, and I was coughing a lot more than I ever did when I smoked cigarettes. I began feeling short of breath just after doing simple things like walking up stairs or going for a run, which was a huge red flag. I also started noticing that my mouth felt dry and coated all the time.

Then, I began to experience chest tightness—like a dull pressure in my chest that just wouldn't go away. It wasn't painful, but it was unsettling. I even went to a doctor to get checked out, and that's when I learned that vaping could irritate the airways and even contribute to a condition known as popcorn lung, which is essentially scarring of the lungs from inhaling certain chemicals in vape juice. While I didn't have that yet, the possibility made me realize how serious the effects could be.

The scariest part, though, was when I started feeling this general sense of fatigue and dizziness after vaping. It was like my body was trying to tell me that something was off. I also started noticing that my sense of taste and smell wasn't as sharp as it used to be. I could barely taste food as well, and when I tried to exercise, I felt slower and more sluggish.

Eventually, I decided to quit, but it wasn't easy. I had become dependent on the nicotine in the vape, and quitting led to headaches, irritability, and trouble focusing for a while. The cravings were intense, and I realized just how much I had relied on it to cope with stress or to feel more social in certain situations. But after a few months of cutting back, I felt so much better. My breathing improved, the chest tightness disappeared, and I could taste food again.

In hindsight, I wish I had never started vaping in the first place. It's easy to get caught up in the idea that it's just harmless fun or that it's less dangerous than smoking, but over time, the effects really start to add up. If you're considering vaping or already doing it, I hope my experience serves as a wake-up call to reconsider the risks before it's too late.

Ammon

Mililani

Chairs Matayoshi and Tarnas

Vice Chairs Chun and Poepoe

Members of the Committee on Consumer Protection and Commerce

I support HB756 and I hope you will too.

In 2019, my father was given 6 months to live. He was diagnosed with heart failure and his future was not looking bright. He had been smoking and vaping since he was a teen. With not many other options, he quit vaping in hopes to lengthen his time on Earth. Today, January 29, 2020, my father is still alive and well and has not turned back to vaping.

Based on my testimony, no other kids should be exposed to something like this.

Jolene

Ewa Beach

Aloha Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee,

My name is Kanoa, and today I stand before you as someone who was personally affected with problems resulting from vaping. Growing up in this wonderful state, I have always taken great pride in our island community, the culture, and the way of life. But there's a silent, growing danger affecting many of our young people and even adults: vaping.

Living in Hawaii, we are gifted with clean air, breathtaking landscapes, and a strong sense of ohana-a connectedness to each other that is unlike anywhere else. Our islands are a sanctuary, and to see that vaping is quietly invading this peaceful lifestyle pains me. Vaping may appear harmless, but as I have learned, it is anything but.

Like many, I started vaping under the impression it would be a much more harmless alternative to smoking. It didn't take long for me to realize just how wrong that was-how unhealthy and addictive it would be. The thought of inhaling chemicals, flavored or otherwise, might seem innocuous to one, but it's burning our lungs, our health, and our communities down around us.

Hawai'i is a place that cares deeply about our environment, our future, and our children. Vaping is poisoning not only our health but also the air that we breathe. It is a problem that continues to grow and is not affecting just those who vape but everybody around them. And if we don't take a stand now, we are putting in jeopardy the future of our people and our islands.

We must act now to protect the youth of Hawaii from this dangerous trend. Vaping is marketed as a fun, trendy activity, but the reality is that it leads to addiction, health issues, and it creates a false sense of security about nicotine consumption. What starts as a harmless puff can easily spiral into a lifelong struggle with addiction.

Hawaii has long been a leader in health and wellness for its residents. Let's continue that tradition by standing together against vaping. We owe it to our children, our families, and our beautiful islands to take this step toward a healthier future.

Please join me in supporting efforts to stop the spread of vaping in Hawaii and to protect the health of our people by passing HB756. Mahalo.

Kanoa
Honolulu

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe and Poepoe
Members of the Committee on Consumer Protection
and Commerce and Judiciary and Hawaiian Affairs

I support HB756 to reduce youth vaping because some of my friends and family smoke. Most of them started with a flavored product like my brother. His addiction has impacted him to be more short tempered, more stressed, and he tends to sleep less. Many of the tobacco companies have targetes us by making ads pop up on tiktok or insta.

Nazaria Kahinu

Kaunakakai

Chairs Representative Scot Matayoshi and Representative David Tarnas, Vice Chairs Representative Cory Chun and Representative Mahina Poepoe, and Members of the Committee of Consumer Protection and Commerce,

I support and believe HB756 is a vital step in protecting youth from vaping.

I was always aware that tobacco use my age was a huge problem. It never really hit home, until my best friend from elementary school started getting involved in a lot of tobacco products. From when she started, the impact vapes had on her was very visible. Her personality changed, she was strongly addicted, and wouldn't ever leave places without it. She kept on edging me on trying it, but nothing I said would make her stop trying to convince me. Because of this, I was tired and she was putting our friendship at risk. I tried my best to stop it, but I didn't want to be surrounded with that influence so I dropped our friendship of almost 9 years. A lot of the people I'm closet to still to it to this day my cousin being one of them. She's heavily into the use of vapes, and as of a number of years ago, she went into the hospital. She was using vapes so much it impacted her appetite, and she didn't end up eating for a long time. This caused her to drop a huge unhealthy amount of weight and had to be imported into the hospital for it. She's okay now, but I never realized how much I'm surrounded by this problem of tobacco use.

Haley

Honolulu

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe and Poepoe, and Members of the Committee,

I **support HB756** because vaping and smoking has caused many problems in our community. It causes more deaths than car crashes, homicides, and other deaths. Vaping companies targets young people to purchase their items because it is easier for the companies to sell it to them. This is a problem because even kids as young as third to fourth grade has been caught vaping. The biggest problem is within high schoolers, because they think it will help cause their problems. Like school, stress relief and so much more. Vaping causes stress, mood swings, and memory loss, which is a big problem because when we lose those things we also lose our sense of self. I stand with HB756 as it seeks to prevent youth vaping.

E'kela Suan

Ewa Beach

Aloha Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

My name is Kekahupono Kong, and I am testifying today **in support of HB756** to increase measures to reduce and eventually end tobacco use here in Hawaii. As a caring resident who takes the health and future of our islands seriously, I urge your immediate and necessary action to take care of and protect our community, especially the keiki (children) and our kupuna (elders), from tobacco's harms.

