



SB1009 SD1
RELATING TO FLAVORED TOBACCO PRODUCTS.
Senate Committee on Judiciary

February 21, 2019

9:00 a.m.

Room 016

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB1009 SD1, which seeks to ban the sale of flavored tobacco products. This bill would help protect Native Hawaiian adults and youth—who already exhibit high rates of tobacco product use and chronic disease—from the cumulative and harmful health consequences of e-cigarette and other tobacco use.

OHA has long advocated for meaningful policies which reduce health inequities faced by Native Hawaiians. Most recently, OHA spearheaded the State effort to codify “social determinants of health” through Act 155 (Reg. Sess. 2014) and require state agencies to take a holistic and systemic approach to addressing health disparities seen in Native Hawaiian and other communities. In furtherance with our strategic plan and advocacy efforts, we now seek to improve the conditions of Native Hawaiians by reducing substance abuse, including tobacco and nicotine products.

Smoking and tobacco use have had severe consequences for Native Hawaiians. For example, Native Hawaiian women have the highest rates of asthma in the State,¹ and exposure to tobacco smoke exacerbates such respiratory issues, making asthma very dangerous and difficult to control. Moreover, health data reveals that lung and bronchus cancers associated with tobacco use kill more kāne (31.3%) than any other form of cancer; this trend has remained steady since 1975.² Alarming, nearly one in five Native Hawaiians is a current smoker³; and Native Hawaiian youth are more likely than any other ethnic youth group in Hawai‘i to use electronic vaping products, with one in three of these users being adolescent females.⁴

E-cigarette use in particular has become “a major health concern” among youth nationwide, according to the United States Surgeon General. To address the skyrocketing rates of vaping in high schools and middle schools, the FDA has recently moved toward a ban on flavored e-cigarettes, menthol cigarettes, and flavored cigars; national advocacy is

¹ OFFICE OF HAWAIIAN AFFAIRS, HAUMEA—TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN WOMEN AND EMPOWERING WĀHINE WELL-BEING (2018).

² OFFICE OF HAWAIIAN AFFAIRS, KĀNEHŌ‘ĀLANI – TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN MEN (2017).

³ OFFICE OF HAWAIIAN AFFAIRS, HAUMEA—TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN WOMEN AND EMPOWERING WĀHINE WELL-BEING (2018).

⁴ OFFICE OF HAWAIIAN AFFAIRS, NATIVE HAWAIIAN DATA BOOK (2019).

also prompting efforts to ban favored tobacco products that are clearly marketed toward and popular among youths. By prohibiting the sale of flavored tobacco products, including e-cigarette “juice,” **SB1009 SD1 will place Hawai‘i at the lead of such efforts to protect children and adults alike, while promoting the well-being of the Native Hawaiian community and a healthier Hawai‘i overall.**

Accordingly, OHA urges the Committee to **PASS** SB1009 SD1. Mahalo nui for the opportunity to testify on this measure.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/21/2019
Time: 09:00 AM
Location: 016
Committee: Senate Judiciary

Department: Education
Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education
Title of Bill: SB 1009, SD1 RELATING TO FLAVORED TOBACCO PRODUCTS.
Purpose of Bill: Bans the sale of flavored tobacco products. Effective 1/1/2020. (SD1)

Department's Position:

The Department of Education (Department) supports SB 1009 SD1, provided that its passage does not replace or adversely impact priorities as indicated in our BOE approved budget.

The 2017 Hawaii Youth Risk Behavior Survey data indicate that almost half of our high school students have tried e-cigarettes and 25% are now regular users. Although traditional cigarette use has declined in recent years, it is still concerning, with one out of every four youth saying that they have smoked a cigarette.

Since 2009, the Food and Drug Administration (FDA) has banned cigarettes with characterizing flavors other than menthol (e.g., fruit, candy). Menthol cigarettes and flavored e-cigarettes are disproportionately used by youth, partially due the false perception that fruit- and menthol-flavored products are less harmful than those that are tobacco flavored. A 2013 US Food and Drug Administration (FDA) report on the health impact of menthol cigarettes determined that these products lead to increased smoking initiation among youth and young adults, greater addiction and decreased success in quitting smoking.

The nicotine in tobacco products has been found to be addictive and is especially harmful to youth neurologic development. There are numerous other negative health consequences associated with the use of tobacco products and second hand exposure to tobacco smoke and e-cigarette vapor, including higher rates of asthma and respiratory infection. These health conditions may limit a student's ability to attend and participate fully in school and may have long term effects on their educational attainment. In addition to being highly addictive, nicotine adversely affects the heart, reproductive system, lungs, and kidneys. Tobacco is the leading cause of cancer and of death from cancer. An estimated 21,000 children in Hawaii currently under the age of 18 with ultimately die prematurely from smoking.

Pursuant to Act 206, Session Laws of Hawaii 2018, Part II, Section 8(5), it is unlawful for anyone

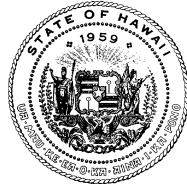
under the age of 21 to possess a tobacco product or an electronic smoking device (e-cigarette). If a student is found committing this offense on a school campus, he or she is subject to the disciplinary actions of Chapter 8-19, Hawaii Administrative Rules, and may be suspended. E-cigarettes will be seized, forfeited to the school administrator and destroyed by law enforcement following the conclusion of administrative investigation.

The Department is committed to supporting students' well-being by providing a safe learning environment and helping them to develop health literacy skills. The Department is collaborating with the Department of Health to actively engage and educate our youth as to the harmful risks and dangers associated with tobacco products, including e-cigarettes. These efforts include a social media campaign, school-level student-led projects (e.g., video, art, essays, presentations, etc.), displaying posters on school campuses, and embedding curriculum on this topic into health education classes. The Department is also working to raise awareness about this critical health issue among teachers and parents by distributing educational pamphlets and holding family information nights.

The safety and well-being of all of our students is paramount to the Department of Education.

Thank you for the opportunity to provide testimony.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



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

Testimony in SUPPORT of S.B. 1009, SD1
RELATING TO FLAVORED TOBACCO PRODUCTS

SENATOR KARL RHOADS, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: February 21, 2019 Room Number: 016

1 **Fiscal Implications:** Hawaii saved one billion dollars in total healthcare savings from 2000 to
2 2017 through prevention with youth and pregnant women, and adult cessation efforts. Reducing
3 future the initiation of tobacco use, and helping people quit tobacco products will ultimately
4 reduce health care costs and improve health outcomes.

5 **Department Testimony:** The Department of Health (DOH) supports Senate Bill 1009, Senate
6 Draft 1 (S.B. 1009, SD1) which proposes to amend Chapter 712, Hawaii Revised Statutes (HRS)
7 by prohibiting the sale or distribution of all flavored tobacco products, including products with
8 menthol, in the State of Hawaii effective January 1, 2020. The Department defers to the Department of
9 the Attorney General (AG) for enforceability.

6 The unprecedented youth vaping epidemic in Hawaii has is a serious public health
7 issue. Exposure to nicotine during adolescence can cause addiction and harm the developing
8 adolescent brain.¹ In contrast to the positive decline in combustible tobacco smoking, use of
9 electronic smoking devices (ESDs), also known as vaping or e-cigarettes, has increased
10 dramatically over the last decade, making ESDs the most common tobacco product used among
11 youth.

12 Hawaii data showed that from 2011 to 2015, experimentation with vaping among middle
13 school students increased six-fold while among high school youth it increased by four-fold.²
14 According to the Hawaii 2017 Youth Risk Behavior Survey, 16 percent of middle school and 26
15 percent high school youth are current ESD users, and the rates are higher on the neighbor
16 islands with Hawaii County at 34 percent; Maui County at 32 percent; and Kauai County at 31

¹ US Department of Health and Human Services. E-cigarette use among youth and young adults: a report of the Surgeon General. Atlanta, GA: US Department of Health and Human Services, CDC, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health; 2016.

² Hawaii State Department of Health 2015 Hawaii Youth Tobacco Survey. Hawaii Health Data Warehouse

1 percent.³ These percentages are over twice as high as the national average of 13 percent, and
2 data shows Hawaii has been leading the trend in e-cigarette use by youth.⁴ The 2018 National
3 Youth Tobacco Survey (NYTS) findings released on February 11, 2019, reported a 78 percent
4 increase in current e-cigarette use by high school students from 2017 to 2018. The NYTS is the
5 first national survey to reflect the impact of rising sales of JUUL and other USB-shaped e-
6 cigarettes, and the erosion of tobacco prevention progress from 2011 to 2018.⁵

7 Scientific studies are increasingly reporting that flavors are one of the main reasons that
8 youth use tobacco. In recent years, there has also been an explosion of sweet or kid-friendly
9 flavored tobacco products, especially for ESDs and cigars. A 2014 study identified more than
10 7,700 unique e-cigarette flavors, with an average of more than 240 new flavors being added per
11 month.⁶ Among student responders to the 2017 Hawaii Youth Tobacco Survey reporting ever-
12 using ESDs, 26 percent stated the availability of “flavors such as mint, candy, fruit, or chocolate”
13 was their primary reason for using ESDs. Further, one in four said they did not believe ESDs to
14 be dangerous.²

15 The tobacco industry has long used and adjusted the level of menthol to appeal to younger
16 smokers, and according to a 1986 R.J. Reynolds document observed, “. . . once a smoker adapts to
17 smoking a menthol product, the desire for menthol increases over time.”¹ Menthol is a chemical
18 compound used to mask the harshness of cigarettes smoke due to its characteristic cooling effects
19 on the mouth and throat.^{7,8} Longitudinal studies show that initiation with menthol cigarettes
20 facilitates progression to cigarette use among young smokers.^{9,10} Nationally, the youngest

³ Hawaii State Department of Health 2017 Youth Risk Behavior Survey. Hawaii Health Data Warehouse

⁴ US Youth Risk Behavioral Surveillance Systems, 2017, <https://www.cdc.gov/healthyyouth/data/yrbs/pdf/2017/ss6708.pdf>.

⁵ Centers for Disease Control and Prevention. *Vital Signs: Tobacco product use among middle school and high school students – United States, 2011-2018*. Morbidity and Mortality Weekly Report, Early Release February 11, 2019.

⁶ American Academy of Pediatrics, Campaign for Tobacco-Free Kids. The Flavor Trap: How Tobacco Companies are Luring Kids with Candy Flavored E-cigarettes and Cigars. March 2017. Retrieved on January 29, 2019 from https://www.tobaccofreekids.org/microsites/flavortrap/executive_summary.pdf

⁷ Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol Versus Nonmenthol Cigarettes. (n.d.), 153.

⁸ Yerger, V. B., & McCandless, P. M. (2011). Menthol sensory qualities and smoking topography: a review of tobacco industry documents. *Tobacco Control*, 20(Suppl_2), ii37–ii43. <https://doi.org/10.1136/tc.2010.041988>

⁹ Nonnemaker J, Hersey J, Homsy G, Busey A, Allen J, Vallone D. Initiation with menthol cigarettes and youth smoking uptake. *Addiction*. 2013;108(1):171-178.

¹⁰ Dauphinee AL, Doxey JR, Schleicher NC, Fortmann SP, Henriksen L. Racial differences in cigarette brand recognition and impact on youth smoking. *BMC Public Health*. 2013;13(1):170.

1 cigarette smokers use menthol at the highest rates.^{11,12} Between 2008 and 2010, 57 percent of
2 smokers ages 12-17 smoked menthol cigarettes compared with 35 percent of smokers overall.¹³

3 In Hawaii, menthol tobacco use is especially problematic. A 1983 document from R.J.
4 Reynolds declared that Hawaii was a “menthol market”.¹⁴ According to the 2010 study titled,
5 Smoking and Tobacco use in Hawaii, 78 percent of Native Hawaiian/ Pacific Islander adult
6 smokers and 42 percent of White adult smokers consumed menthol cigarettes.¹⁵ The 2017
7 Hawaii Youth Tobacco Survey (YTS) data showed that 54 percent of high school youth who
8 smoke usually smoke menthol cigarettes.¹⁶

9 The 2009 federal Family Smoking Prevention and Tobacco Control Act, prohibited the
10 sale of cigarettes with characterizing flavors other than menthol or tobacco, including candy and
11 fruit flavors with the purpose of deterring youth smoking. (Amongst cigarette flavors available
12 was Camel’s “*Kauai Kolada*” described as, “Hawaiian hints of pineapple and coconut,” in
13 special edition packaging featuring a recumbent dark-haired young woman wearing a lime-slice
14 lei, bikini top and hula skirt.) This prohibition only extended to flavored cigarettes and their
15 flavored cigarette component parts, such as tobacco, filter, or paper.”¹⁷ It did not apply to non-
16 cigarette tobacco products, nor the flavors of menthol and tobacco. The absence of regulation
17 has led to the proliferation of flavored tobacco products in the marketplace, enticing new users,
18 particularly youth, to a lifetime of nicotine addiction. This growing market for flavored tobacco
19 products is undermining the nation’s overall progress in reducing youth tobacco use.

¹¹ Giovino GA, Villanti AC, Mowery PD, et al. Differential trends in cigarette smoking in the USA: is menthol slowing progress? Tobacco control. 2015;24(1):28-37.

¹² Caraballo RS, Asman K. Epidemiology of menthol cigarette use in the United States. Tobacco induced diseases. 2011;9 Suppl 1:S1.

¹³ Villanti, A. C., Collins, L. K., Niaura, R. S., Gagosian, S. Y., & Abrams, D. B. (2017). Menthol cigarettes and the public health standard: a systematic review. *BMC Public Health*, 17. <https://doi.org/10.1186/s12889-017-4987-z>

¹⁴ Kennedy, J.C. “Marketing Research Report. Hawaii Regional Analysis Distribution”. 06 Jun 1983. R.J. Reynolds Records. <http://industrydocuments.library.ucsf.edu/tobacco/docs/rxpj0103>

¹⁵ Hawaii State Department of Health. (2010) Smoking and Tobacco Use in Hawai’i Facts, Figures, and Trends. Retrieved on January 25, 2019 from <http://health.hawaii.gov/tobacco/files/2013/06/2010-Facts.pdf>

¹⁶ 2017 Hawaii Youth Tobacco Survey. Hawaii Health Data Warehouse. Hawaii State Department of Health.

¹⁷ Ctr. For Tobacco Products, Food & Drug Admin., Guidance to Industry and FDA Staff: General Questions and Answers on the Ban of Cigarettes that Contain Certain Characterizing Flavors 1 (2D ED.) (2009)

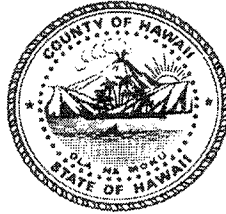
1 The Department supports this legislation to ban flavored tobacco products. Ending the
2 sale of flavored tobacco products is an issue of both health and social justice. Candy and fruit
3 flavored tobacco products are being marketed to youth intentionally as a way of replacing adult
4 smokers of traditional cigarettes. Those who use flavored tobacco products are more likely to
5 progress to regular smoking. The major tobacco companies continue to invest heavily in
6 flavored tobacco products with their own brands or acquired existing e-cigarette companies.
7 Global e-cigarette industry grew dramatically and by 2017 was valued at 10.24 billion US
8 dollars. Most recently, Altria, parent company of Phillip Morris, invested 12.8 billion dollars or
9 35 percent stake in JUUL, a product so popular with youth, “to JUUL,” is used as a synonym for
10 vaping. A flavored pod of JUUL contains as much nicotine as 20 regular cigarettes. The passage
11 of S.B. 1009, SD1 would be a significant policy to close the market of appealing products that are
12 addicting our youth and young adults to nicotine.

13 Thank you for the opportunity to testify.

14 **Offered Amendments:** None

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



655 KĪLAUEA AVENUE
HILO, HAWAII 96720
PH: (808) 961-0466
FAX: (808) 961-8908
(808) 934-3403
(808) 934-3503

WEST HAWAII UNIT
81-980 HALEKI'Ī ST, SUITE 150
KEALAKEKUA, HAWAII 96750
PH: (808) 322-2552
FAX: (808) 322-6584

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF SENATE BILL NO. 1009, SD 1

A BILL FOR AN ACT RELATING TO FLAVORED TOBACCO
PRODUCTS

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

Thursday, February 21, 2019, 9:00 a.m.
State Capitol, Conference Room 016

Honorable Chair Rhoads, Honorable Vice Chair Wakai and Members of the Committee on Judiciary. The Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in SUPPORT of Senate Bill No. 1009, SD1.

This measure bans the sale of flavored tobacco products.

Electronic smoking device (ESD) use among youth in Hawai'i has reached epidemic levels, and ESDs have surpassed cigarettes as the most used tobacco product among youth.

The tobacco industry claims they are not targeting children, but their actions tell a different story. The rise in youth use of EDSs has been in conjunction with the targeted branding of sweet, candy-flavored tobacco products. The toxic combination of enticing flavors and nicotine have led to a generation of youth addicted to tobacco products.

It is encouraging that the FDA has recognized flavors and ESDs as a national public health concern. It is also clear that we must act NOW to protect Hawai'i keiki from the enticement of candy-flavored tobacco products and a lifetime of addiction.

The Office of the Prosecuting Attorney, County of Hawai'i SUPPORTS the passage of Senate Bill No. 1009, SD1. Thank you for the opportunity to testify on this matter.

Tuesday, February 21, 2019 at 9:00 AM
Conference Room 016

Senate Committee on Judiciary

To: Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

From: Michael Robinson
Vice President, Government Relations & Community Affairs

Re: **Testimony in Support of SB 1009, SD1
Relating to Flavored Tobacco Products**

My name is Michael Robinson, Vice President, Government Relations & Community Affairs at Hawai'i Pacific Health. Hawai'i Pacific Health is a not-for-profit health care system comprised of its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox and over 70 locations statewide with a mission of creating a healthier Hawai'i.

I write in support of SB 1009, SD1 which would ban the sale of flavored tobacco products effective as of January 1, 2020.

Tobacco use remains the leading cause of preventable disease and death in the United States and in Hawai'i. Tobacco use is a serious public health problem in terms of the human suffering and loss of life it causes, as well as the financial burden it imposes on society and our healthcare system. Annually, \$526,000,000 in health care costs are directly attributed to smoking in the State. Flavored tobacco products promote youth initiation of tobacco use and help young occasional smokers become daily smokers by reducing or masking the natural harshness and taste of tobacco smoke, thereby increasing the appeal of tobacco products. Menthol, in particular, is used by the tobacco industry because it has a cooling and numbing effect and can reduce the throat irritation from smoking, thus making menthol cigarettes an appealing option for youth who are initiating tobacco use. Candy and fruit flavors improve the taste and reduce the harshness of tobacco products, making them more appealing and easier for beginners to try tobacco products and ultimately become addicted. The popularity of electronic cigarettes among youth is concerning, as these products contain nicotine.

E-cigarette use or vaping among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawaii have decreased through the years, ESD use has rapidly increased, threatening significant

public health gains through our Tobacco 21 law and tobacco youth access laws. This is particularly concerning because e-cigarettes provide a new way to deliver the addictive drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids. Marketing strategies by the tobacco industry and electronic smoking device industry have significantly increased the introduction and marketing of flavored non-cigarette tobacco products, especially ESDs. Products are glamorized in order to appeal to our youth, using flavors such as candy, fruit, chocolate, mint, Kona coffee, Maui Mango, Shaka strawberry, and Moloka'i hot bread.

Recognizing the increasing public health concerns of flavored tobacco products, other jurisdictions have enacted bans on the sale of those products. Hawaii should also take the step to impose a similar ban.

Thank you for the opportunity to testify.



**Testimony to the Senate Committee on Judiciary
Thursday, February 21, 2019 2019; 9:00 a.m.
State Capitol, Conference Room 016**

RE: SUPPORTING SENATE BILL NO. 1009, SENATE DRAFT 1, RELATING TO FLAVORED TOBACCO PRODUCTS.

Chair Rhoads, Vice Chair Wakai, 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** Senate Bill No. 1009, Senate Draft 1, RELATING TO FLAVORED TOBACCO PRODUCTS.

The bill, as received by your Committee, would:

- (1) Prohibit the sale, offer for sale, or possession with the intent to sell or offer to sell a flavored tobacco product;
- (2) Clarify that a statement or claim is made to the consumer or public that the product has or produces a characterizing flavor be prima facie evidence that the tobacco product is a flavored tobacco product;
- (3) Provide that any tobacco product or electronic smoking device in the retailer's possession at the time of the violation be seized and forfeited to the State, and following administrative or judicial proceedings finding that the violation was committed, be destroyed by law enforcement;
- (4) Authorize the levying of civil fines not to exceed \$500 for the first offense, and not less than \$500 but not more than \$2,000 for any subsequent offense;
- (5) Allow any county to adopt rules or ordinances that place greater restrictions on the access of tobacco products and provide that the more stringent restriction prevail;
- (6) Include both savings and severability clauses ; and

(7) Take effect on January 1, 2020.

Federally Qualified Health Centers (FQHCs) provide desperately needed medical services at the frontlines in rural 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 health.

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 affect our citizenry on a generational basis with people experimenting at even earlier ages. From our perspective, the development of flavored products are intended specifically to introduce these products to younger consumers for the purpose of grooming the next generation of smokers, chewers, and vaporers.

It is for this reason that the HPCA joins the Hawaii Public Health Institute and other advocates in strong support of all efforts to rid the marketplace of these products.

Thank you for the opportunity to testify on this measure.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

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

Rick Collins, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm Reduction Center

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

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 (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the Great Northwest and Hawaiian Islands

Residential Youth Services & Empowerment (RYSE)

Salvation Army Family Intervention Services

Sex Abuse Treatment Center
Susannah Wesley Community Center

The Catalyst Group

February 18, 2019

To: Senator Karl Rhoads, Chair
And members of the Committee on Judiciary

TESTIMONY IN SUPPORT OF SB 1009 SD 1 RELATING TO FLAVORED TOBACCO PRODUCTS

Hawaii Youth Network Services, a statewide coalition of youth-serving organizations, supports SB 1009 SD 1 Relating to Flavored Tobacco Products.

Elimination of flavored tobacco products across the state of Hawai'i will prevent addiction, reduce continued use of tobacco products throughout one's lifespan, and prevent chronic health conditions such as COPD and cardiovascular disease.

It is important to ban flavored tobacco products as today's marketing targets and encourages youth to take part in this unhealthy behavior. Hawaii has the fifth highest amount of vaping in the United States. E-cigarettes continue to grow in popularity leading to a potential health epidemic. With up to 15,500 flavors, e-cigarettes are of particular interest and attraction to Hawai'i's youth. Along with the enticing flavors and packaging, youth perceive e-cigarettes to be less harmful than other nicotine filled tobacco products. Students have shared that vaping is a popular activity that occurs both inside and outside of the academic setting. Youth have the ability to access flavorless tobacco through social media accounts, vape stores without regulation of the 21-year-old age law, and online orders with their parent's credit cards.

Youth do not understand the dangers of this harmful product. E-cigarettes contain toxic chemicals. These ingredients result in chronic health consequences including lung cancer, addiction, central nervous system damage, and delay of proper adolescent brain development.

808novape researchers have found that:

- 26% of Hawai'i high school students are using e-cigarettes
- 94% online purchases of e-cigarettes have been successful amongst teens
- 60% of teens believe occasional use of e-cigarettes does little to of harm
- 70% of middle and high schoolers have recently seen e-cigarette advertising

HYSN page 2

Four of five young people who use tobacco start with a flavored product. Tobacco is one of the leading causes of death and should not be accessible to Hawai'i's youth. Please ban the sale of flavored tobacco products.

Thank you for this opportunity to testify.

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large initial "J".

Judith F. Clark, MPH
Executive Director



1050 Bishop St. PMB 235 | Honolulu, HI 96813
P: 808-533-1292 | e: info@hawaiiifood.com

Executive Officers

Toby Taniguchi, KTA Superstores, *Chair*
Joe Carter, Coca-Cola Bottling of Hawaii, *Vice Chair*
Charlie Gustafson, Tamura Super Market, *Secretary/Treas.*
Lauren Zirbel, HFIA, *Executive Director*
Beau Oshiro, C&S Wholesale Grocers, *Past Chair*
Stan Brown, Acosta Sales & Marketing, *Advisor*
Paul Kosasa, ABC Stores, *Advisor*
Barry Taniguchi, KTA Superstores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*

TO:

Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: February 21, 2019
TIME: 9am
PLACE: Conference Room 16

RE: SB1009 Relating to Flavored Tobacco Products

Position: Comments

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

The federal government already has in place adequate regulations regarding flavored cigarettes. Tobacco regulations are handled at the federal level for good reason. Enforcing this type of ban on very specific kinds of a product, which are legal at the federal level would require be a potentially logistically difficult and very expensive process. Any additional regulations of these types of products should occur at the federal level.

At the state level tobacco use in Hawaii is already restricted to those who are 21 and older. Kids and adults under 21 don't have legal access to these products and businesses already take measures to ensure that only those 21 and older are buying nicotine products.

This bill unfairly targets and penalizes those who choose to use certain types of products, and the businesses that serve these customers. This type of regulation is not really necessary and can be obtrusive. We thank you for the opportunity to testify.



Testimony in Support of RE: SB 1009 SD1 Relating to Flavored Tobacco Products

Ellie Kelley-Miyashiro, RDH, BS

Past President/Regulations and Practice Chairperson – Hawaii Dental Hygienists' Association

Feb 18, 2019

Dear Chair Rhodes and respected members of the COMMITTEE ON JUDICIARY:

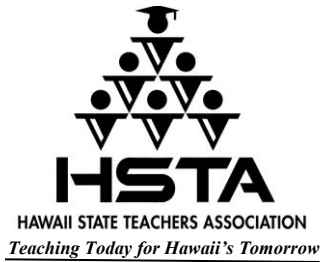
The Hawaii Dental Hygienists' Association (HDHA) strongly **supports Senate Bill 1009 SD1** which proposes to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawaii effective January 1, 5 2020.

We congratulate the Legislature for introducing a measure that seeks to address the health dangers caused by flavored tobacco products in Hawaii. The marketing of flavored tobacco products, clearly targets sales to Hawaii's youth as an initiation into the use of other nicotine products. In contrast to the positive decline in combustible tobacco smoking, use of electronic smoking devices (ESDs), also known as vaping or e-cigarettes, has increased dramatically over the last decade, making ESDs and flavored tobacco products the most common tobacco product used among youth.

HDHA believes that the nicotine in tobacco is clearly addictive and has been proven to be especially harmful to the oral health of those using it. Current research shows a direct correlation between smoking and periodontal disease. It has been shown to significantly increase the risk of tooth loss over time and decrease the ability for oral soft tissue to heal.

As the largest association representing Hawaii's licensed dental hygienists', HDHA strongly **supports SB 1009 SD1** to ban the sale of flavored tobacco products in Hawaii. Dental hygienists strive daily to educate patients on ways to improve their oral health, which includes discussing the harmful effects of smoking and tobacco related products. We look forward to working with lawmakers toward our common goal of increased health and decreased dental disease in our great State.

Thank you for your time and consideration.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee
President

Osa Tui Jr.
Vice President

Logan Okita
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON JUDICIARY

RE: SB 1009, SD1 - RELATING TO FLAVORED TOBACCO PRODUCTS

THURSDAY, FEBRUARY 21, 2019

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Rhoads, and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 1009, SD1** banning the sale of flavored tobacco products.

This measure would ban the sale of flavored tobacco products in the state of Hawaii starting on 1/1/2020.

Flavored tobacco products have been proven as the entry point for youth to start smoking. According to the FDA's 2018 National Youth Tobacco Survey over two-thirds (67.8 percent) are using flavored e-cigarettes, which is a significant increase from 2017. The 2017 CDC, Youth Risk Behavior Surveillance System reported 8.1% of high school students smoked on at least one day in the past 30 days.

Locally the Hawaii's Youth Risk Behavior Survey of public high school students disclosed the following: over 42% of Hawaii high school students have tried using vapor products; over 25% of Hawaii high school students indicated that they are regular users; and neighbor islands high school students reporting even higher numbers with over 31% of Kauai students, over 32% of Maui students, and over 34% of Hawaii county students reported to be regular users.

This data is clear and the reason the Hawaii State Teachers Association asks your committee to **support** SB 1009. We need to protect our youth.



February 19, 2019

To: To the Senate Committee on Judiciary
The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

Re: Strong Support of SB1009 SD1, Relating to Flavored Tobacco Products

Hrg: February 21, 2019 at 9:00 AM at Capitol Room 016

The Hawaii Public Health Association is a group of over 600 community members, public health professionals and organizations statewide dedicated to improving public health. HPHA also serves as a voice for public health professionals and as a repository for information about public health in the Pacific.

HPHA strongly supports SB1009 SD1, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

It's also critical to include menthol cigarettes in the flavored tobacco ban. Menthol cigarettes are a popular starter product, as it has cooling properties that mask the harshness of tobacco smoke and nicotine. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, such as the Native Hawaiian community, and has led to health disparities.

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. HPHA strongly supports SB1009 SD1 and ask you to pass this out of committee.

Thank you for the opportunity to provide testimony on important health issues affecting people in Hawai'i.

Respectfully submitted,

A handwritten signature in black ink that reads 'Holly Kessler'.

Holly Kessler
Executive Director
Hawaii Public Health Association

SB-1009-SD-1

Submitted on: 2/19/2019 2:04:37 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Danelle Watson	Testifying for Alexander Academy of performing ARTs	Support	No

Comments:

My name is Danelle Watson, I am the director of Alexander Academy of Performing Arts. I am testifying on SB1009-flavored tobacco ban. I am testifying in strong support of a ban to prevent sale of flavored tobacco products including menthol. The use of candy flavors in tobacco products are advertising and marketing directly to our keiki.

8 in 10 youth who use tobacco product started with a flavored product. 95% of smokers started before they were 21, most with flavored tobacco product. Youth who vape are 10 times more likely to start smoking. 25.5 % of Hawaii high schoolers vape, this is more than 2X national average. 15.7% of Hawaii middle schoolers vape, this is more than 3x national average.

Ending the sale of all flavored tobacco products including menthol will help protect our youth from a lifetime of tobacco addiction.

I am in strong favor of a ban on flavored tobacco products.