Tobacco use continues to be among the leading preventable causes of death and disease in Hawaii, causing lung cancer, heart disease, stroke, and a host of other chronic conditions that take an overwhelming toll on individuals, families, and our healthcare system. Anti-smoking campaigns and other efforts over the years have raised awareness and cut smoking rates, but tobacco products-menthol cigarettes and e-cigarettes-particularly target the most vulnerable members of our society, including our youth.

I have seen the devastation that tobacco addiction can cause in individuals and families. It is not only the smoker who suffers but also everybody exposed to secondhand smoke-from the youngest child to the elderly-who are then placed at risk for many health problems. We cannot afford to ignore the impact that tobacco has on the overall well-being of our community.

Hawaii has always taken pride in being one of those states that truly take care of the health and wellbeing of its residents. From banning smoking in public areas to implementing a tobacco-free campus, Hawaii has led by example in the fight against diseases caused by tobacco. But we can do more. We can keep pushing the pace, from tougher regulations to higher tobacco taxes, better access to proven cessation programs that help people quit for good.

I urge you to take bold and concrete action in making Hawaii a continuing good place for people to live long and healthy lives. Let's make our state tobacco-free, one where our children and future generations can breathe in clean air, without the notion of continuous fear regarding illnesses caused by tobacco, and grow up in a community concerned with their health and safety.

Thank you for your time, your consideration, and your commitment to creating a healthier, tobacco-free future for all Hawaiians. HB756 is a vital piece of legislation that will fight youth vaping.

Mahalo,
Kekahupono Kong
Mililani

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe
Members of the Committee

I support HB756 because it would curb youth vaping.

I know many people that have become addicted to vapes from flavored products. How it impacted other people is that they have lots of mood swings and just have been acting differently. I see that they also fall asleep in class all the time. Also they are not focused in class or anything for that matter.

The tobacco industry is marketing to kids because we see flavors like strawberry, grape, chocolate thinking its just like candy and that it won't impact them in any way. Why it is important is because it's the gateway of starting vaping and just getting the feel of it and then getting into many other products.

Thea Lazaro
Ewa Beach

Chairs Representative Matayoshi and Representative Tarnas

Vice Chairs Representative Chun and Representative Poepoe

Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I **support HB756** to help end the youth vaping seen in the community.

This has affected me because my older sister vapes, I am not sure when she started, but it was probably back when she was in high school. She uses a flavored one. She has been more distant from me and my family and she has been wanting to go out all the time, sometimes not coming back for more than a day. I believe more flavored products are targeting kids because I have not seen my sister or the people I know who vape without a flavored bar.

I also see that students' grades are dropping and students are not focused in school, they do not come to school to learn anymore. Most of the people I know that vape do not really play sports anymore, or quit the sport they played. Their relationships with their families I am not aware of, but they are more close with the people who influenced them to vape.

It is important to ban these products because it is killing people, it is affecting our relationships with people, and our education is decreasing. I support HB756 because it will combat youth vaping.

Avalee

Ewa Beach

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe and Members of the Committee,

I support HB756 because it takes action against youth vaping.

It's a growing concern in Hawaii, seeing that flavored vapes are designed to attract younger users. Flavors such as mango, strawberry, and cotton candy are especially alluring to teenagers, making their addiction to the habit much easier. A survey conducted showed 18.7% percent of Hawaii high school students say they used an e-cigarette, and the majority of youth users reported using a flavored product. This trend is also alarming because, with such ways of marketing for these products directly targeting kids, it makes trying to avoid the addiction to nicotine even more difficult.

Nicotine exposure in these ages has long-lasting effects, especially on developing brains. With the prevalence of teen e-cigarette usage in Hawaii, it is a measure to reduce the death toll. In fact, every 6 seconds, somebody dies from a smoking-related disease in the world. Research also has found that young people who vape are more likely to smoke cigarettes as they get older, leading to other risks for them later in their lives. This will protect the youth of Hawaii from these products and prevent health problems and addiction in the future.

Kaua Aqui

Kapālama

Chairs Matayoshi and Tarnas, Chairs Chun and Poepoe, and Member of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I **support HB756** because it tackle the youth vaping epidemic effectively.

When I was in high school, I watched one of my closest friends struggle with a vaping addiction. It started as something small—just trying flavors with friends—but quickly turned into something they couldn't stop. They would get anxious and irritable without their vape, sneaking hits between classes and even spending money meant for other things just to keep buying pods.

What was most heartbreaking was how hard it was for them to quit. They tried multiple times, but the addiction was stronger than they expected. Schools talk about the dangers of vaping, but so many students still fall into the trap because of the appealing flavors and easy access. If flavored tobacco products weren't available, I truly believe my friend might never have started.

This is why I support banning flavored tobacco and focusing on prevention rather than punishing youth. We need to hold the tobacco industry accountable for targeting young people and ensure that future generations don't go through the same struggle. This includes banning menthol. Menthol masks tobacco's harshness, making it more addictive and appealing, especially to youth and marginalized groups. Banning it helps reduce smoking rates, prevent addiction, and save lives.

Ryley Oming

Pearl City

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Member of the Committee,

I **strongly support HB756** which will reduce youth vaping. People that I knew are smokers and due to this I am no longer friends with them. They were hooked and it is genuinely a gross and much overlooked and accepted habit. I had a friend and we had a sleepover and the whole time I was there she was vaping near feet from me and did not peer pressure me into trying but she would hide her vape in a stuffed animal she had ripped open and this made me automatically leave.

Also, youth penalties should not be included in tobacco regulation bills because they change the blame to young people instead of holding the tobacco industry accountable. These measures discourage youth from seeking help for addiction and disproportionately impact marginalized communities. A public health approach focused on education, prevention, and cessation support is more effective in reducing youth tobacco use.

Pueoonamakaokahai

Haleiwa

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Member of
the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I support HB756 because it takes action and prevents youth vaping!

Someone I care about is addicted to tobacco products, specifically cigarettes. He's been smoking at least 2 a day since I remember, and although he's getting better now, me and all of my cousins can remember the smell of smoke that always lingers in his truck. Menthol has to be included because the person I care about has been addicted for all these years to menthol. They made him feel safe and healthy while smoking, even as he destroyed his own lungs and robbed us of years of his life. Some of the side effects that I have seen due to vaping are a lot of people who get a lot moodier, angrier, and more desperate because of their addiction, especially when they're looking for where to get their next hit.