Danelle Watson



Hawaii COPD Coalition
700 Richards St., Suite 2410
Honolulu, HI 96813
Valerie@hawaiicopd.org
(808)699-9839

February 19, 2019

Honorable Chair Senator Karl Rhoads
Honorable Vice-Chair Senator Glenn Wakai
Members of the Committee on Judiciary

RE: **Strong Support** of SB1009, SD1, banning sale of all flavored tobacco products in Hawaii

Dear Senator Baker, Chang, and members of the Commerce, Consumer Protection and Health Committee:

This measure is extremely critical to the health of the children of our state and our entire state as well. Please vote in favor of SB1009, SD1 banning all flavored tobacco products in Hawaii.

I am Executive Director of the Hawaii COPD Coalition and serve 46,015 Hawaii adults diagnosed with COPD in Hawaii (with an estimated equal number still undiagnosed). 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.

We are grateful that this legislature has been the first in the nation to pass legislation banning the sale of tobacco and electronic smoking devices to people under 21 in Hawaii. Unfortunately, that doesn't stem the growing epidemic of young people and adults in our state who are smoking electronic smoking devices, commonly referred to as ESDs, e-cigs, or vaping.

With 168,000 young people in our schools and with 42% of all high school students and 27% of middle schoolers reporting ever having used an "electronic vaping product" in 2017, we have an urgent need to act. All our young people deserve protection from a lifetime of addiction.

While the FDA's proposed plan aims to restrict the sale of flavored e-cigarettes in convenience stores and gas stations, **it still allows e-cigarette products to stay on the market and online without review by the FDA until August 2022.** We know rulemaking at the federal level often takes a long time which is why state-level action on menthol and other flavored products is

needed now. We can't wait to protect our keiki. Additionally, the new proposed policies do not address flavors in any form of smokeless tobacco or hookah.

The chemicals used in e-juice and other products have NOT been tested nor approved for inhalation, particularly butter flavors which has been known to cause popcorn lung, otherwise known as bronchiolitis obliterans (which is a very serious progressive lung condition, basically causing the lungs to disappear from the bottom of the lungs upwards). The people using these products SAY they don't FEEL different and aren't currently having symptoms but the studies show otherwise. The most recent study is the FIRST study to show an independent association of e-cigarette use with chronic respiratory disorders and it's a Hawaii study. The citation is <https://www.ncbi.nlm.nih.gov/pubmed/30472577> Drug Alcohol Depend. 2019 Jan 1;194:363-370. doi: 10.1016/j.drugalcdep.2018.10.004. Epub 2018 Nov 7, E-cigarette use and respiratory disorder in an adult sample. Wills TA¹, Pagano I², Williams RJ³, Tam EK⁴.

Sadly, addicted tobacco smokers often also said they were "fine," up until they were hospitalized with a severe COPD "lung attack" and put on supplemental oxygen for the rest of their lives as well. The over 15,000 flavors of ESDs are designed to entice and attract youth with flavors and designs and packing like sweet candies they love, like gummy bears, jolly ranchers, and more!

We already have over 46,000 Hawaii adults with COPD. The study showing that e-cigarettes cause respiratory disorders shows why it is imperative that this bill be passed NOW, to prevent our state from having ever more young and older people with COPD and the accompanying reduced quality of life.

Please help protect the lungs and lives of our children from these very harmful products that are spreading virally in our schools, from elementary through high school and beyond. We urge you to **please vote in favor of SB1009, SD1 and pass it out of committee so it can become law.** 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



HIPHI Board

Michael
Robinson, MBA, MA
Chair
Hawaii Pacific Health

Mark Levin, JD
Secretary
William S. Richardson School
of Law

Kilikina Mahi, MBA
Treasurer
KM Consulting LLC

Joy Barua, MBA
Kaiser Permanente

Forrest Batz, PharmD
Retired, Daniel K. Inouye
College of Pharmacy

Debbie Erskine
Kamehameha Schools

Keawe'aimoku
Kaholokula, PhD
John A. Burns School of
Medicine, Department of
Native Hawaiian Health

Bryan Mih, MD, MPH
John A. Burns School of
Medicine, Department of
Pediatrics

Rachel Novotny,
PhD, RDN, LD
University of Hawaii at Manoa,
College of Tropical Agriculture
and Human Resources

Catherine Taschner, JD
McCorriston Miller Mukai
MacKinnon LLP

JoAnn Tsark, MPH
John A. Burns School of
Medicine, Native Hawaiian
Research Office

En Young, MBA
Sansei, Lanai

Date: February 19, 2019

To: Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair
Members of the Judiciary Committee

Re: Strong Support for SB1009 SD1, Relating to Flavored Tobacco
Products

Hrg: February 21, 2019 at 9:00am at Conference Room 016

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Instituteⁱ is in **Strong Support of SB 1009** which would end the sale of all menthol and flavored tobacco products in the state.

This measure will help to save lives.

Tobacco use remains a serious threat to public health. Each year, Hawaii spends \$526 million in health care costs and \$141.7 million in Medicaid costs due to smoking. Tobacco products with menthol, sweet flavors, and colorful packaging are designed to attract teens and young adults. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product. A report by the U.S. Food and Drug Administration, issued in 2013, found that menthol cigarettes led to 1) increased smoking initiation among youth and young adults; 2) greater addiction; and 3) decreased success in quitting smoking.

In addition, candy flavors such as Fruit Hoops, Sour Straws, Gummy Bears, and Cookie Monsta are designed to appeal to kids, and make nicotine go down easier. With 81% of youth starting with a flavored productⁱⁱ, regulating the flavors designed to capture and addict new customers prioritizes the health and safety of our community over tobacco's special interests.

This measure helps to protect our keiki from a lifetime of addiction.

Hawaii is experiencing a vaping epidemic among our young people. The State Legislature has worked hard to protect our residents from the harms caused by tobacco use, but the rapid growth of e-cigarette use is alarming. With 42% of all high school students and 27% of middle

schoolers reporting ever having used an “electronic vaping product” and 4.3%ⁱⁱⁱ of adults regularly using ESDs in 2017, we have an urgent need to act.

The industry claims that they’re not targeting kids, but their actions tell a different story. With 15,500 e-cigarette flavors and growing, these products are not being responsibly marketed. The industry selects colorful packaging and ads that appeal to taste and pop culture. Tobacco companies have a long history of using these same tactics to entice new and younger users and make them repeat customers. In addition, despite our Tobacco 21 law, several stores continue to sell to underage minors, as reported in the FDA Compliance Check inspections site^{iv}:

Retailer Name	Street Address	City	State	Zip	Sale to Minor	Product Type	Decision Date	Inspection Result
HC DRIVE INN	94-210 LEOKANE STREET	WAIPAHAU	HI	96797	Yes	E-liquid	11/10/2016	Warning Letter Issued
HELE SNACK EXPRESS	74-5590 PALANI ROAD	KAILUA KONA	HI	96740	Yes	E-liquid	01/12/2017	Warning Letter Issued
IMM 10TH AVE #1016	1451 10TH AVE	HONOLULU	HI	96816	Yes	E-liquid	08/10/2017	Warning Letter Issued
7-ELEVEN / HELE 54128	85-010 FARRINGTON HIGHWAY	WAIANAE	HI	96792	Yes	ENDS / E-liquid	11/29/2018	Warning Letter Issued
7-ELEVEN HAWAI'I 54127	1247 KAILUA RD	KAILUA	HI	96734	Yes	ENDS / E-liquid	08/16/2018	Warning Letter Issued
ALOHA ISLAND MART	95-280 KIPAPA DRIVE	MILILANI	HI	96789	Yes	ENDS / E-liquid	09/06/2018	Warning Letter Issued
EXPRESS MINI MART / SHELL	94-380 PUPUPANI STREET	WAIPAHAU	HI	96797	Yes	ENDS / E-liquid	09/06/2018	Warning Letter Issued
VAPORFI	555 N KING ST	HONOLULU	HI	96817	Yes	ENDS / E-liquid	08/16/2018	Warning Letter Issued
VOLCANO	98-1005 MOANALUA ROAD, SPACE K 7	AIEA	HI	96701	Yes	ENDS / E-liquid	09/06/2018	Warning Letter Issued
WALGREENS 10048	46-021 KAMEHAMEHA HIGHWAY	KANEOHE	HI	96744	Yes	ENDS / E-liquid	09/06/2018	Warning Letter Issued

These new products are glamorizing nicotine addiction.

The vaping industry has taken full advantage of delays by the FDA to regulate these products. Large volume (30-60mL), highly concentrated (5-5.9%) nicotine sale e-liquids have entered the market in youth-oriented flavors. Most recently, pod-based systems such as Juul and Suoprin have disrupted the e-cigarette market by creating an easily concealable sleek device that can deliver higher concentrations of nicotine. Tobacco giant Altria, maker of Marlboro, spent \$12.8 billion to purchase a third of Juul, which has 76% of the e-cigarette market share and is worth \$38 billion.



Example of a high-dose nicotine e-liquid – 60mG/mL or 6% nicotine in gummy bear flavor.



JUUL introduced 5% nicotine salt solutions in 0.7mL pods (about the size of your thumb). The company claims that it releases the same amount of nicotine found in a pack of cigarettes.

At the risk of allowing these products to remain on the market, we are addicting a new generation to these deadly products. The health of Hawaii’s keiki must be protected from the predatory marketing of tobacco companies.

Hawai’i has an opportunity to act now and be the first state to end the sale of flavored tobacco.

Over 180 localities^v have passed restrictions on the sale of flavored tobacco products, and over two dozen restrict the sale of menthol cigarettes. FDA’s proposed plan aims to restrict the sale of flavored e-cigarettes in convenience stores and gas stations, however, it still allows e-cigarette products to stay on the market and online without review by the FDA until August 2022. Since recognizing flavors and vaping as a national public health concern, the FDA has only sent warning letters to 18 manufacturers since May 2018. We know rulemaking at the federal level is often a long process, which is why state-level action on menthol and other flavored products is needed now. E-cigarettes are not FDA-approved tobacco cessation products. We have yet to see any scientific evidence, beyond anecdotal data, that e-cigarettes have helped smokers to quit completely from tobacco use. The concern is that with the aggressive and deceptive marketing of these products, we are seeing other consequences: **1) people who have never smoked are using e-cigarettes, 2) children are picking them up as a path to smoking, and 3) smokers are using them to perpetuate their habit instead of to completely quit.**

Prohibiting the sale of flavored tobacco products can help to keep kids from ever starting to smoke or vape, and can encourage those addicted to these products, to quit. We appreciate

Hawaii's leadership in tobacco control and the legislature's actions to protect our young people from a deadly addiction. We respectfully urge the committee to **pass SB1009**.

Attachment: List of 120 organizations and leaders supporting the #FlavorsHooksKidsHI campaign

Mahalo,



Trish La Chica, MPA
Policy and Advocacy Director

As listed on

<https://flavorshookkidshi.org>

HEALTH ORGANIZATIONS

'Ohana Health Plan
Adventist Health - Castle
Akamai Recovery Maui
American Academy of Pediatrics - Hawaii Chapter
American Cancer Society Cancer Action Network (ACS CAN)
American Heart Association
American Lung Association
American Pharmacist's Association - Academy of Student Pharmacists (APhA-ASP)
Big Island Substance Abuse Council
Blue Zones Project
Campaign for Tobacco-Free Kids
Coalition for a Drug-Free Hawaii
Coalition for a Tobacco-Free Hawai'i
Get Fit Kauai
Hamakua Kohala Health Centers
Hana Lima Physical Therapy
Hawaii Association for Health, Physical Education, Recreation & Dance (HAHPERD)
Hawaii COPD Coalition
Hawaii Dental Hygienists' Association
Hawai'i Nurses' Association
Hawaii Pacific Health
Hawaii Primary Care Association
Hawaii Public Health Association
Hawai'i Public Health Institute
Hui Malama Ola Na Oiwi

I Ola Lahui
Kaho'omiki; Hawaii Council of Physical Activity and Nutrition
Kapiolani Medical Center for Women & Children
Kauai Rural Health Association
Keiki Injury Prevention Coalition
Lāna'i Community Health Center
National Community Pharmacist Association - Hawaii Student Chapter
Oahu Kidney Care LLC
Papa Ola Lōkahi
Pediatric Therapies Hawaii
Project Vision Hawai'i
Tobacco Prevention Project, Daniel K. Inouye College of Pharmacy
West Hawaii Community Health Center

YOUTH AND COMMUNITY ORGANIZATIONS

Ahuimanu Elementary's School Community Council
Alexander Academy of Performing Art
American Youth Soccer Organization (AYSO)
Baldwin HS Peer Education
Bridge Club Hawaii
Hale 'Ōpio Kaua'i Inc.
Hawaii Appleseed Center for Law & Economic Justice
Hawaii Association of Independent Schools (HAIS)
Hawaii Children's Action Network
Hawaii Health and Harm Reduction Center
Hawaii High School Athletic Association

(HHSAA)
Hawaii Job Corps Center
Hawaii Youth Services Network
Hui Ola Pono (UH Public Health's Student Organization)
Kauai Path Inc.
Kiwanis Club of the Valley Island
Konawaena HS Wellness Committee
Maui Interscholastic League (MIL)
Moanalua HS Peer Education Program
Pacific American Foundation
Pono Hawaii Initiative
The Food Basket, Hawaii Island's Food Bank
The Friends of Kamalani and Lydgate Park-Beach Cleanup Team
Waiakea High School PTSA
Waimānalo Health Center
Waipahu Int. Youth for Safety Club
We Are One Inc.

ELECTED OFFICIALS & GOVERNMENT

Sen. Stanley Chang
Rep. Stacelynn Eli
Rep. Sharon Har
Maui County Councilmember Kelly King
Hawai'i County Councilmember Sue Lee Loy
Kuliouou-Kalani Iki Neighborhood Board #2
Makakilo/Kapolei/Honokai Hale Neighborhood Board #34
Mililani/Waipio/Melemanu Neighborhood Board #25
Pearl City Neighborhood Board #21
Waipahu Neighborhood Board #22
County of Kauai Office of the Prosecuting Attorney
Department of Education
Office of Hawaiian Affairs (OHA)

HEALTH & COMMUNITY LEADERS

Tina Alcain
Frank R. Baum, M.D.
Danielle Bergan
Janet Berreman, M.D.

Gregg Brenes, pastor
Jeenna Canche
Clifford Chang, MPH
Valerie Chang, JD
Michelle Ching, JD
Jeffrey H. Chester, DO
Carmen Cook, LMFT
Patti Cook
Joan Craft, RN
Keawe Kaholokula, PhD
Gary Hooser
Carol R. Ignacio
Colleen F Inouye, M.D.
Mark Levin, J.D.
Jasmin Kiernan, RN
Bryan Mih, M.D.
Michael Robinson, MBA, MA
Janice Shishido
Elizabeth K. Tam, M.D.
Catherine Taschner, J.D.
Jill Tokuda
John A. H. Tomoso, MSW, ACSW, LSW
Linda Weiner, M.D.
Stacy Woodson
Cassiopia Yamashita

SCHOOLS

Chiefess Kamakahahei Middle School
Maui Preparatory Academy
Mid Pacific Institute
Sacred Hearts Academy
Saint Louis Schools
Waiakea High School
Waimea Middle Public Conversion Charter School

BUSINESSES

Emma Whitney Photography
Ganesha Body Piercing
Heartlight Montessori Homeschool
Home Remedies Interior Design
Paia Tattoo Parlor
The Man Cave
The Root Cellar Studio Maui

ⁱ 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.

The Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ Ambrose BK, Day HR, Rostron B, et al. Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. JAMA. 2015;314(17):1871-1873. doi:10.1001/jama.2015.13802

ⁱⁱⁱ 2016 Behavioral Risk Factor Surveillance System (BRFSS).

<http://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=5203&localeId=14>

^{iv} US Food and Drug Administrations. Compliance Check Inspections of Tobacco Product Retailers (through 01/31/2019) from https://www.accessdata.fda.gov/scripts/oc/inspections/oc_insp_searching.cfm

^v States and Localities That Have Restricted the Sale of Flavored Tobacco Products, Campaign for Tobacco Free Kids. January 22, 2019, from <https://www.tobaccofreekids.org/assets/factsheets/0398.pdf>

Jamil Folio
The Man Cave
1993 S. Kihei Rd Suite 18
Kihei, Hawaii 96733



To our Distinguished Legislators:

My name is Jamil Folio, I am the Administrative Manager for “The Man Cave” retail business in Kihie, Hawaii. I am a property owner, father of young keiki, concerned citizen and a small business advocate who is proud to call Maui my home.

I am writing in STRONG support of SB1009, the tobacco flavor ban. We sell tobacco products in our store, and understand the trepidation of other business owners/operators concerning potential lost revenue. BUT, we cannot jeopardize the health of our youth and our community by focusing on short term profit.

An alarming number of Maui high school students, 30%, are using flavored vapor products, or e-cigarettes. A good portion of them will go on to use more traditional tobacco products and in case you are unaware that carries significant health risks. Children are 3 to 10 times more likely to start smoking having had exposure to vaping or e-cigarettes in the past.

21,000 children under the age of 18 currently living in Hawaii will die prematurely from smoking.

If you could please read the previous sentence one more time. Then consider the financial cost associated with long term cancer and end of life care. Any lost short term revenue from banning the sales of flavored tobacco products is a minor rounding error in the long term costs associated with cancer for tens of thousands of Hawaii’s citizens.

We are not talking about the rights adults have to make informed discussions. We are talking about middle school children being hooked on bubble gum and cotton candy flavored addiction. And that is what is being sold: addiction. This is a tried and true campaign of influence from tobacco companies who have been marketing to children for decades (as proven in their own internal documents multiple times).

For every potential sale that would be lost, a life might be saved. So please represent your constituents, our community and our island ohana by doing the right thing. No child or adult needs candy flavored cancer causing products.

Thank you for your time.

Mahalo,

Jamil Folio

SB-1009-SD-1

Submitted on: 2/19/2019 5:09:46 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

Strongly Support the health of the citizens of HI over toxic corporate profits.

www.WeAreOne.cc

February 21, 2019

RE: SUPPORT SB1009 Relating to Flavored Tobacco Products

Dear Chair Rhoads, Vice Chair Wakai, and Members of the Judiciary Committee:

At Blue Zones Projects we are working to make Hawaii a happier, healthier place to live, work and play. We support SB1009 SD1, which will ban the sale of all flavored tobacco products, ultimately reducing the number of users and potential users.

Youth are highly attracted to the variety, 15,500 + and growing, flavors. These are marketed to appeal to young people. With names like Fruit Hoops, Cali Colada, Space Jam, TrollzE, and Blizzard Berry-BRRRST, clearly the industry is targeting children under 21. By attracting young people, the next generation of consumers is being cultivated.

It is targeted, and the messaging is working phenomenally well. Nationally, there was a 78% increase from 2017-2018 in current e-cigarette use among high school students and 48% increase among middle school students. Bringing the total number of middle and high school students currently using to 3.6 million, 1.5 million more than the previous year. Hawaii youth are part of this trend, 42% of HIDOE high school students and 27% of middle school students report having ever used an electronic vaping product.

“Each day more than 2800 adolescents aged 12-17 try smoking with 10.9% of students trying before the age 13. Roughly 700 adolescents transition to daily smoking each day and more than 60% of teen smokers still smoke 5 years later.”¹ The fruity flavors are favored by teens because they mask the taste of the bitter nicotine. Children are the target consumer with these flavors that is shown by the increase in products by young people. Our children are becoming addicts, and although the schools have been given the ability to take ESDs away from students and turn the devices over to the police, it is impossible to stop addiction by simply removing the device. We need to target the source of the adolescent addiction.

The fact that young people are the target of the industry through flavored tobaccos to get them hooked, makes sense. “Preventing youth from smoking is important because 90% of smokers start before the age of 18, and very few adults will begin to smoke or use smokeless tobacco products after age 26. An estimated 5.6 million youth <18 will die prematurely from a smoking-related illness; these deaths can be averted through concerted public health measures and regulatory measures.”² We cannot address this epidemic nationally, but we can address it here for our Hawaii youth, and be an example for others.

¹ Textbook of Pediatric Care 2nd Ed. (2017) Chapter 338, 2017.

² Merck Manual Professional Version, 2018.

As a state, we do not have the time to take a “wait and see” approach. The crisis is now. For years, we have done our keiki a disservice by ignoring the numbers and trusting that the industry has been acting ethically. We are allowing a generation to become addicted to nicotine through the hook of flavored e-liquids.

This measure is the top priority of the youth council. Our children are asking the adults to address the issue of their health and well-being; we can’t fail them. We are grateful to the committee for hearing SB1009 and hope that you will consider passing this bill.

Sincerely,

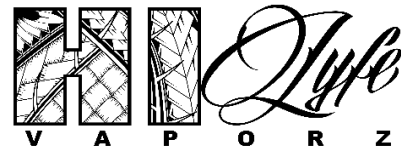
Peggy Mierzwa

Peggy Mierzwa
Blue Zones Project—Hawaii

Brought to
Hawaii by



An Independent Licensee of the Blue Cross and Blue Shield Association



85-993 Farrington Hwy
Suite 206
Waianae, Hi 96792
808-200-4798
info@hilyfevaporz.com

2/19/2019

Dear Chair and Members,

Aloha,

My name is Jostin and I Strongly oppose the SENATE BILL 1009 (SB 1009). As a small business owner and active member in the Vape community, I have no doubt that a bill of this magnitude will affect thousands of people in the state of Hawaii that have nothing short of a positive impact in their lives, health, and especially, the purpose of quitting combustible cigarettes. We DO NOT support teenage vaping; WE DO NOT SELL OR MARKET TO ANYONE UNDER THE LEGAL AGE OF AN ADULT PRODUCT; WE COMPLY WITH ALL THE CURRENT STATE AND U.S. FOOD AND DRUG ADMINISTRATION'S (FDA) LAWS AND REGULATIONS. Being a small business owner in Hawaii, my business Hi Lyfe Vaporz, LLC has acquired over 10 active employees. A bill like this will impact our business, as well as, many across the state in a negative manner such as: causing people to lose their jobs and homes, they would be unable to provide for their families, and many may end up going back to combustible cigarettes, which has been proven to be a known negative health factor throughout the world. The FDA has implemented many stringent rules and regulations which makes it very difficult for all the Vape industry's manufactures, and retailers to comply with, as well as stay up to date.

One of the problems with the youth vaping epidemic isn't Flavors, the issue is with enforcement to retailers of age restriction. By completely banning anything in this industry that has helped many adults, it will have a negative impact. Taxes alone from the industry generates a good amount of funding to our state. It's important to understand taking away vaping may greatly impact revenue to the state for enforcement, ect.

Bill's like this simply goes against the positive impact vaping has made for all legal adults, who transitioned to a better alternative than combustible cigarettes. I humbly ask to think about this impact before passing such a bill. Myself, my family, as well as our employees, and customers will be greatly affected in a negative way. I am a former smoker of 20 years and I oppose SB 1009 for the simple fact that this bill is unfair in the statement of making Flavors as the being the root cause of the teenage vaping epidemic. That is false. As a former smoker of traditional combustible cigarettes, vaping and its Flavors has helped myself, family members, and friends of legal smoking and vaping age, (whether it be state age laws or federal) to stay away from and stop smoking cigarettes. Since I've quit smoking and started vaping, having flavors to enjoy while vaping should be a right, as a law-abiding citizen that shouldn't be taken away from legal adults. As an adult we should have a choice to vape our preference of flavor!! The vaping epidemic in Hawaii and the USA of teenagers are because of certain devices like "Juul" and similar ones like it being easily accessible through gas stations, convenience stores, etc. At least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21. The vape shops, manufactures, and companies that have followed the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward the real issue, which is age enforcement.

The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because places other than vape shops do not take it seriously when asking for ID. There should be more stings to help aid the root cause & not punishing responsible Vape shops and adults, by taking away something "flavors" or vaping Eliquids etc, has made a huge impact on, by lessening the amount of Traditional tobacco cigarette use state and nationwide.

This will greatly urge citizens to go back to combustible cigarettes which is definitely more toxic due to the fact that my own Doctor has told me since I quit smoking cigarettes my health is much better in comparison.

Attachment "A1" is a letter from The FDA Commissioner, Scott Gottlieb. It states that the use of electronic nicotine delivery systems (ENDS) has contributed to a decline of combustible tobacco, which is known to cause cancer. It also clearly states that it intends on limiting flavored cigarettes to age restricted stores, or areas. Also please take a look at Senator Richard Burr in his explanation of what his thought are on this matter here is the link.

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W_qe6WHKH6gq-zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM

Here is a statement by Senator Burr

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2z1rLX_JvapjK2KmZUNLe0eW_D_G1AbPiLxgldNRnA--RQOfRFg61DLu8

Mahalo for your time and consideration Jostin Iriarte jostin@hilyfevaporz.com



The Centers for Disease Control and Prevention

"E-cigarettes have the potential to benefit adult smokers who are not pregnant if used as a complete substitute for regular cigarettes and other smoked tobacco products."

<https://www.cdc.gov/tobacco/basic-information/e-cigarettes/about-e-cigarettes.html>



US Department of Health and Human Services

Secretary Alex Azar:

"I want to reiterate: E-cigs could help many American adults end their addiction to cigarettes."



Dec 18, 2018 (youtu.be/y0u2gooy80 @ 3:33)



"If you could take every adult smoker and fully switch them to e-cigarettes, that would have a substantial public health impact"



FDA Commissioner Dr. Scott Gottlieb

<https://www.c-span.org/video/?452001-1/fda-commissioner-scott-gottlieb-discusses-cigarettes-public-health-concerns>

FDA Commissioner Dr. Scott Gottlieb



"E-cigarettes may present an important opportunity for adult smokers to transition off combustible tobacco products and onto nicotine delivery products that may not have the same level of risks associated with them."



<https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/UCM620185.htm>



Dr. Jerome Adams, U.S. Surgeon General

"E-cigs and vaping as harm reduction not inherently a problem (though we need to continue research to ensure overall & max harm reduction)"

<https://twitter.com/JeromeAdamsMD/status/1058453736208412672>



"How could the same compound associated with so much death and disease be so safe that you can buy it without a doctor's prescription?" he asks.

"The answer is that it's about the delivery mechanism, not the drug."

Mitch Zeller, JD, Director, Center for Tobacco Products

<https://www.roll2stop.com/culture/culture-news/e-cigs-inconvenient-with-its-sub-ref-to-vap-28972>



Mitch Zeller, Director, Center for Tobacco Products

"If we can get all of those people to completely switch all of their cigarettes for one of these non-combustible products, that would be good for public health"



<https://www.help.senate.gov/hearings/progress-and-challenges-the-state-of-tobacco-use-and-regulation-in-the-us> (01:59)

SB-1009-SD-1

Submitted on: 2/19/2019 10:37:21 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

SB-1009-SD-1

Submitted on: 2/19/2019 11:27:10 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Iriarte	Testifying for Hi Lyfe Vaporz,LLC	Oppose	No

Comments:

Aloha Chair and members. My name is Robin Iriarte and I strongly oppose SB1009. I feel that by imposing this flavor ban would be taking away our rights as a citizen. We are all working adults, and I feel that we should have a choice if we want to vape flavored E-liquid or not. This flavor ban will affect many businesses like myself as well as many others as this is our sole income and this is our livelihood as well as our 10 employees. With this flavor ban being put in place it will force many businesses to close, increase the unemployment rate and so forth. This will impact many people in various ways. Please rethink this as we should all have a choice. Banning the flavors because there is a high rate of under age vaping is not going to stop this epidemic it will encourage them to more so try and find a black market source to get it. As far as our business I know we do as much as we can to ensure we can to ensure that it is not getting into the hands of individuals. We i.d. every individual that enters the shop and ask to purchase vape products regardless if they are a grandma or grandpa. It's policies we have set forth to be ahead of this issues that is happening, I can only speak for myself on this issue but we need harsher laws for the individuals caught using these products and make their parents responsible for fines as well instead of targeting the shops.



The African American Tobacco Control Leadership Council

February 8, 2019

To: Senate Committee on Judiciary, Hawaii State Legislature; Chair Karl Rhoads, Vice Chair Glenn Wakai, Senator Mike Gabbard, Senator Donna Mercado Kim and Senator Kurt Kevela

From: The African American Tobacco Control Leadership Council

Re: Adopt State-wide Restriction on the Sale of Menthol and all Other Flavored Tobacco Products, Including Flavored E-Juices in Hawaii

The African American Tobacco Control Leadership Council (AATCLC) strongly encourages the Senate Committee on Judiciary (JDC) to restrict the sale of menthol and all flavored tobacco products, including flavored e-juices throughout the State of Hawaii. We already know that 80% of youth's 12-17 start smoking using flavored cigarettes (Ambrose et al., 2015). If the JDC truly wants a healthier Hawaii, and we believe that you do, then it is imperative that the sale of menthol and all other flavored tobacco products be restricted and the predatory marketing of these products be recognized as a social injustice, an issue that disproportionately impacts poorer communities, marginalized groups, youths and communities of color.

This is no minor matter. Menthol and flavored tobacco products are driving tobacco-caused deaths and diseases nation-wide. While the use of non-flavored tobacco cigarettes has been decreasing, the use of menthol cigarettes is on the rise, among youth and adults; among Latinos, Blacks, and Whites (Villanti, 2016). Let's be clear, the majority of women smokers smoke menthol cigarettes; folks from the LGBTQ community disproportionately smoke these products; 47% of Latino smokers prefer menthol cigarettes, with 62% of Puerto Rican smokers using menthol; nearly 80% of Native Hawaiians; a majority of Filipinos; and a majority of smokers with behavioral health issues smoke menthol cigarettes. Frankly, most marginalized groups disproportionately use these "minty" products (CDC, 2010; Fallin, 2015; Forbes, 2013; Delnevo, 2011; Hawaii State Dept. of Health, 2009; Euromonitor, 2008; Hickman, 2015).

Moreover, 85% African American adults and 94% of Black youth who smoke are using menthol products (Giovino, 2013). These striking statistics arise from the predatory marketing of these products in the Black Community, where there are more advertisements, more lucrative promotions, and *cheaper prices* for menthol cigarettes compared to other communities (Henriksen et al., 2011; Seidenberg et al., 2010).

The JDC should be aware that menthol, as if to add insult to injury, masks the harsh taste of tobacco and allows for deeper inhalation of toxins and greater amounts of nicotine. Furthermore,

the presence of menthol makes cigarettes harder to quit compared to other cigarettes (Ton et al., 2015; Levy et al., 2011). The “cool refreshing taste of menthol” heralded by the tobacco industry is just a guise; ultimately, menthol allows the poisons in cigarettes and cigarillos to “go down into the body” more easily.