Unfortunately, flavored products target kids. My cousin, for instance, started vaping because there was a cotton candy flavor, and before they knew it they were addicted. Now, they're way more stressed, way more sickly, and they're always worried about hiding it from their parents. Youth are the victims here, being targeted by evil companies who only want to profit from keeping kids addicted. Giving us harsher penalties will only push us away, and will discourage those who are addicted to seek help.

Kamakoa Kaluhiwa
Kāne'ohe

Aloha Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and
Members of the Committee,

I support HB756.

As someone concerned about public health, I believe that flavored nicotine products, including e-cigarettes and vapes poses risks to children and should be banned. These products are marketed in flavors such as cotton candy, fruit punch, and bubblegum, used to lure young people. These flavors make it more appealing , particularly for children who may not yet grasp the dangers of nicotine addiction.

Nicotine is an extremely addictive substance that carries serious health risks. Research indicates that young kids are more likely to be addicted, and exposure to nicotine can have bad effects to the body. By allowing easy access to flavored nicotine products, we risk many people that may struggle with lifelong nicotine addiction.

Kekuaokalani Paik

Kāne'ohe

Chairs
Vice Chairs
Members of the Committee

Some people that I know that are involved in sports use vapes. They all use flavored products and they always are doing it in secret, I always see them but they are so addicted it is hard to go against them. They talk about getting caught and seem very anxious and twitchy. It is not considered "cool" to smoke tobacco, but when it is Guava Ice, or Blueberry Faygo, all of a sudden, it is the new best thing. My friends or people I know in the locker room brag about a new flavor every week.

A guy in the locker room got caught by security. He was on varsity and he is a really impactful player, getting caught is the worst thing that could happen to him and his team. Kids should not be ruining their life because they are the ones that are being intentionally targeted by flavors. They are kids. I don't want my future daughter, son, nephew, niece to get addicted to flavors. I support HB756, there is a problem and it should be addressed.

Justice Slade
Waimanalo

Aloha Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I'm here to express my deep concerns about the continued availability of fruity juice and menthol vape flavors. While these products are often promoted as a safer alternative to traditional smoking, they pose a significant risk to our youth. The sweet, candy-like flavors are intentionally designed to attract young people, and it's clear that they have become a gateway for nicotine addiction among minors.

The fruity and menthol flavors make these products far more appealing to children and teenagers who may not fully understand the long-term health consequences of nicotine use. These products may seem harmless, but they carry serious risks of addiction that can affect a young person's health and future.

The availability of these flavored vapes is a growing problem, and it's crucial that we take action now to prevent further harm. Many young people who would never have considered smoking are now using vapes because they are drawn to the sweet flavors. This isn't just about personal choice—it's about protecting the health of future generations.

I, as a highschool student, know people that have used vapes, and I know how they get it. I also know how they have changed after using it and it's honestly sad seeing how much my friends change over the past few years. This is a real issue like anything else and it should stop.

Mahalo,
Lulu

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe
Member of the Committee on Consumer Protections and Commerce

I support HB756 for efforts to address youth the youth vaping epidemic. In middle school, my friend said she started because her friend asked her to try it. After trying it once she found herself constantly meeting people in the bathroom so she could try again. It felt really weird to her and it burned, but it was so addicting that she could not stop. She kept meeting with the same people in the same bathroom in order to try it again.

I see everyone constantly using nicotine in order to feel happier or in order to just get through the day without having to deal with it themselves. I definitely feel as if this affects their ability to perform at their highest capacity because of the limiting effects of nicotine. Since students are young, they don't have the ability to make informed decisions, so they start to learn that vaping or ingesting nicotine is the only way they can be happy, which is completely incorrect.

I personally don't use or have ever used vape or any tobacco products, however a lot of the ones around me vape a lot and they tell me how it impacts and affects their schoolwork and how they think on a daily basis. One of my friends would act out of line and irrational and blame it on the fact that he was addicted. Additionally, some of my friends would offer it to me because they believed that everyone should get addicted eventually. This is probably how the use of tobacco spreads throughout high schoolers.

Kai Suliven
Ewa

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee,

I am a soccer player and I have seen several of my teammates struggle with an addiction to vaping. Unfortunately, most of these people are still addicted to this day. Some of my teammates will joke about their favorite flavors and compare them to real food that we eat. This has affected others because my teammates have encouraged and influenced others to start. I've noticed that my teammates who do have a vaping addiction tend to be more out of shape, and easily tired throughout games or practices. A good teammate of mine recently began vaping after quitting for a year. Last season was the first time that I had played with her. We were always first together on our runs and were known as the most in shape. This season, I've noticed that she has fallen behind and is no longer in the front when we do conditioning. I believe this is caused by vaping. Because some of my teammates vape, I try my best to not surround myself with them outside of my sport. This past year, I was in Big Island for a soccer tournament with my team. When we returned home from a game, myself and two of my teammates were hanging out in a guest house alone. One of my teammates pulled out her vape and they both began using it. They began peer pressuring me into using it. I pushed them away and said "No, do not ever ask me again". I knew that even if I wasn't smoking it myself, being around the smoke was just as bad.

My peers have been using flavored tobacco that is why I believe that tobacco flavored products are targeting kids. I have seen small pop ups at the mall where young adults are selling vapes that are packaged like toys and candy. I also think that menthol products should be included in the ban because if it is not, tobacco addictions will not decrease. Please **support HB756**. We need to address this problem that we are seeing everywhere.

Shelby Aoki
Ewa Beach

Chairs Matayoshi and Tarnas

Vice Chairs Chun and Poepoe

Members of the Committee on Consumer Protection and Commerce and
Judiciary and Hawaiian Affairs

I **support HB756** because I see some kids at my school doing it, and it impacts my community. It makes it awkward when you see someone doing it but you don't wanna be a snitch and tell on them. I think it affects their academics because instead of going to class and learning, they are in the bathroom with their friends vaping. I think it also affects their sports and activities because they could become unmotivated and find comfort in their vape. Lastly, I think it does impact their relationships with the people in their life because it can change the way they act and cause them to push away and not wanna be around others.

I think flavored products definitely do target kids because kids are attracted to sweets and the fruity flavors so it makes them more intrigued to try it. For example, flavors like blue raspberry or cotton candy they're gonna think like sweets or candy which makes them tempted.