We all have been reading in the papers about the “JUUL Explosion,” where a little thumb drive looking device is used more than regular cigarettes among youth (CDC, 2018). And one of the major drivers of the massive uptake of c-cigarettes among youth is the fact that there are over 15,000 kid friendly flavors available in the marketplace! (<https://www.flavorshookkids.org/> 2018). The vaporist community would like you to believe that aerosol inhaled by e-cigarette users is only water vapor – nothing could be further from the truth. Here are the facts:

1. E-cigarettes are tobacco products that deliver nicotine, an addictive substance that especially in youth can compromise the brains executive functioning (Report of the Surgeon General, 2014).
2. The propylene glycol and vegetable glycerin that constitute a large portion of the e-juice and the resulting vapor **are not FDA approved for inhalation.**
3. The 15,000+ flavors available on the market may be Generally Recognized as Safe (GRAS) for **ingestion**, but they are not GRAS for **inhalation.**
4. There are as many, if not more, metals in the vapor of e-cigarettes than found in cigarette smoke (Williams et al., 2013).
5. Many of the same toxins and carcinogens found in regular cigarettes, like benzene, formaldehyde, and tobacco specific nitrosamines, can be found in e-cigarette vapor (Goniewicz et al., 2013). And yes, these toxins and carcinogens are at lower levels than in a regular cigarette; while these lower levels may be safer, this does not mean that e-cigarettes are **safe!**
6. The vapor from e-cigarettes activates platelet formation just like regular cigarettes; such platelet activity leads to arterial blockages (Hom et al., 2016).
7. E-cigarette aerosol consists of ultrafine particles at levels comparable to or higher than cigarettes. These particles can cause cardiovascular and pulmonary disease. In addition, the particle size in e-cigarettes is often smaller, and thus more dangerous, than those generated by cigarettes (Fuoco FC, Buonanno G, Stabile L, Vigo P. 2014).
8. Kids who start with e-cigarettes are more likely to become regular cigarette users, and unfortunately, in many cases dual users (Byrne S et al., 2018).
9. Here is a link to the European Public Health Association: Fact or Fiction on E-cigs: https://eupha.org/repository/advocacy/EUPHA_facts_and_fiction_on_e-cigs.pdf

The AATCLC is calling upon the JDC and the great State of Hawaii to join a growing number of cities, counties and States around the country that are restricting jurisdiction-wide the sales of menthol cigarettes and all other flavored tobacco products, including flavored e-juices. In June 2018, San Francisco voters passed the first ever citywide restriction on the sales of all flavored tobacco products, including menthol cigarettes and flavored e-cigarette juices. This “strongest flavor ban law ever” was rapidly replicated in the City of Richmond the following month. Within

weeks, Beverly Hills followed suit, with their own city wide restrictions. Since November the cities of Alameda, Santa Cruz, San Pablo, Hermosa Beach and Needham in Massachusetts all have adopted their own citywide restrictions, and the county of Marin approved a county-wide ban for its unincorporated areas. Even the Food and Drug Administration has been finally talking about getting rid of menthol cigarettes and flavors in little cigars and cigarillos. Legislation has introduced in Sacramento to ban the sale of menthol and all tobacco flavors state-wide. Just last week, the New York City Council's Committee held hearing on including menthol in their existing flavor restrictions, which have been in place since 2010. While these developments are welcomed, we know that the tobacco industry will use all its muscle to slow down and curtail these national and state efforts. Hence, it is imperative that States like Hawaii, take the lead and join the growing movement to remove menthol and all flavored tobacco products from the market place.

Formed in 2008, the African American Tobacco Control Leadership Council is composed of a cadre of dedicated community activists, academics, public health advocates and researchers. Even though based in California, we are national in our scope and reach. We have partnered with community stakeholders, elected officials, and public health agencies, from Chicago and Minneapolis to Berkeley and San Francisco. Our work has shaped the national discussion and direction of tobacco control policy, practices, and priorities, especially as they affect the lives of Black Americans, African immigrant populations and ultimately all smokers. The AATCLC has been at the forefront in elevating the regulation of mentholated and other flavored tobacco products on the national tobacco control agenda, including testifying at the FDA hearings when the agency was first considering the removal of menthol cigarettes from the marketplace.

We here at the AATCLC recognize that you Senators are under extraordinary pressure from the tobacco industry and the vaporist community to put profits above human life by limiting or curtailing restrictions on flavored tobacco products. While retailers may lose some profit and less tax will be generated, still, most importantly, tens of thousands of lives will be saved! Please join your sister cities and States and stand up to the tobacco industry and their allies – Call for: **No Selling of Menthol Cigarettes and All Other Flavored Tobacco Products, including Flavored E-Juices Citywide in Hawaii.** Say “No” to the continued predatory marketing of flavored tobacco products to our youth, and say “Yes” to the health and welfare of our kids, who are the most vulnerable. In fact, say “Yes” to the protection for **all** residents of the State of Hawaii.

We are all counting on you!

Sincerely,



Phillip Gardiner, Dr.P.H. Co-Chair AATCLC www.savingblacklives.org

Handwritten signature of Carol O. McGruder in cursive script.

Carol McGruder, Co-Chair AATCLC

Handwritten signature of Dr. Valerie Yerger in cursive script.

Valerie Yerger, N.D., Co-Chair AATCLC



February 11, 2019

To: The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Glenn Wakai, Vice Chair
Members, Senate Committee on Judiciary

From: Cory Smith, VOLCANO Fine Electronic Cigarettes®
CEO and Owner

RE: SB 1009 HD1 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes® is the largest retailer & wholesaler of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 15 locations statewide and employ over 110 full-time workers to support sales of our products not only here in Hawaii, but to all 50 states as well as over 30 International countries. We stand in opposition to SB 1009 HD1 for the following:

- **SB 1009 HD1 would decimate the Hawaiian vapor industry by banning the sale of all electronic cigarette liquids and cartridges. Every electronic cigarette available on the worldwide market is “flavored.” Because they do not contain tobacco, electronic cigarettes have no “natural tobacco” taste, or any taste for that matter, without the addition of flavorings. Even electronic cigarettes advertised as coming in “tobacco flavor” are actually just the result of the blending of several different flavorings such as caramel and nut flavors in an attempt to mimic the flavor of tobacco.** To use the language of the proposed statute, every electronic cigarette imparts to the user a “distinguishable or distinctive” aroma, or taste other than tobacco. As a result, SB 1009 HD1 will act as a de facto ban of the manufacture and sale of all electronic cigarettes.
- Even if SB 1009 HD1 permitted the sale of electronic cigarettes flavored to taste like tobacco, its enactment would still ban the manufacture and sale of the vast majority of our products. **This bill would present more than just a competitive disadvantage for local suppliers and retailers. It would be a death knell for vapor industry in Hawaii.** Local consumers will either flavor liquids themselves or purchase from out of state, causing a loss of jobs and tax revenues for the state. Similarly, we will be forced to close our stores and move all or most of our business and operations to the mainland, taking with us jobs and tax revenue that has grown every year since our founding.
- Enactment of SB 1009 HD1 will deal a similar fate to our competitors in the electronic cigarette industry. Between them these businesses have likely created 1000 jobs in Hawaii. All or more of these jobs will be lost as a result of this legislation. Additionally, convenience



stores and other businesses that sell vapor products will feel the impact of consumers purchasing products from the mainland.

- The baseless claims that electronic cigarettes flavors are made to attract children must be weighed against the significant evidence that electronic cigarette flavors are very popular with adult users. The International Journal of Environmental Research and Public Research recently published the most expansive survey performed on the subject. We urge you to read the full text of this study, which we have attached to our testimony. Below are some highlights:
 - Researchers conducted an Internet survey of over 4,500 adult electronic cigarette consumers. The participants' average age was 40 years old. The vast majority (90%) of those surveyed were ex-smokers, with the average respondent having been cigarette-free for approximately one year.
 - Among the survey respondents, the most commonly used flavors were fruits, followed by sweets and tobacco.
 - Those electronic cigarette users who were still smoking ("dual users") were actually more likely to use tobacco flavors than those vapers who had quit smoking.
 - On a scale of 1-5, the average score given by the respondents for the importance of flavor variability in reducing or quitting smoking was 4 ("very important").
 - **Almost 50% of the respondents answered that a lack of flavor availability would increase their cravings for tobacco cigarettes and would decrease their chances of remaining abstinent from smoking.**
 - <https://www.mdpi.com/1660-4601/10/12/7272>

- **The use of flavorings in electronic cigarette liquids is one of the driving factors in helping prevent adult former smokers who switch to e-cigarettes from going back to traditional cigarettes.** Most users report that after switching to electronic cigarettes and experiencing the pleasant tastes one can enjoy with an electronic cigarette, they no longer find the taste of traditional tobacco cigarettes appealing.

- **Enactment of this bill will actually benefit Big Tobacco by stifling their competition.** Analysts credit electronic cigarettes, not government intervention, nor traditional nicotine replacement therapy products, with causing cigarette sales to experience larger than forecasted declines in the U.S. and Europe. Regardless of the good intentions involved, every step taken to reduce adult access to electronic cigarettes is really a step towards protecting cigarette markets.

- SB 1009 HD1 exempts traditional Nicotine Replacement Therapy (NRT) products that contain nicotine even though electronic cigarettes have been shown to be a much more effective tool for helping people quit smoking and have been demonstrated to have a similar risk profile as NRT's.
 - <http://onlinelibrary.wiley.com/doi/10.1111/add.12623/abstract>
 - http://m.circ.ahajournals.org/content/130/Suppl_2/A14945.short

- The most Recent CDC report has shown e-cigarettes have supplanted all other traditional nicotine replacement therapies and are now the most commonly used product by consumers to quit using traditional tobacco cigarettes
 - http://www.journalnow.com/business/business_news/local/cdc-report-shows-more-



[smokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html](https://www.nejm.org/doi/full/10.1056/NEJMoa1808779)

- A recent study published by the New England Journal of Medicine concluded that E-Cigarettes are twice as effective for smoking cessation than traditional nicotine replacement therapy products which are not taxed or controlled the same way this bill proposes to tax and control E-Cigarettes. The state should be creating easier access for adult smokers to these products, not tighter regulations that steers current vapers back to tobacco cigarettes
 - <https://www.nejm.org/doi/full/10.1056/NEJMoa1808779>
- If flavors are not important in helping adult smokers switch from, or quit traditional cigarettes, why is GlaxoSmithKline's nicotine gum exempt from this bill and sold in flavors?



- SB 1009 HD1 would not successfully remove all flavored e-liquid products from the market. It would simply force local customers to go online and purchase them from vendors across the 49 other states who would not be subject to this ban. It would severely impact local based businesses from competing with businesses from the 49 other states who would not be subjected to this law further lowering jobs and revenues already being created in the state.

While we agree that curbing youth usage and enforcing our current laws prohibiting the sale and use of vapor products is of utmost importance, doing so at the detriment to adults who use these products every day as an alternative to traditional tobacco is not the right way to do it. This bill is not in the best interests of the State of Hawaii. Thank you for your time and consideration. If you have any questions, please feel free to contact me directly.



VOLCANO®

Sincerely,
Cory N. Smith
CEO & Owner
VOLCANO Fine Electronic Cigarettes®
1003 Bishop Street #1260, Honolulu, HI 96813
cory@volcanoecigs.com

SB-1009-SD-1

Submitted on: 2/20/2019 8:35:46 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
PHC HNL	Testifying for Pioneering Healthier Communities of Honolulu	Support	No

Comments:

February 19, 2019

RE: SB 1009 SD1

The Pioneering Healthier Communities Initiative brings together local, diverse leaders to discuss and support strategies, policies and programs that we can accomplish together to build healthier communities in our island home. The members of PHC are involved in helping children and families to become healthier through schools, afterschool programs, healthcare and more.

E-cigarette use, especially among today's youth, has skyrocketed. Drive by any local Hawaii middle or high school before or after school and you will witness the large number of youth using these devices. But e-cigarettes are far from healthy. They contain chemicals, such as nicotine and diacetyl, that are known to have serious health consequences. Research has shown that most kids start their e-cigarette, and nicotine addiction, with flavored products such as bubble gum, fruity pebbles and cotton candy. Menthol cigarettes are also a popular starter product. E-cigarette manufacturers are aggressively marketing their products to kids, teens, and young adults.

E-cigarette manufacturers are aggressively, and successfully, marketing their products to kids, teens, and young adults.

We strongly support of SB 1009 SD!, which would end the sale of flavored tobacco products, including flavored e-liquids and method cigarettes. As such, we urge you to pass this Bill.

Thank you very much for allowing us to testify:

Michael Broderick

May Okihiro

Daniel Leung

Stacy Evensen

Tina Tamai

Diane Tabangay

Paula Adams

Daniela Kittinger

John Mai

SB-1009-SD-1

Submitted on: 2/20/2019 8:38:39 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cori Takesue	Testifying for Lanai Community Health Center	Support	No

Comments:

Aloha,

My name is Dr. Cori Takesue and I am a member of the Coalition for Tobacco-Free Hawai'i as well as a Behavioral Health Specialist and Tobacco cessation treatment provider at Lana'i Community Health Center. I'm writing today to request your support of our 2019 legislative priority to ban flavored tobacco, including e-cigarette products in Hawai'i.

Our Coalition supports the Coalition for a Tobacco-Free Hawaii Youth Council, which is made up of high school and college students from across the state. This year our Youth Council and the Coalition have selected this as our policy priority because we believe something must be done to stop the epidemic of vaping amongst youth. Hawai'i has some of the highest rates of vaping in the country, with 25% of high school students and 15% of middle school students reporting they vaped in the past 30 days. 81% of kids nationwide use a flavored tobacco product as their introduction to tobacco, including vaping. 30% of vapers start using combustible tobacco within 60 days of starting to vape and 95% of current smokers started before the age of 21. It's clear to the members of our Youth Council and our Coalition that banning flavored tobacco is key to breaking this cycle. Flavored tobacco has no place in Hawai'i and we hope you feel the same.

We don't need candy flavored tobacco to entice youth into starting a potentially life-long addiction to nicotine. Thank you for helping to keep Hawaii's keiki safe.

Sincerely,

Cori Takesue, PsyD

Behavioral Health Specialist

Lanai Community Health Center

February 20, 2019

TO: Chair Karl Rhoads
Vice Chair Glenn Wakai
Members of the House Committee on Judiciary

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

RE: **SB 1009, HD1** - Relating to Flavored Tobacco Products
Hearing Date: February 21, 2019
Time: 9:00 am

CAA **opposes SB 1009, HD1** which seeks to ban the sale of flavored tobacco products to the extent that it includes a ban on cigars and pipe tobacco. The primary focus of this bill is to address the rising use of flavored tobacco products especially with electronic smoking devices by youth in Hawaii. CAA strongly supports a ban on youth smoking. Cigars and pipe tobacco are primarily the choice and custom of mature, responsible and informed adults. Cigars and pipe tobacco are not the tobacco product of choice of Hawaii's youth. Any ban on flavored tobacco products should exclude cigars and pipe tobacco.

Thank you for considering this testimony.

SB-1009-SD-1

Submitted on: 2/20/2019 8:48:31 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diana Shaw	Testifying for Lanai Community Health Center	Support	No

Comments:



American Cancer Society
Cancer Action Network
2370 Nu`uanu Avenue
Honolulu, Hawai`i 96817
808.432.9149
www.acscan.org

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

LATE

SB 1009, SD1 – RELATING TO FLAVORED TOBACCO PRODUCTS

Cory Chun, Government Relations Director – Hawaii Pacific
American Cancer Society Cancer Action Network

Thank you for the opportunity to provide written comments in support of SB 1009, SD1, which prohibits the sale of flavored tobacco products beginning January 1, 2020.

Every year in Hawaii over 6,700 people are diagnosed with cancer. Despite the fact that US cancer death rates have decreased by 26 percent from 1991 to 2015, not all have benefited equally from the advances in prevention early detection, and treatments that have helped achieve these lower rates. Significant differences persist in cancer incidence, survival, morbidity, and mortality among specific populations. Lung cancer remains the leading cause of cancer deaths in Hawaii.

Smoking not only causes cancer, it can damage nearly every organ in the body, including the lungs, heart, blood vessels, reproductive organs, mouth, skin, eyes, and bones. Smoking accounts for about 30 percent of all cancer deaths in the United States, including about 80 percent of all lung and bronchus cancer deaths. The impact of tobacco use goes beyond health. The annual health care costs in Hawaii directly caused by smoking are over \$500 million.

Flavored Tobacco Products

The 2009 Family Smoking Prevention and Tobacco Control Act implemented a federal prohibition of characterizing flavors other than tobacco or menthol in cigarettes. The prohibition included candy-and fruit-flavors. However, the federal law exempts “tobacco, menthol, mint or wintergreen flavors” and flavored electronic cigarettes.

While cigarette smoking rates have declined significantly in recent years, the use of electronic cigarettes has been skyrocketing, especially among youth. During the one-year period between 2017 and 2018, among high school students who currently used e-cigarettes, use of flavored e-cigarettes increased as well. Use of any flavored e-cigarette went up among current users from 60.9 percent to 67.8 percent, and menthol use increased from 42.3 percent to 51.2 percent among all current e-cigarettes users –

including those using multiple products – and from 21.4 percent to 38.1 percent among exclusive e-cigarette users. Flavors in tobacco products are frequently listed as on the top three reasons youth use e-cigarettes. Additionally, kids whose first tobacco product was flavored are more likely to become current tobacco users than those whose first product was tobacco flavored. Furthermore, evidence indicates that many young people who use e-cigarettes also smoke cigarettes. There is some evidence that young people who use e-cigarettes may be more likely to smoke cigarettes in the future. Using nicotine in adolescence may also increase risk for future addiction to other drugs.

Recent spikes in the use of e-cigarettes makes clear that more must be done to regulate tobacco products and the industry's deceptive marketing practices.

Menthol use in tobacco products

Menthol is a chemical compound that creates a cooling effect, reduces the harshness of cigarette smoke and suppresses coughing. Those effects may make menthol cigarettes more appealing to young, inexperienced smokers. Research shows that they are more likely to addict youth and more difficult to quit than regular cigarettes. Many people who smoke think menthol cigarettes are less harmful. In fact, there is no evidence that cigarettes, cigars, or smokeless tobacco products that have menthol are safer than other cigarettes. This myth has been perpetuated via a decades long campaign by the tobacco industry.

The disparities in flavored tobacco products use in the state are contributing to the negative health disparities that exists and must be addressed. ACS CAN strongly recommends implementing evidence-based policies to prevent the initiation and use of all tobacco products. The use of products containing nicotine in any form among youth is unsafe and can harm brain development.

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

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 9:36:18 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Nii	Testifying for Nii Superette, Inc	Oppose	No

Comments:

My name is Stephen Nii. In 2015, my commitment & effort brought home the honor of being the State of Hawaii's Family Business of the Year.

I have the honor to lead our family business, Nii Superette, Inc. which has served Leeward, Oahu for over 100 years through four generations of Nii family members.

Due to the consideration of SB1009 by the Hawaii State Legislature, each lawmaker who supports this bill has now given me the grievous task of preparing my business with 17, full-time employees to close its doors.

Many of the same lawmakers, who profess to be champions of small business and bestowed a great honor to my family three years ago, now create the environment that destroys it with a single piece of legislation.

You may consider this statement overly dramatic, however, please allow me to present you with the **economic butcher's bill of SB1009 to just one local business**, the shop my great grandfather started.

Last year, tobacco sales in our "little mom & pop shop" resulted in over **\$769,897.54 in sales**, generating **\$34,645.39 in GET revenue for Honolulu county**. 98,000 packs of cigarettes were sold through our one venue, resulting in an estimate of **\$313,600.00 in Tobacco Tax revenue to the state of Hawaii**.

Tobacco in the MENTHOL category is responsible for 82.9% of these sales, which amounts to **\$638,245.07 sales or \$28,721.03 in GET revenue and \$259,974.40 in Tobacco Tax from just one, little mom & pop shop**.

Other misinformed, mainland lobbyists may have told you that only 35% of smokers choose Menthol products. In Hawaii, the reality is actually the opposite of the Mainland Marketplace. Already, the data becomes inaccurate, the interpretation misleading & its scope inappropriate & ineffective in achieve its goals.

The potential loss of \$638,245.07 is **a fatal injury to my family business**. Would you be able to support such a financial loss for your own family? Mine is not so able.

This loss means the deprivation of over 17, full-time jobs in Waipahu. Jobs that pay well over the current minimum wage, offer stable work schedules and a great environment.

This loss endangers my means to pay for my father's care home stay.

This means that my uncle & my mother lose their business-funded retirement plans.

This is the loss incurred by just one storefront by SB1009.

Now multiply this loss across the various scales of businesses such as Foodland, Times, Walgreens, Walmart, Costco, Sam's Club, every gas station/convenience store with retail sales outlets.

Do we know the real impact of such a bill across the state? **Would the state be able to support a potential \$259,974.40 loss of tax revenue from each tobacco retailer?**

Do we know the impact of this decision? 7 Eleven has 64 storefronts in Hawaii, amounting to a potential of **\$16,638,361.60 of annual tax revenue killed by SB1009**. There are estimated to be an upwards of 500, convenience-type stores in Hawaii, with a potential annual tax contribution of **\$129,957,200.00 now unavailable to the state in 2020?** This just one segment of the Tobacco retailers statewide.

How many closures would you force? How many paychecks would you end? How many unemployment, disability, social security, employer funded health insurance contributions would cease due to the ill planned trigger of one act? Who will fund the liability of the insurance companies and their services costs when the business that fund them can no longer afford them? Passing SB1009 means that you are willfully creating another source of **unfunded liability for our health insurance companies**.

I can tell you that you will trigger the closure of my business and beg you to weigh that with the larger goal you are trying to achieve.

I also ask on behalf of the possible thousands of people across each state who are endangered by this decision that you choose another course of action that would achieve the same goal: a better life for all. Instead of a "controlled burn," this policy constitutes an uncontrollable wild fire that will claim the livelihood of thousands. You will be responsible for catastrophe.

As a retailer, I support strict sales regulation & enforcement on minor smokers and retailers. These are laws that already exist but require more support of law enforcement agencies.

I would support a higher tobacco specific sales tax per pack to fund education & preventative services. I believe in truly empowering anyone's choice with verified information. This is how my family's business survived for four generations.

I stand behind education & enable the people's power to choose wisely rather than administration from a policy that has no guaranteed outcome of success but every chance to cripple the life of many business and the people who work for them.

I recognize the intent of this bill to protect the vulnerable, our keiki. However, by law, the vulnerable are already protected by current age ban.

Supporting SB1009 destroys a major economic access point to success that is based on reasoning & voluntary CHOICE, a right that should be afforded to every adult.

There are better options that should be explored. These options would have more impact across Hawaii, such as legislature that would allow our law enforcement agencies to adequately and fairly support the current laws.

As seen by the current fireworks debacle, the lack of law enforcement creates a huge underground market situation that few can influence & so many still participate in without the benefits of traceable purchases, trackable data, due taxation and verifiable quality control measures. Creation of this law would immediately extend the economic opportunities for black markets & illegal drug dealers to entice new customers into their powerfully dark gateways. Criminalizing the product also creates another lever, enabling human traffickers to entice, entrap and deal in another form of lawless currency. In the most tragic of ironies, creating this illegal space means placing the positive results we want to achieve further away from our current grasp.

We must also be aware of the terrible potential outcomes of such well-meaning, but misdirected laws. The facts I present demonstrate the economic impact of just one store, my family's store, shows everyone that we cannot take the risk without assurances. One, small mom & pop loses \$640,000 in revenue, its existence, and damages the lives of 17 people and each of their family members.

Multiply this effect by the hundreds of businesses with now thousands of employees and families linked to this regulated marketplace. Study the loss of fully funded healthcare, contributions to the unemployment insurance market, workman's comp insurance payments, Medicare and Social Security incomes contributed to the state for all its residents. This is a catastrophe in the making.

I beg our leaders to not move forward on SB1009. There are too many lives in the way of its reckless, unstudied path.

Let's explore and commit to a different path. Here is an example of a simpler and more direct solution to this problem: A) enforce the current law which already prohibits sale to those under 21. B) using effective legislation, partner and empower the police to make sure compliance with the current sales laws are enforced. C) create addendums to the current laws and prohibit the general distribution of cigarettes by anyone other than non-licensed & regulated vendors. In other words, dissuade the people who are physically putting cigarettes into the hands of those under 21.

Let the police dept earn back the public trust by doing public benefit and empower them with the opportunity to enforce the current laws by: a) hiring more people for our police force, b) offering them effective training & support and c) increased the current penalties for those who place tobacco in the hands of minors.

There is a better way to accomplish the goal of ending youth smoking, but SB1009, as written, is not the way. It requires too much innocent, human collateral & will send those keiki we want to save, into more dangerous, untouchable arms.

Before we send all these people, including myself and my family, into an irretrievable situation, let's stop, rethink the situation and find another less destructive and more effective path to change. If we work together and support each other, rather than criminalizes and vilify those of us who can make the change possible, we will find doable solutions achieve measurable results.

SB1009 is a law of good intention, but will NOT achieve the goal of better health for all. Its methods will be harmful and lethal to us in other critical ways. We must not support this bill. Please leave SB1009 behind and develop a transition plan of less collateral and catastrophic cost.

Thank you very much for listening to one, small business owner.

Best,

Stephen Nii

Owner/Manager of Nii Superette, Inc.

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 12:17:15 PM
Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Neil Ishida	Testifying for ABC Stores	Oppose	No

Comments:

ABC Stores oppose SB 1009. This bill would ban all electronic vapor products, e-liquids, and menthol cigarettes. This will incent people to purchase these goods on-line or on the black market, essentially forcing many small businesses who sell these items to shut down.

Every electronic vaping device and e-liquid is flavored. Because they do not contain tobacco, electronic vaping devices have no natural tobacco taste, or any taste, without the addition of flavoring. These flavored e-liquids are enjoyed by many adults. This bill infringes on their basic rights of choice and enjoyment.

Vapor product contain no tobacco and no smoke is emitted when vaporized. A recent article by the The New England Journal of Medicine found that electric vaping devices were nearly twice as effective as nicotine replacement products, like patches and gum, for quitting smoking.

Mahalo for this oppotunjity to testify.



LATE

**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 21, 2019**

Re: SB 1009 SD1 Relating to Flavored Tobacco Products

Good morning Chairperson Rhoads and members of the Senate Committee on Judiciary. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) as founded in 1901 and is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

We OPPOSE SB 1009 SD1 Relating to Flavored Tobacco Products. This measure would ban the sale of flavored tobacco products effective 1/1/2020.

This bill would essentially ban all electronic vapor products and e-liquids, compel people to purchase these goods online or try to make it themselves and essentially force many small local businesses who sells these items to shut down, thus leaving many of our family, friends and neighbors out of work.

Currently Hawaii has a law in place that states that it is unlawful for a person under the age of 21 years to purchase electronic vaping devices, e-liquids and tobacco products. However adults that are 21 and older are able to purchase these items and enjoy their electronic vaping device with their favorite flavored e-liquid.

Furthermore, every electronic vaping device and e-liquid available worldwide is “flavored.” Because they do not contain tobacco, electronic vaping devices has no “natural tobacco” taste, or any taste for that matter, without the addition of flavorings. These flavored e-liquids are enjoyed by many adults.

In addition, vapor products and e-liquids are NOT the same as a tobacco product. Many electronic vaping devices contains NO tobacco and NO smoke is emitted when vaporized. The New England Journal of Medicine published an article recently that found that electronic vaping devices were nearly twice as effective as conventional nicotine replacement products, like patches and gum, for quitting smoking. The study was conducted in Britain and funded by the National Institute for Health Research and Cancer Research UK.

We urge you to hold this measure. Mahalo again for this opportunity to testify.

Date: February 19, 2019

To: The Honorable Karl Roads, Chair
The Stanley Glenn Wakai, Vice Chair
Senate Committee on Judiciary

From: Members of the Mid-Pacific Institute Do What You Love Service Club

Re: Strong Support for SB1009, Relating to Flavored Tobacco Products

Mtg: Thursday, February 21, 2019 at 9:10 am at Conference Room 016

Thank you for the opportunity to submit testimony in **SUPPORT** of SB1009, which bans the sale of flavored tobacco products, effective 1/1/2020.

The Mid-Pacific Institute Do What You Love Service Club is committed to reducing the rates of e-cigarettes and vape product use amongst teenagers. This year, we are supporting an e-cigarette educational campaign on the Mid-Pacific Institute and UH Manoa campuses in hopes to heighten the awareness of the harmful effects of these products.

At Mid-Pac, we see our peers becoming dependent on e-cigarettes, mostly because of the flavored products. Teenagers think that e-cigarettes and vape products are harmless because they are candy flavored and they taste good. The truth is that once teenagers start using products like Juul, it is not long before they become addicted to these products and cannot stop. Not only is this bad for their health, but this can lead to a decrease in their grades and getting in trouble with the school and the law. Some students started using vapes because they tasted good, and now they are using regular cigarettes too.

On behalf of the Mid-Pacific Do What You Love Service Club, we urge you to protect the youth of Hawai`i and pass SB1009 into law.

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 2:44:00 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mariner Revell	Testifying for Irie Hawaii Stores	Oppose	No

Comments:

I strongly oppose SB1009. Adults ages 21 & over should not have their freedom to choose taken away from them.

Just a few years ago the solution to curbing underage smoking was to raise the smoking age to 21. That did not work. All the age restriction did was take adults aged 18-20 rights away and hurt local business.

Now a ban on flavored tobacco products? How is hurting local businesses, forcing many businesses to close, forcing the employees of these businesses on hardship, forcing families on harship, forcing local native HAWAIIAN owned businesses to close help underage smoking? The answer is IT WONT!

The availibility of flavored tobacco products online is a problem. SParents who do not supervise their children is also a big part of the smoking problem!

We have the most strict smoking laws in the country already, If you people suspect stores of selling these products to underaged people, INVESTIGATE! Do not harm businesses and take the rights away of thousands of people!

How is it that flavored alcohol is fine but tobacco products are not? It is insane to think prohibition of flavored tobacco products will curb the underage smoking problem! Just like the prohibition of alcohol and FIREWORKS, PROHIBITION DOES NOT WORK!