Seeing the stories of others around the world and also seeing people in my own life that mean a lot to me partake in these things makes me sad because you know it's only doing bad things to them and that if they keep doing it, they are only gonna get worse and worse until they die. I think the biggest thing for me that makes me stay away is imagining if it was my own kid.

Maya Akau

Kailua, Kona

Chairs Scot Matayoshi and David Tarnas
Vice Chairs Cory Chun and Mahina Poepoe
Members of the Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs

I support HB756 because vaping is a big, overtaking problem in our lives today, and will probably get worse if we don't stop it as soon as possible. I've seen my friends slowly drift away from their old-selves and get addicted towards vaping. They've been skipping their sport practices and hanging with the wrong types of people. I've also seen their mental health decrease as well. Many kids in my school that I know are involved with nicotine suffer in their academics. They usually get bad grades and slack off. I've noticed that they usually have no energy for sports anymore and keep to themselves. They use flavors that we grew up with. For example, Hawaiian Pog, Aloha Sun, and other Hawai'i oriented flavors have impacted students that I personally know.

Antelise Porter

Captain Cook , Hawai'i

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

I support HB756.

My friend from my old school on Big Island first started vaping in sixth grade and throughout the rest of the time we were there he continued to do it, always saying that he was gonna stop and that he wasn't doing it anymore but he was. He would always say how he could feel his lungs hurting while at soccer practice because of the vape. My first time I got offered a vape was when I was in fifth grade. Luckily, I said that I didn't want to do it and didn't get pressured into trying it but that experience has stuck with me since. It makes me wonder where I would be if I had taken a hit that day and gotten addicted. Where would my life be like right now if I started vaping that day?

Kainoa Keliipio

Kealakekua, HI

Chairs, Vice Chairs, and Members of the Committee,

I support HB756 because in middle school I would say about 70% of my friends used vapes. They would talk about the flavors that they had such as fruit flavors or juices and to them they talked about it as if it was some type of candy. By them talking about the flavors they were vaping it caught the interest of others who wanted to try it and ended up becoming addicted to vaping. Nicotine impacted the way that they operated. It made their grades drop, their emotions to become jumpy in a way, and they didn't like participating in the things that they normally loved doing.

I believe that flavored tobacco products are targeting kids because of the flavors they are selling. If you truly think about it, cotton candy, fruit punch, and more all attract the youth more than it would with adults. Kids see a flavor that they are used to and they think that it's not as bad because they know how it tastes already, leading them to keep buying more and more which eventually leads to them becoming addicted. I also think that youth penalties shouldn't be included because it would only cause youth to become more sneaky and find other alternatives to counter that.

I urge you to end the sale of flavored tobacco so that the youth can move forward.

Alea Bishop
Kapolei

Chairs Representative Matayoshi and Representative Tarnas

Chairs Representative Chun and Representative Poepoe

Members of the Committee

I support HB756.

Flavors are targeting kids, because I have never seen an adult smoke a cotton candy vape before and that is what the kids smoke. I support HB756 because I want some of my friends I lost to vaping back

Kekona Bactad-Barretto

Kapa'a

Chairs, Vice Chairs, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I **support HB756** for the end of flavored and menthol tobacco products so that less people are exposed to tobacco, specifically young people. Tobacco companies target youth because bright packages draw youth attention. AND it is not their fault when you're a teen it's easier to just do things and agree with people because your frontal lobe is not fully developed. There should not be a punishment for the youth because it's the society that is influencing us.

Kulia Cabrera-Zuke

Honolulu

Committee on Consumer Protection and Commerce and Judiciary and
Hawaiian Affairs,

I support HB756 that ends the sale of flavored tobacco products in the
communities.

AJ Vasper

Kapolei

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

I support HB756 to stop the sale of flavored tobacco because we want to see those changes take place.

I believe flavored tobacco is targeting kids, companies try to entice kids with flavors they know well and enjoy. Kids get hooked on the product because of the flavors. It is important because that would be the only way kids would stop using products. If you got rid of the flavors then kids would not enjoy it anymore and they would stop. I know kids that had an addiction to tobacco products and it has affected their whole family. Their families have tried to help and do all that they can. It has definitely brought some families farther apart.

Lia Peterson

Honolulu

Chairs, Vice Chairs, and Members,

I support HB756.

I know people who vape. I have seen how it affects how they look, how they talk, their attitude, and just their outward appearance. I have heard people say that it can make things worse with their relationships and academics. I've also seen people on the sidewalks smoking and they look grumpy. We should get rid of these nasty habits and have a tobacco free generation.

N/A

Chairs Matayoshi and Tarnas, Vice Chairs Chory Chun and Poepoe, and Members of the Committee of Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

I support HB756 because I think that the flavored tobacco products are targeted to kids. I think this because they package and sell very bright and good sounding flavors such as strawberry watermelon and so on. Menthol is another one of the big reasons people get addicted to tobacco products because it makes vaping and smoking easier on your throat even though it has the same side effects.

Tayvien Garcia

Waimanalo

Chairs Matayoshi and Tarnas
Vice Chairs Chun and Poepoe

Member of the Committee of Consumer Protection and Commerce and Judiciary and Hawaiian Affairs

I support HB756. I think minors using tobacco products is a problem in our community and we should be able to prevent it. If our own leaders won't stop this horrible thing, why shouldn't we?

I know a few people who vape. They started with a flavored product and still use flavored products. I think their addictions make them more dependent on these things to make them happy. When they can't have them, they're constantly thinking about vaping and talking about it whether it be to me or posting it on social media. I think their mental health isn't as good either, which is also because of things outside of vaping but can be because of the nicotine/chemicals. From what I've heard it can definitely make their time at school worse due to things like detention or suspension. These can lead to not being able to do sports, or even getting kicked out of school which would go on their record and possibly make things harder for them in the future. Also, I would think the nicotine would mess with their ability to think clearly, which would probably affect how they work in school. It doesn't really affect their friendships, since most of them are doing it too, but they're families usually don't know and I think that if they did it might change how much the kid used it.

I believe flavored tobacco products are targeted to kids. I think that adults would be fine with just the regular tobacco taste and the fact that the flavors they put out are definitely more of things like candy or juice instead or more adult things, they're trying to get kids lured into wanting to try a vape. A lot of the flavors are foods/drinks that many children enjoy rather than adults and I know a lot of kids who have said they wanted to try a vape because of the flavor it had. It's important to me because it's honestly sad seeing kids that I know and are my age ruining their life in a way because they want to "be cool" or just because they wanted to try it. The flavors are definitely a main reason some kids are getting hooked onto vapes and tobacco products so I hope this ban will at least lessen the amount of kids my age and maybe even younger from wanting to try smoking.

My best friend used to vape and I feel like it changed her a bit. We weren't as close at the time she was doing (she has stopped since then) but from what I would hear she was a lot meaner to others and kind of relied on it to make her happy. I don't know exactly why she did it; I think it was to gain attention and look cool to others. I'm glad she realized the harmful effects of these things but she's now one month clean of not doing any of that.

The youth wouldn't be using these products in the first place if our government would stop making it able for companies to target them. No amount of money is worth children using these products and ruining their health and potential to grow. Giving youth penalties would just be cruel, as if them using these products wasn't harmful enough. If they really wanted to make a difference they would stop letting kids buy these products in the first place. Instead of thinking about penalties to give the kids, maybe they should work on redoing their marketing so that children wouldn't want to buy these products at all.

Kaila Biolos
Aiea

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs,

I completely support HB756. Removing the masks of harsh chemicals like nicotine and menthol is vital to showing what these products actually are, and is key to improving public health because the citizens of Hawai'i will no longer be fooled from false marketing that threaten their health.

I strongly believe that the marketing that these companies use are intended to get kids addicted. The local flavors we all know and love are being pasted on deadly chemicals that damage the bodies of adolescence and change their behavior. Although I have not had a first hand account with tobacco products are know someone close to me that are using, I am concerned for our lāhui and want to work to prevent the 1,400 deaths per year due to tobacco use in our islands, especially amongst keiki.

Furthermore, menthol makes consuming tobacco easier and pleasant. The chemical makes the air cool and light, making addiction more dangerous because it is harder to quit a pleasing substance. Menthol makes up ~80% of the tobacco products used by Native Hawaiians, this is concerning because our lāhui is less likely to quit with menthol.

It is not youth that should be penalized for the intentional false marketing made by tobacco companies, their intentions are out of greed and the youth of Hawai'i should be protected by the State of Hawai'i. Kids don't know of the 2000 chemicals and more than 30 carcinogens that they are putting into their bodies. Education is one part of this journey, but we need the support of our government to enforce bills that penalize tobacco companies, and that restrict their influence on youth. The keiki of our state need their government to protect them with the authority they have, and do their job in improving the public health of our state.

‘Ānelalani

Honolulu

Chairs Rep. Matayoshi and Rep. Tarnas
Vice Chairs Rep. Chun and Rep. Poepoe
Members of the Committee on Consumer Protection and Commerce and Judiciary and Hawaiian
Affairs

I support HB756. Here is why:

I have had countless friends, especially on big island become addicted to vaping. Even most of my family members, some of my kumu and more. Its become so normalized throughout the public and without much talk about the effects. They did start with a flavored product and it was vapes. Their addiction made them "fein" for vapes all the time, got them in trouble at school and even uncontrollable coughing.

In my new school, girls will share their vapes but it started drama where girls would snitch on each other to get back at someone they're mad at. Many of my friends had almost gotten kicked out of this school because of dumb decisions like vaping. Getting kicked off their volleyball team after getting warning but getting yelled at instead of getting help. Another one of my friends got kicked out of his house and lived at his friends house because he chose smoking over family. He couldn't manage to quit.

I believe flavored tobacco products are targeting kids. Around parties I always see the babys reaching for the colored vapes or lost Mary's. Especially making the vapes look less intimidating than they are by making them sound like a cool drink. It makes you think "Oh it can be that bad, vapes are just harmless flavored air like juice." Then you consider it, try it, and get hooked.

I know most of my friends only smoke for the flavors and taste. If the flavors are banned it would save their life. They'd almost guarantee quit and save so much money and not be couging all the time like how they do. My friends do want help and they've asked me but its hard when these companies make it so easy to get hooked with these flavors everyone loves. if they could only taste the true toxins in vapes they'd never hit one again. I love my friends and I want them to live a long happy life I dont want to be at there funeral earlier than I have to be because of a dumb preventable mistake that could have been prevented.

Im confident in myself and know vaping is wrong but there were a couple times where I've considered trying it. Thinking it couldn't be that bad for me and nobody would ever know. Almost every day at my old school I'd get asked if I wanted to hit their vape, and it was hard because I was the only one in my friend group who didn't do it and honestly it was tempting at times. People have called me names for not vaping and blown their smoke in my face trying to get me to do it or buy vapes from them. Plus it so easy to get I could ask any of my friends from big island to hit their vape, someone could buy it for me, or there are kids who supply vapes and make so much money off it.

As a kid its hard to surpass things like peer pressure. Kids don't stand on their ethics and morals because they don't know who they are as people. Sure they've made bad decisions but they need help not punishment. Support from lawmakers is needed to create a happy life.

Malia

Kona

Chairs, Vice Chairs, and Members of the Committee,

I support HB756. Ending the sale of flavor tobacco will decline the rate of vapes in kids. It is important to me that menthol flavors be included in the ban for both e-cigarettes and other tobacco products because then percentage of teens dying from tobacco will go down because I feel teens only buy it because of the menthol and flavors.

John Hayashida

Kapolei

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe,
and Member of the Committee on Consumer Protection and
Commerce and Judiciary and Hawaiian Affairs

I support HB756.

I have seen the effects of vaping, it affects people mentally
and they become depressed and unstable. The motivation for
doing it comes from the flavors. We need to address this
problem.

Callie Onishi

Kāneʻohe

Representative Matayoshi and Representative Tarnas, Vice Chairs Representative Chun and Representative Poepoe, and Members of the Committee,

I **support HB756** to end the sale of flavored tobacco. Nicotine addiction has affected students at my school and I know that it causes so much damage to your life and well-being.

One of my friends was addicted to vaping and I am not sure if she quit. She uses flavored products and honestly it was really scary to be around her when she was vaping. She would cry without realizing it and start to act delirious, then all of a sudden fall asleep. At first, I didn't know why she was acting this way but when I found out it was due to vaping, I was really concerned for her safety.

I think that it is unacceptable that the tobacco industry targets kids while knowing that it can cause so much harm to their development and lives. Get rid of flavors, it is damaging my generation.