I strongly oppose this bill which is takes away freedoms of Adults, and will force many businesses including native HAWAIIAN woened businesses such as my own to CLOSE.

This bill is unfair and a BIG overreach of government!



Kapi'olani Smokefree Families, the tobacco & nicotine cessation program at Kapi'olani Medical Center for Women & Children, **strongly supports SB 1009 to ban the sales of flavored tobacco products in Hawaii.**

At Kapi'olani Medical Center for Women & Children, we often see pediatric patients who are adversely affected by tobacco products in multiple ways. There are babies in the NICU (neonatal intensive care unit) who were born early due in part to the effects of smoke exposure during pregnancy. We see young children routinely coming in with asthma and ear infections because they are being exposed to secondhand and thirdhand smoke. Now, we have teenagers and young kids who are screening positive for e-cigarette or vape use.

One of the biggest concerns with e-cigarettes is the lack of longitudinal studies on health and safety of these products. It took decades for the harmful side-effects of combustible cigarettes to become well-known, and we do not want our youth to be the ones to suffer from any potential health effects of e-cigarettes or vape products.

Initiation of e-cigarette use is almost always associated with a flavored product. Studies have shown that flavored tobacco-use is particularly enticing to youth. The e-cigarette and vape companies use attractive packaging and flavors that are very similar to candy products and sweets that are easily recognizable by children and teens. These flavors include common candies like cotton candy, sweet tart, blue raspberry, and even local Hawaii-inspired flavors like POG (passion orange guava), Hawaii Sweet Roll, and Pele's Papaya.

In the best interest of our local youth, we would like to **request the ban of flavored tobacco products** that have been enticing to the youth. Thank you for the opportunity to provide testimony on this measure.

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 5:00:04 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Testifying for Hawaii Smokers Alliance	Oppose	Yes

Comments:

We strongly oppose any flavor ban. Let the constituent make their own choices.

If you don't want "kids" to use the products, then ban the sale to "kids".

Any Senator that votes for this bill should be ready to look a vaping or smoking constituent in the eye and say to them: "you don't deserve the choice because I have the power and you don't, therefore I'm smarter than you and you need me to lead you around by the nose. Pray I don't take away more of your rights this year."



LATE

**American Heart Association Testimony Supporting the INTENT
of SB 1009, SD1, "Relating to Flavored Tobacco Products,"**

Chairman of the Board

Mark Yamakawa

President

Kahealani Rivera, MD

Board Members

Rick Bruno, MD, FACEP

Brandt Farias

Mimi Harris

David Honma

Glen Kaneshige

Brandon Kurisu

Howard Lee

Michael Lui, MD

Kazuma Nakagawa, MD,

FAAN, FAHA

Barbara Petrus

Andrew Rosen

Dave Underriner

Elisa Yadao

Serving Hawaii since 1948

Mission Statement:

"To be a relentless force for a world of longer, healthier lives."

For more information on the AHA's educational or research programs, visit www.heart.org or contact your nearest AHA office.

Office: (808) 377-6630

Fax: (808) 524-0556

Neighbor Islands:

Serviced by the Oahu office

The American Heart Association supports SB 1009, SD1 "Relating to Flavored Tobacco Products."

The 2014 Surgeon General's Report projects that if current trends continue, 5.6 million of today's youth under 18 will die prematurely in adulthood from smoking-related illness. To protect this vulnerable population, policymakers need to move quickly and ban the use of characterizing flavors, including menthol, from all tobacco products.

The evidence supporting a flavor ban is clear. As we discuss below, flavored tobacco products are highly attractive to youth and have led to increased initiation and use among children and adolescents. The number of flavored products on the market has also increased substantially with the tobacco industry marketing thousands of fruit, candy, and mint flavored products that appeal to children. Allowing these products to remain on the market puts a new generation at risk of a dangerous addiction.

While we understand that some adult tobacco users report using flavored products to transition or switch from combustible cigarettes, there is little evidence supporting their use as a cessation tool. In addition, there is some evidence that flavored tobacco products have enticed adult never smokers to try tobacco for the first time – just as they have with children. We encourage legislators to make protecting children its top priority when considering legislative options for flavored tobacco.

AHA feels that a blanket flavoring ban is needed because a wide array of flavors appeal to youth and young adults, which increases the risk of initiation and continued tobacco use. Also, many of the flavorings, including some of the most popular, contain known toxins. We believe this would make it extremely

difficult to identify specific flavors to ban. Studies show that menthol cigarettes increase initiation, especially among youth.

The number of flavored tobacco products on the market increased substantially after flavored cigarettes were banned. After the 2009 federal ban on flavored cigarettes took effect, the tobacco industry started producing different types of flavored tobacco products that were not subject to the prohibition. This led to the rise in the number of youth using flavored cigars, and especially in Hawaii, e-cigarettes. Both the tobacco industry and youth adjusted to the cigarette ban by moving to other tobacco products where flavors were still allowed. If the legislature were to pass a flavoring ban, but limit it to certain types of products or flavorings, we are likely to see the same thing happen again.

The availability of flavors is one of the main reasons youth and young adults use e-cigarettes and other noncombustible products. If the legislature wants to decrease youth tobacco use, removing flavors from noncombusted products is key. In addition, current smokers will be motivated to move to noncombusted products – even if they are unflavored – when the nicotine content in cigarettes is reduced through federal regulation.

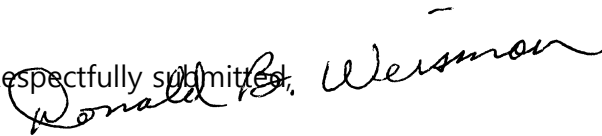
In Hawaii alone, tobacco use claims 1,400 lives each year and creates \$526 million in annual health care costs directly caused by smoking (\$141.7 million of that is covered by the state Medicaid program). Hawaii residents' state & federal tax burden from smoking-caused government expenditures is \$836 per household. Hawaii's estimated tobacco tax revenue, estimated to be approximately \$110 million per year, does not come close to offsetting the losses to the state caused by tobacco use. Smoking declines caused by state cigarette tax increases directly reduce these smoking-caused economic burdens for all taxpayers, and Hawaii businesses which bear the brunt of employee healthcare costs in our state.

Those who might quit tobacco addiction as a result of a comprehensive flavor ban would then have additional money to spend on taxable products that don't result in over a \$500 million in healthcare costs to the state. The money doesn't go up in smoke or vapor; instead it will likely be spent on more productive things that can benefit the smokers' and/or their families and our state.

It's time to end the use of candy flavors and menthol to entice our children into a deadly addiction.

The American Heart Association asks for your support of SB 1009, SD1.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive style and is positioned to the right of the typed text "Respectfully submitted,".

Don Weisman

Hawaii Government Relations/Communications Director

SB-1009-SD-1

Submitted on: 2/16/2019 1:00:40 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jordan fennelly	Individual	Oppose	No

Comments:

My name is jordan I used to smoke cigarettes for 8 years until I started vaping a fruity flavored juice from a local vape shop and still vape. After quitting cigarettes I dont stink of cigarettes I get compliments of my work truck smelling good. Vaping helped me kick a really bad habit

SB-1009-SD-1

Submitted on: 2/16/2019 2:22:26 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jayleen Kaululaau-Cruz	Individual	Support	No

Comments:

Aloha,

I Jayleen Kaululaau-Cruz supports flavored tobacco also known as e-juice. I started smoking cigarettes at a really young age until 2 years ago . When I got some information on e-cigarettes on how there's still nicotine, but it doesn't have all the nasty chemicals that a single cigarette has. After I got my own e-cigarette and flavored e-juice. I've noticed that I smoke less now than when I was smoking regular tobacco cigarettes. I save more money & now can do things that I couldn't do when I was smoking cigarettes.

I think if you ban flavored tobacco more people, especially young kids and even adults will go back to smoking tobacco cigarettes.

SB-1009-SD-1

Submitted on: 2/16/2019 5:55:47 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Chung	Individual	Oppose	Yes

Comments:

Thank you for the opportunity to testify.

I humbly ask you to consider creating a WORKING GROUP including LOCAL small businesses that are impacted by this and other legislation to come up with appropriate policies to ensure that our keiki are not going to use e-cigarettes. Speaking with many local small mom & pop vape shops, it is clear that NO ONE wants our under-age youth to vape and they are eager to work with organizations like the DOE and other proponents to address youth vaping. Banning electronic devices and e-liquids will NOT solve the problem. Kids will still be able to access these through the internet because most of the small businesses do not sell on the internet. Banning e-cigarettes/e-liquid will only hurt our local small businesses.

1. NOT ALL E-LIQUIDS CONTAIN NICOTINE

I started at the highest level of nicotine (over 24 mg) and am now at ZERO nicotine. If you ask many of the local vape shops, their biggest sellers are 0 and 3 mg.

2. E-LIQUIDS ARE NOT TOBACCO

Those against e-liquids consistently mix-up the terms “tobacco”, “nicotine” and “e-liquids”. E-liquids are flavored fluid that produce vapor.

3. BANNING E-LIQUIDS WILL DECIMATE HAWAII’S LOCAL MOM & POP STORES

Anecdotally, there are about 200 local vape shops in Hawaii – each with about 10 employees. Banning e-liquids will close these local businesses, cause about 2000 workers to lose their jobs, and significantly reduce tax revenues to the state.

4. LOCAL VAPE STORES DO NOT WANT KIDS VAPING

Local vape owners have already followed FDA regulations and have re-packaged their products. They are all interested in working with organizations like the DOE to educate our keiki about vaping.

5. BANNING E-LIQUIDS WILL CAUSE ADULTS TO GO BACK TO CIGARETTES

According to a study by the International Journal of Environmental Research & Public Research, a ban will cause adults who successfully stopped smoking cigarettes by using flavored e-liquids – to go back to smoking cigarettes. This is a terrible unintended public health consequence of this bill.

I urge you to defer this bill.

Petition to Submit Testimony in Support of SB1009 SD1

Petition summary and background:	As Registered Dental Hygienists in the state of Hawaii, we are concerned that electronic smoking device (ESD) use among youth in Hawaii has reached epidemic levels. The toxic combination of nicotine and enticing flavors have made ESD use a preferred choice when compared to other tobacco products (ex. cigarettes). As oral health educators, it is our duty to inform our patients of the risks caused by smoking/vaping tobacco products (oral cancer, periodontal disease, tooth loss). We can avoid future nicotine addiction of our youth by addressing the problem now.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now to SUPPORT SB1009 SD1 and ban the sale of flavored tobacco products in an effort to stop this addicting behavior for the sake of our youth.

Printed name	Signature	Address	Comment	Date
Shirley Chun, RDH		scpinksy@gmail.com		
Jamie Tengan, RDH		jamzan10@gmail.com		
Faye Fox, RDH		fnf1464@gmail.com		
Darlee Motosue, RDH		dkmotosue@yahoo.com		
Audra Dennis, RDH		oceanbreeze@gci.net		
Gaea Tunnissen, RDH		gaea.tunnissen@gmail.com		
Arimxay Varel, RDH		aavarel19@gmail.com		
Ariel Ita, RDH		ariel1214@yahoo.com		
Jennifer Shiroma, RDH		jshiroma@hawaiiifamilydental.com		
Christine Schroeder, RDH		dnqtrdh808@gmail.com		
Cynthia Taylor, RDH		cynktaylor@gmail.com		
Chelsea Acob, RDH		cjba@hawaii.edu		
Lorie Calma, RDH		l0121376@aol.com		
Linda Kang, RDH		lindakan@hawaii.edu		
Andrea Hetherington, RDH		ajh.rdh13@gmail.com		
Susan Eladnani, RDH		susaneladnani@gmail.com		
Iris Woolsey, RDH		igttwink@hawaii.rr.com		
Crystal Egusa, RDH		cegusa@gmail.com		
Samantha Fisher, RDH		samjfisher@yahoo.com		
Kim Schneider, RDH		kschneider@hawaii.rr.com		
Marilyn Nonaka, RDH				

Printed name	Signature	Address	Comment	Date
Stacy Matsuyama, RDH		texaninhawaii@gmail.com		
Tabitha Kukahiko, RDH		smsekioka@gmail.com		
Marie Duke, RDH		tabitha4avon@yahoo.com		
Rayann Bautista Echavez, RDH	RDH	maduke92254@gmail.com		
Anna Akaka, RDH		rayannrdh@gmail.com		
Kyoko Tomita, RDH		annaakaka@gmail.com		
Candace Kawakami, RDH		kyotokomrdh@gmail.com		
Tori Clegg, RDH		denniskawakami@hawaii.rr.com		
Melorie Yuen, RDH		tlegg09@gmail.com		
Michelle Estakaya, RDH		melorieyuen@gmail.com		
Donna Christman, RDH		estamichelle@gmail.com		
Tracy Furukawa, RDH		dchristman76@gmail.com		
Caroline Kanno, RDH		alanandrtracy@hawaiiantel.net		
Chanda Park, RDH		smile@hawaiidentaltemp.com		
Maile Mokulehua, RDH		chandapark@gmail.com		
Jan Migita, RDH		41dash@gmail.com		
Steffany Giammalvo, RDH		migitajans@gmail.com		
Mavis Gushiken, RDH		steffgiammanlvo@gmail.com		
Shori Patten, RDH		mavisg808@hawaii.rr.com		
Jackie Sawai, RDH		shori21@aol.com		
Valerie Zukeran, RDH		jackiesawai@gmail.com		
Stacie Okihara, RDH		theheartofbusiness@gmail.com		
Jaimie Yuen, RDH		skye_lar@hotmail.com		
Sandy Bangert, RDH		jyuen001@hawaii.rr.com		
Natasha Fong, RDH		skirkoski@icloud.com		
Kimi Yagi, RDH		fongn@hawaii.edu		
Jessica Busby, RDH		kannyagi@gmail.com		
Samantha Boroff, RDH		jessica_mowder@hotmail.com		
Alaina Pacheco, RDH		boroff.212@osu.edu		
Emeraude Thai, RDH		amprdh555@gmail.com		
Audra Nakamatsu, RDH		amythai@msn.com		
Nahoku Keala, RDH		anakamatsu@hotmail.com		

Printed name	Signature	Address	Comment	Date
Katrina Dela Cruz, RDH		nahokukeala@gmail.com		
Carly Takara, RDH		ktdlcr@yahoo.com		
Gayle Chang, RDH		cftakara@gmail.com		
Donna Altshul, RDH		gchang50@gmail.com		
Mikiel Lina Agoy, RDH		daltshul@westhawaiiichc.org		
Allie Jefferies, RDH		m.linardh@gmail.com		
Carolyn Nacapuy, RDH		alliejefferiesrdh@gmail.com		
Elsie Santos, RDH		battulayan@yahoo.com		
Janice Blaser, RDH		nontoxic808@gmail.com		
Jennifer Fajardo, RDH		alohajuice@hotmail.com		
Erica Tabalba, RDH		healthysmile@yahoo.com		
Nicole Florendo-Serai, RDH		etabalba@gmail.com		
Gail Pang, RDH		localgirl521@yahoo.com		
Deb Mapel, RDH		batsnookums@yahoo.com		
Karen Nagamine, RDH		dmapel@hawaii.edu		
Amy Tsubota-Cruz, RDH		cn1cn2605@yahoo.com		
Shirley Li, RDH		aimsstsu@gmail.com		
Brenda Yospe, RDH		sara_li88@ymail.com		
Megumi Kodama, RDH		byospe@hotmail.com		
Yvette Like, RDH		megu2_4@hotmail.com		
Mie Choe, RDH		kaiulani67@yahoo.com		
Diane Clements, RDH		mrainbow0220@gmail.com		
Theresa Brown, RDH		clements002@hawaii.rr.com		
Sarah Kolar, RDH		terri4brown@aol.com		
Michelle Baniaga, RDH		skolar.rdh@gmail.com		
Robyn McCarthy, RDH		michellehullrdh@hotmail.com		
Marian Manois, RDH		mccarthyrdh@gmail.com		
Lenora Marks, RDH		dentalhygienist07@yahoo.com		
Janet Ancheta, RDH		leimarks@yahoo.com		
Jamie Pang, RDH		janetancheta9@gmail.com		
Lehua Bolton, RDH		Opbpep@aol.com		
Dollcy Gebauer, RDH		lehuakaala@yahoo.com		