Chloe Colandrea
Mililani

*Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe
and Members of the Committee,*

*Our native language is dying, we are losing a lot of native
Hawaiians to menthol tobacco and flavors because of the
deceiving taste. I **support HB756** because when I'm an adult
I don't want my kids to be lured with weird flavors.*

*Iraia Manumaleuna
Honolulu*

Chairs, Vice Chairs, and Members of the Committee,

I support HB756 because if you look at the flavoring at a bunch of the vapes they're all fruity, and kid-based packages. We need to protect keiki not give them tobacco.

Some of my old friends used to vape. We were in 8th grade, though they started around 6th or 7th. They started with flavored products. They became a lot more distant, and a bit more crazy. I noticed I had to drop many of my friends because they kept trying to pressure me to start vaping with them. This should not be happening and adding more stress to our lives, we need to fix this problem.

Layla Burgess

Waianae

Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe, and Members of the Committee,

I support HB756. I've seen tobacco impact kids mental states as in anxiety, anger, sadness, etc. I feel like it tends to affect their grades too because they tend to mainly want to smoke and don't feel the need to do work, making them distracted. From sports friends and family too.

Alohaonālani Grabow
Pearl City

Members of the Committee of Consumer Protection and
Commerce and Judiciary and Hawaiian Affairs

I support HB756 because I know people who have become addicted with smoking and they all started with a flavored vape.

Luveahlani Lacaden
Kapaa

HB-756-HD-1

Submitted on: 2/6/2025 9:43:19 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

In our state, 13.2% of high school students and 10.3% of middle school students still report “current use” of e-cigarettes. With 8 in 10 kids starting with a flavored tobacco product, we need to prohibit the sale of flavors that are addicting our keiki. Please pass this bill to keep our children safe from the harms of the tobacco industry.

HB-756-HD-1

Submitted on: 2/6/2025 9:59:37 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jolean Uilani Yamada	Individual	Oppose	Written Testimony Only

Comments:

Hawaii State Capitol

Testimony Opposing Bill: HB756

Bill: [HB 756, HD1](#)**Position:** Strongly Opposed**Date/Time:** Friday, February 7, 2025 at 2:00 PM**Committee:** House Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs

Dear Representative:

Testimony Against the Ban of Menthol Vape Liquids

I am here today as an adult who contributes to taxes and seeks the right to make informed, personal choices about what I consume. I understand the concerns surrounding the use of flavored vape liquids, especially when it comes to deterring youth from smoking. However, I believe that banning menthol vape liquids would not only be an overreach of government authority, but also an unjust infringement on the rights of adult consumers like myself.

First and foremost, I acknowledge the importance of protecting young people from the dangers of nicotine addiction. But we cannot ignore the fact that the vast majority of adult smokers who use menthol flavors are making a conscious decision to improve their lives by choosing vaping over traditional cigarettes. For many, menthol has been a key factor in their transition away from harmful tobacco products. The availability of menthol-flavored vapes has been a critical tool in helping adults reduce or eliminate smoking, which in turn benefits public health.

As a taxpayer, I contribute to the systems that fund these initiatives, including the enforcement of policies around public health. It's frustrating to see those of us who pay into these systems being overlooked in the pursuit of a solution that primarily targets youth. Adults should have the freedom to make their own choices when it comes to personal health matters—choices that are informed and made in the context of an adult lifestyle. Denying menthol vape liquids is, essentially, limiting the options available to responsible adults who are choosing a safer alternative to cigarettes.

I do not deny that there are valid concerns around youth access to vaping products, and I wholeheartedly support efforts to prevent minors from accessing these substances. However, these efforts should focus on enforcing age restrictions, proper identification checks, and education, not punishing adult consumers who are trying to reduce their own health risks,

Banning menthol vape liquids would simply push adult consumers back to traditional cigarettes, which are far more harmful. If the goal is to reduce smoking rates and harm, restricting menthol vapes is counterproductive and leaves adults with fewer options for managing their nicotine consumption in a less harmful way.

In conclusion, while I fully understand the desire to curb youth vaping, we must remember that adults also deserve autonomy in their choices. I urge you to reconsider the ban on menthol vape liquids and focus on solutions that protect young people without punishing responsible adult taxpayers.

Thank you for your time and consideration.

Jolean Uilani Yamada

808-640-7148

HB-756-HD-1

Submitted on: 2/6/2025 10:20:42 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Audrina Leolani Angelo	Individual	Support	Written Testimony Only

Comments:

Aloha my name is Audrina Leolani Angelo and I am a Tobacco treatment specialist. I'm in strong support of HB 756.

In our state, 13.2% of high school students and 10.3% of middle school students still report “current use” of e-cigarettes. With 8 in 10 kids starting with a flavored tobacco product, we need to prohibit the sale of flavors that are addicting our keiki. Please pass this bill to keep our children safe from the harms of the tobacco industry.

Respectfully,

Audrina Angelo

February 6, 2025

To: The Honorable Representative Scot Z. Matayoshi, Chair

The Honorable Representative Cory M. Chun, Vice Chair

Members of the House Committee on Consumer Protection & Commerce

Re: Strong Support of HB 756 HD1 to End the Sale of Flavored Tobacco Products

Hrg: Friday, February 7, 2025 at 2:00pm, Conference Room 325

Position: Support

My name is Katie Folio and I am the mother of two girls, ages seven and ten. I am a former teenage smoker and, as a result, a strong advocate for anti-tobacco legislation, especially that which will protect youth, so I strongly support HB 756 HD1.

While I didn't realize it at the time, there were two primary contributing factors to my picking up smoking as a teenager - media and flavors, particularly menthol. No one in my family smoked. I was not influenced by my family to smoke in any way, if anything, I was educated on the harms of smoking and I knew it was not good for my health. However, I was raised in the era of Joe Camel, and smoking was in movies, television, and smoking ads were posted at eye level in grocery stores and gas stations. Eventually, and without my really being aware of it, the advertising worked.

The first cigarettes I ever tried were flavored and menthol. Unflavored cigarettes were not very appealing to me as a teenager and were very harsh to smoke when I did eventually try them, but flavored cigarettes, including strawberry and vanilla, were very appealing to us as teenage girls. Thankfully flavored cigarettes other than menthol were eventually banned, but I blame menthol for my nicotine addiction, which took ten years to beat. Sadly menthol is still addicting youth, and it breaks my heart that Maui has the highest rate of teen cigarette smokers who smoke menthol cigarettes (18.5%), surpassing the Hawai'i State average (15.8%).

I became an advocate for tobacco control as an adult because of my experience as a teenager. I don't want to see other kids end up in the same situation, or worse, because of nicotine addiction. I don't want to see my girls end up where I did, or die from cancer too early. I was one of the lucky ones - I was able to eventually quit. Not everyone can, and that is what big tobacco and the vaping industry rely on. It's how they are so powerful, how they make such ridiculous amounts of money by literally killing people, simply by addicting them as early as possible. It's unacceptable, and it needs to stop.

We know that tobacco control legislation works. Our youth smoking rates dropped significantly from the '90s once we started passing comprehensive legislation. But our progress is being undone by the popularity of vaping with youth. We can't allow flavored tobacco products to

continue to be on the market, in any form. Vaping products are tobacco products and most often contain extremely high levels of nicotine. One cigarette contains 10 mg of nicotine in a freebase form that makes it harsh to inhale (which menthol helps to mask). Disposable vaping products popular with youth often contain up to 50 mg of nicotine in a salt formula that makes it smoother (i.e. easier) to inhale. They are designed to make it easier to get addicted to nicotine, creating lifetime users.

This bill is part of an upstream solution to help protect our youth from the harms of nicotine and tobacco products. The industry's strategy is to try to place the responsibility of youth use of their deadly products back on the youth, their parents, and our educators, rather than taking responsibility themselves. These are the wrong people to hold responsible. These are the people reeling from the consequences of youth nicotine addiction and the industry's successful targeting strategies. The goal is to create a safe and healthy environment where youth are not drawn to these highly addictive products to begin with; where the healthy choice is the easy choice for them to make. Bill 156 is an important step in this direction.

We thank you for listening to our health experts and organizations, and to our youth who have been asking for these protections for years.

Mahalo nui loa,
Katie Folio
Kula, Maui, Hawai'i

HB756 - Ending the sale of flavored tobacco.

I am writing to express my strong support for HB756 which would end the sale of flavored tobacco. In Hawai'i, 13.2% of high school students and 10.3% of middle school students still report "current use" of e-cigarettes. With 8 in 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. Passing this bill will remove the thousands of flavored tobacco products, as well as menthol cigarettes, that are addicting our keiki.

I wholeheartedly urge lawmakers to pass HB756, safeguarding the health of our keiki and ensuring a brighter, smoke-free future for the next generation. Thank you for considering the importance of this vital legislation.

Respectfully,
Leigh Ann Lopez

HB-756-HD-1

Submitted on: 2/6/2025 11:17:48 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen L Worthington	Individual	Support	Written Testimony Only

Comments:

Aloha,

I write in strong support of HB 756 HD1. As the mother of a high school student, I regularly hear about the extent of vaping and e-cigarette use among teenagers in Hawaii. Many youth are attracted to the "fun" flavors of tobacco products and then become addicted to the products. Please pass HB 756 HD1 to reduce the appeal of these dangerous products.

Sincerely,

Karen Worthington, Maui

February 7, 2025

Aloha Chairs Matayoshi and Tarnas, Vice Chairs Chun and Poepoe and members of the House Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs. I appreciate this opportunity to offer written testimony in **strong support of HB 756, HD1 Relating to Health.**”

Tobacco use among kids is driven by youth-friendly e-cigarette flavors like mint, fruit, and candy. From 2017 to 2019, e-cigarette use more than doubled among high school students (from 11.7% to 27.5%) and tripled among middle school students (from 3.3% to 10.5%), according to the CDC’s 2019 National Youth Tobacco Survey. While those numbers decreased during the COVID pandemic and societal restrictions that limited youths opportunities to gather publicly, the numbers began to climb again when COVID restrictions were removed and youths again had easier access to tobacco/nicotine products. Numbers among Hawaii youths are even higher, especially on neighbor islands.

E-cigarettes are available in thousands of youth-appealing flavors, including fruit, candy, mint and menthol. The overwhelming majority of youth e-cigarette users report using flavored products. Tobacco companies target youth and adolescents with million-dollar marketing campaigns and thousands of appealing flavors that are specifically designed to attract and hook kids.

Mint and menthol flavored tobacco products are heavily marketed to kids, especially those from communities of color and the LGBTQ community with products specifically designed to entice them. A 2019 Stanford study found that JUUL’s initial advertising campaigns were “patently youth-oriented.” Nearly two-thirds of high school students who use e-cigarettes use mint or menthol flavors. Menthol products, with their cooling and soothing effects, entice kids to use tobacco products. More than half of all youth and young adult smokers smoke menthol cigarettes.

Though e-cigarettes are the most commonly used tobacco product among middle and high school students, they are also using other flavored tobacco products such as cigars, cigarettes, hookahs, chewing tobacco, and most recently, as mentioned in this bill’s preamble, the newest product being promoted by the tobacco industry--oral nicotine pouches that come in different flavors and strengths, many with levels of nicotine several times higher than a full pack of traditional cigarettes.

And even though e-cigarettes are often marketed as a less harmful alternative to traditional cigarettes, there’s no evidence on the long-term health impact of their use. What is known is that nicotine can have adverse health effects on kids, such as causing addiction to dangerous tobacco products, harming their brain development, and increasing the risk of heart disease. Recent studies have found that e-cigarettes decrease blood flow in the heart even more than traditional cigarettes and can worsen heart disease risk factors such as high cholesterol. Tobacco industry (and its front groups) claims that alternative nicotine products are “safer”

than traditional cigarettes is like comparing the relative safety of jumping off a 20 story building vs. jumping off a 50 story building. All tobacco and nicotine products offer varying levels of health risks all of which impact our state's healthcare costs and the lives of our people and their families.

Current FDA tobacco flavor policy falls short of what is necessary to address youth tobacco use, state and local governments need to move forward to address loopholes. Under the FDA's guidance, thousands of e-cigarette flavors will remain on the market since the policy exempts menthol e-cigarettes and allows fruit, candy, and mint flavored liquid nicotine used in refillable open tank systems or in disposable e-cigarettes (like the popular brand Puff Bar), to stay on the market. In addition, other flavored tobacco products such as menthol cigarettes and flavored smokeless tobacco and cigars are still allowed to be sold.

I respectfully urge you to support HB 756, HD1 to begin to curb our extremely high youth use rates of nicotine products and help end the generational cycle of disability and early deaths caused by nicotine products.

Mahalo for this opportunity to testify,

Respectfully submitted,

Don Weisman
Kailua, HI

Date: 02-06-2025

To: Representative Tarnas, Chair
Representative Matayoshi, Chair
Representative Chun, Vice Chair
Representative Poepoe, Vice Chair
Members of the House Committee on Consumer Protection and Finance,
Members of the House Committee on Judiciary and Hawaiian Affairs

From: Lyn Messinger, 96822.

Re: **SUPPORT for HB 756**

Hearing: **02-07-25, Friday, 2:00 pm**

Dear Chair Tarnas and Matayoshi, Vice Chair Chun and Poepoe, and Members of the Committees,

My name is Lyn Messinger, and I am an educator living in Honolulu with three children ages 13, 16, and 18. I am writing to express my strong support for HB 756, HD1, which seeks to prohibit the sale of flavored tobacco products, including menthol cigarettes, here in Hawai'i.

As a parent and an educator, I am deeply concerned about the health and well-being of our keiki. Flavored tobacco products, including e-cigarettes and menthol cigarettes, are a dangerous gateway to nicotine addiction. Recent statistics show that 13.2% of high school students and 10.3% of middle school students in Hawai'i are using e-cigarettes, and many of them are starting with flavored products. We are witnessing the beginning of an addiction crisis among our youth, and we must take action to protect them.

I am especially concerned about the impact of menthol on our young people. The use of menthol in tobacco products has been proven to enhance addiction, and it disproportionately affects communities of color. We must do everything possible to prevent our children from falling victim to these products.

I have seen firsthand the effects of nicotine addiction on students and families in my work as an educator. Many of my students have struggled with the lure of flavored products, and the long-term health risks are clear. It is time to step up and ensure that future generations are not exposed to the same dangers that have caused harm for decades.

Hawai'i has always been a leader in protecting public health, and I believe we have the opportunity to continue that legacy by passing HB 756, HD1. By taking action now, we can reduce youth tobacco use, prevent the lifelong health issues associated with nicotine addiction, and build a healthier future for all of Hawai'i's residents.

I urge you to pass HB 756, HD1, and protect our keiki from the devastating effects of tobacco use. Thank you for your time and consideration.

Sincerely,
Lyn Messinger

HB-756-HD-1

Submitted on: 2/6/2025 1:09:42 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christen Coloma	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill. The sale of flavored tobacco has attracted Keiki to try and use tobacco at a younger age. I am a dental hygienist and I see the population patients who smoke tobacco including adult patients that regret getting addicted to smoking tobacco in the first place. Tobacco has detrimental effects on health, and oral health included!

HB-756-HD-1

Submitted on: 2/6/2025 1:25:30 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathryn Braun	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB756. Allowing youth access to flavored tobacco products is a bad idea! These flavors entice young people into the tobacco habit. As proof, research has found that 8 in 10 youth who currently use e-cigarettes started the habit with a flavored product. Ending the sale of flavored tobacco products to youth will reduce the appeal of these products and protect our keiki from a lifetime of addiction. Menthol also is bad, because it masks the harshness of tobacco and makes it easier to get addicted. ,

I would hope that our Hawai`i State Legislators would take steps to protect our youth from a lifetime of chronic disease. We need to keep our young people healthy so that they will grow to be productive working adults and healthy older adults. Thank you for this opportunity to present testimony.

HB-756-HD-1

Submitted on: 2/6/2025 2:14:54 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Kristin Mills	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am in strong support of HB756, HD1. Hawaii has among the highest rates of middle school and high school e-cigarette (ESD) use in the nation and youth vaping has been declared an epidemic by the U.S. Surgeon General.

As a parent, epidemiologist, and a health educator, 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 physical and mental/emotional health, 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 and minty 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 8 out of 10 youth who ever used tobacco products started with a flavored product, and more than half of youth tobacco users use menthol products.

I ask the committee to please support HB756 and prohibit the sale of **ALL** flavored tobacco and electronic smoking devices, including menthol, mint, and wintergreen 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 and electronic smoking devices (including menthol, mint, and wintergreen) have the greatest appeal to youth.

Finally, when looking at the true cost of tobacco vs. money made from tobacco in taxes, please consider the true cost of tobacco in terms of healthcare costs, lost income, and cost of being a burden to society and to one's family. The cost associated with tobacco use is HIGH.

We must end the sale of flavored tobacco products here in Hawaii, for our youth and for our economy.

Sincerely, Kristin Mills, PhD-ABD

Parent, Epidemiologist and Public Health Educator

HB-756-HD-1

Submitted on: 2/6/2025 6:02:21 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Kimo Cruz	Individual	Oppose	Written Testimony Only

Comments:

Not only no, but hell no! Stop the hate against people that are improving their health with vapes.

LATE

HB-756-HD-1

Submitted on: 2/6/2025 8:07:55 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maya Maxym	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. The majority of young people who start using tobacco do so with flavored products. If we want to fight the youth vaping epidemic, we must start by banning flavored tobacco products.

Mahalo

LATE

HB-756-HD-1

Submitted on: 2/6/2025 8:55:34 PM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry SUPPORT 756 HB RELATING TO HEALTH.

LATE

HB-756-HD-1

Submitted on: 2/7/2025 9:22:13 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Support	Written Testimony Only

Comments:

In our state, 13.2% of high school students and 10.3% of middle school students still report “current use” of e-cigarettes. With 8 in 10 kids starting with a flavored tobacco product, we need to prohibit the sale of flavors that are addicting our keiki. Please pass this bill to keep our children safe from the harms of the tobacco industry.

Thank you for your consideration,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

LATE

HB-756-HD-1

Submitted on: 2/7/2025 11:24:33 AM

Testimony for CPC on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colleen Fox	Individual	Support	Written Testimony Only

Comments:

I am testifying in strong support of HB756 HD1 Relating to Health.

As a healthcare professional, I work with youth and young adults who are struggling with addiction to nicotine as a result of vaping. We see keiki as young as 11 and 12 with tobacco use disorders because of vaping. It's highly addictive, and the flavors are intended to draw them in and get them hooked. Vaping is not "healthy" and it's not a better alternative to smoking. One Juul pod has the same amount of nicotine as a pack of cigarettes. Vaping is an epidemic among our youth. We see it every day as we help kids and young adults with the addiction they quickly develop when using e-cigarettes or vapes.

Please prohibit the sale of flavored nicotine products and nicotine product flavor enhancers and the mislabeling of e-liquids as nicotine-free by passing HB756 HD1.

Dr. Colleen Fox
Makiki, Oahu