Printed name	Signature	Address	Comment	Date
Joanne Takahashi, RDH		Dollcydonesa@yahoo.com		
Melinda Lau, RDH		itaki808@gmail.com		
Lori Tamayori, RDH		Mellau@gmail.com		
Dawn Teshima, RDH		misoyucky@gmail.com		
Raynette Kodama, RDH		det@hawaii.rr.com		
Tori Clegg, RDH		raynettekodama@hawaii.rr.com		
Joycelyn Swan, RDH		Tclegg09@gmail.com		
Karen Guevarra, RDH		jwan02@hotmail.com		
Joana Shin, RDH		joyerz@aol.com		
Noelani Greene, RDH		Joana.choy@gmail.com		
Christen Coloma, RDH		jusnoe@aol.com		
Gerraine Hignite, RDH		christen.coloma@gmail.com		
Rachel Ament, RDH		gerrainehignite@gmail.com		
Linda Austin, RDH		Rachelqryan@gmail.com		
Pearl Arrington, RDH		linda.austin@doh.hawaii.gov		
Elaine Baker, RDH		pmardh@aol.com		
Lesley Barangan, RDH		kulasky11@google.com		
Karen Bardin-Billman, RDH		lesleyjaimie@gmail.com		
Shelbi Barroga, RDH		kbillman2001@yahoo.com		
Aileen Bisquera-Ng, RDH		shelbib@hawaii.edu		
Sandra Boggess, RDH		AileenieB22@aol.com		
Madeleine Budde, RDH		girlfriend1969@aol.com		
Miyuki Butrick, RDH		ic45budde@yahoo.com		
Loreizl Cahinhinan, RDH		m.butrick@yahoo.com		
Traci Chang, RDH		loreizl1@gmail.com		
Ja'Nae Chaves, RDH		tracichang7@gmail.com		
Penny Ching, RDH		JADINZ1@yahoo.com		
Carolyn Chun, RDH		pennylee@hawaii.edu		
Caitlyn Curammeng, RDH		chunster74@yahoo.com		
Misty Debebar, RDH		caitlyncurammeng@gmail.com		
Judith Dodson, RDH		m.debebar@yahoo.com		
Brittany Drake, RDH		jet4_50@hotmail.com		

Printed name	Signature	Address	Comment	Date
Heather Dressel, RDH		bjaco@iupui.edu		
Ashley Eastman, RDH		heather.dressel@gmail.com		
Markee Estioko, RDH		Ashleyeastmanrdh@gmail.com		
Chelsey Flores, RDH		markee.estioko@gmail.com		
Nami Foree, RDH		chels.flores@gmail.com		
Vanessa Frerk, RDH		namiforee@hawaii.rr.com		
Melissa Frommer, RDH		vfmerk@hotmail.com		
Kris Gabriel, RDH		frommerm001@gmail.com		
Christopher Gamboa, RDH		gabrielf001@hawaii.rr.com		
Jan Gibson, RDH		chris.gamboa.rdh@gmail.com		
Candis Goto, RDH		evergreen360@aol.com		
Lois Goto, RDH		rabbitus1959@gmail.com		
Amber Harris, RDH		go2lois@gmail.com		
Barbara Hashimoto, RDH		amberboyles@yahoo.com		
Melody Hayase, RDH		bwhashi@gmail.com		
Leanne Higa, RDH		mhayase@hawaii.edu		
Nicole Ibarra, RDH		higaleanne@gmail.com		
Lisa Inaba, RDH		nicolecvibarra@hotmail.com		
Sunny Ivanyi, RDH		inabal001@hawaii.rr.com		
Cathy Kagawa, RDH		talk2sunn@yahoo.com		
Susan Kahawai, RDH		catkagawa@gmail.com		
Marrissa Kaili-Frank, RDH		sukahawaii2004@yahoo.com		
Debra Kailiwai, RDH		kailifrm@pacificu.edu		
Norine Kalaiwaa, RDH		debbie.kailiwai@hawaiiantel.net		
Christos Kalesperides, RDH		kalaiwaas@hawaii.rr.com		
Lauren Kam-Felipe, RDH		Christos5@hotmail.com		
Kerilyn Kaopuiki, RDH		lkamfelipe@gmail.com		
Valerie Kelihoomalua, RDH		Kerilyndofa@gmail.com		
Erin Kihara, RDH		valrdh@msn.com		
Violet Kitamori, RDH		k5cows@hawaii.rr.com		
Dana Kokubun, RDH		kitamorid001@hawaii.rr.com		
Mary Kunimura, RDH		dbk@hawaii.rr.com		

Printed name	Signature	Address	Comment	Date
Robyn Kurahara, RDH		makunimura@gmail.com		
Brianna Lee, RDH		jrkurahara@aol.com		
Nancy Lee, RDH		bgoto@hawaii.edu		
Katie Lyles, RDH		leen1808@gmail.com		
Myra Macapinlac, RDH		novrain04@hawaiiantel.net		
Nora Macaraeg, RDH		myra.macapinlac@gmail.com		
Laura Mallery-Sayre, RDH		starlightmaui2@aol.com		
Alyson Martin, RDH		mallerysayre@hawaii.rr.com		
Maile Mathison, RDH		alymartinrdh@gmail.com		
Ruth Mc Caffrey, RDH		mai_tai9@hotmail.com		
Jennifer McKig, RDH		lorraine1000@hawaii.rr.com		
Michele McTague		splash4@mac.com		
Jeannette Vences, RDH		rdhshel.mctague@gmail.com		
Kira Lynn Minato, RDH		Jeannette.vences@gmail.com		
Cheryl Nakagawa, RDH		kiraminato@yahoo.com		
Catherine Nakamura, RDH		cherylnaka2@aol.com		
Kelly Nance, RDH		katnak@yahoo.com		
Michelle Nicotre, RDH		nancekellyann@gmail.com		
Noelle Nyquist, RDH		mnicotre@yahoo.com		
Kathleen Oide, RDH		serrano.noelle@yahoo.com		
Jessica Oliviera, RDH		gkoide@hotmail.com		
Julee Omori, RDH		joliviera.rdh@gmail.com		
Kristine Osada, RDH		juleeo@hawaii.edu		
Arlene Palileo-Noel, RDH		ksato@hawaii.rr.com		
Vicki Phan, RDH		palileo65@gmail.com		
Jennifer Pirie, RDH		vickikimo@gmail.com		
Janet Quinn-Chun, RDH		jrpirie@gmail.com		
Adrienne Ragasa, RDH		jqchun@juno.com		
Alana Rarick, RDH		adrienneragasa@yahoo.com		
Naomi Rhodes, RDH		ararick@hawaii.edu		
Daryl Robertson, RDH		alohasmilehi@yahoo.co.jp		
Kari Rodrigues, RDH		djfrobertson@gmail.com		

Printed name	Signature	Address	Comment	Date
Audree Roman, RDH		karir@hawaii.edu		
Peggi Rossi, RDH		auj808@hotmail.com		
Marian Rubino, RDH		peggiudd@yahoo.com		
Tami Ryan, RDH		gaylerubino@hotmail.com		
Joelle Sato, RDH		browner4@hawaii.rr.com		
Rebecca Schaupp, RDH		Jakcsato@hawaii.edu		
Marilyn Shrive, RDH		rebeschaupp@gmail.com		
Carol Smith, RDH		ms_romuar@msn.com		
Diana Smith, RDH		Carol_Smith@adidam.org		
Justin Stanton, RDH		dgsinhawaii@gmail.com		
Jennifer Takata, RDH		justinstantonrdh@gmail.com		
Heaven Tancayo, RDH		jen.takata@gmail.com		
Rhonda Tengan, RDH		Kamalei006@gmail.com		
Linda Tesar-Amimoto, RDH		rhondah212@gmail.com		
Marianne Timmerman, RDH		lindatesaramimoto@earthlink.net		
Kelsie Torres, RDH		got.floss@hotmail.com		
Ashley Trapp, RDH		ktorres7@hawaii.edu		
Michele Tui, RDH		trappa@hawaii.edu		
Erin Twohy, RDH		mctui@hotmail.com		
Joyce Yamada, RDH		erintwohy@gmail.com		
Rachelle Ventura, RDH		yamadajo@hawaii.edu		
Hillary Vidinhar, RDH		rgventurardh@gmail.com		
Rosemary Vierra, RDH		hillhogg_1@yahoo.com		
Sharon Walker, RDH		rivierra@hawaii.edu		
LaJon Weaver, RDH		producehealth@gmail.com		
Marcie Wong, RDH		lovejoyonmaui@aim.com		
Joni Wood, RDH		marz656@hotmail.com		
Deborah Wyly, RDH		woodc007@hawaii.rr.com		
Kimi Yagi, RDH		debby.wyly@gmail.com		
Janice Yap, RDH		kannyagi@gmail.com		
Daphne Yoshikawa, RDH		janicex@hawaii.edu		
		aieasf@yahoo.com		

SB-1009-SD-1

Submitted on: 2/18/2019 12:07:51 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Hashimoto	Individual	Oppose	No

Comments:

Vapeing for me has helped me throughout these years. My dad has been a smoker my whole life and thought I'd give it a try. I started smoking at a young age and being that I was doing a lot of athletic activities smoking really did catch up to me. Every time I would be doing these activities I would find myself losing my breath and getting tired really fast. Then the first electronic devices came out and gave those a try and it really did help me out a lot. I honestly haven't touched a cigarette in 3 years and counting. So I bought one for my dad and he is currently in the process of quitting cigarettes. People do say that vapeing is worse than cigarettes but there is no studies that show there's more chemicals going into your body than regular cigarettes. But all I gotta say is that sharing my story with you gives you some idea of how vapeing flavored liquids helped me out.

SB-1009-SD-1

Submitted on: 2/18/2019 9:19:05 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
shannon keahi	Individual	Oppose	No

Comments:

I have smoked cigarettes for over 25+ years and have tried all sorts of products to quit smoking and none of them worked. When I tried vaping, it took awhile to get used to it but I did. What got me through the process of quitting cigarettes were the available flavors including tobacco flavors sand I didn't like the tobacco flavors because it reminded me of cigarettes. I did my research on vaping and weighed out the pros and cons and was convinced that vaping was much safer much tastier and a lot more cheaper. Vaping saved my life and that's why I oppose SB1009 SD1

SB-1009-SD-1

Submitted on: 2/18/2019 7:38:20 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Rabang	Individual	Oppose	No

Comments:

I strongly oppose this bill! There are laws which prevent the sale of tobacco product in Hawaii to minors. This will only affect people of legal age from the choice of flavored ejuice and is unconstitutional. I have personally been able to quit smoking after 20 years because of vapor products and feel that it is an important tool in helping countless others do the same!

SB-1009-SD-1

Submitted on: 2/19/2019 10:14:09 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jesse Poston	Individual	Oppose	No

Comments:

Banning Flavor for ecig is senseless!!

You call yourselves American! And we supposed to also?

STOLEN IN 1893, FORCED TO BECOME AMERICAN!

So where is our FREEDOM TO CHOOSE WHAT WE WANT?

FREEDOM TO CHOOSE FLAVORS THAT KEEP US OFF TOBACCO(CIGARETTES) AND CHOOSE THIS HEALTHIER LIFESTYLE, AND BECOME PROACTIVE FOR OUR KEIKI,BECAUSE WE CAN BREATHE AGAIN AND KNOW WE ARE PUTTING VAPOR INTO OUR LUNGS, RATHER THAN SMOKE!

something to tell you folks!

Eh, NOT HARD FOR GOOGLE AND GET EDUCATED ABOUT VAPING, ROYAL COLLEGE OF PHYSICIANS UK GET ALL THE LONG TERM STUDIES, AND WILL BE CONVERTING ALL SMOKERS TO VAPERS BY 2022.

It was never intended toward Keiki, never has and never will be. From its introduction around 9-10yrs ago, you would be ID and only could buy if you were of Legal Smoking Age, all the Shops Treated it as Tobacco sale because it was a Healthier Alternative to CIGARETTES. For a Keiki to achieve an ESD back then and even now, its Parents and or Adults buying these for the Children. When I started Vaping 8yrs.ago, I came from chewing tobacco, started when I was 13yrs old, (IT WAS SMOKELESS, and could do it in School) till i was 26 and then switched to Vape..it was definitely a weird transition, chewing to vaping, but I'm telling you guys, Committee, House, and Anti Vaping individuals and Groups.. that Strawberry Banana FLAVOR Eliquid from a company called Alt Smoke 8yrs. Ago got me off Tobacco, I still have my teeth, gum cancer free, no bad breath, all because I switched.

I, JESSE P. From Maui County, OPPOSE THIS FLAVOR BAN!

And Senator Roz Baker, GET EDUCATED ON VAPING!! Not the best thing, but a healthier alternative, OUR FOCUS SHOULD BE ON THE YOUTH BINGE DRINKING, ITS AT THE ALL TIME HIGH WITH 2MILLION UNDER THE AGE OF 18, VERSUS VAPING YOUTH AT 180,000 ACROSS THE COUNTRY.

IM FINISHED HERE, "OPPOSED" SB1009, AND HB276 AND ALL THESE STUPID LEGISLATIONS AGAINST VAPING UNLESS ITS COMMON SENSE BILLS, EXAMPLE LIKE AGE 21, DUMB BUT DO ABLE, DRINKING SHOULD BE 25 IF THATS THE CASE, AND BECOMING AN ADULT SHOULD BE 21 ALSO! THINK ABOUT IT!!

OPPOSE,OPPOSE, OPPOSED

SB-1009-SD-1

Submitted on: 2/19/2019 12:03:48 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
VALENTINO MIRANDA-KEPA	Individual	Oppose	No

Comments:

Aloha Board,

I strongly OPPOSE bill SB1009 for the fact that we have strict laws on selling Vape Products we need a Stirct law on under age smoking/vaping and possession as we do for alcohol then maybe we can see a decline in under age use. With no possession law these under age people have no fear while vaping in public but not much under age drinking in public so please reconsider this bill.

With Aloha,

Valentino Miranda-Kepa

SB-1009-SD-1

Submitted on: 2/19/2019 1:12:06 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Wu	Testifying for University of Hawai'i - Student Health Advisory Council	Support	No

Comments:

Date: February 19, 2019

To: The Honorable Roy M. Takumi, Chair

The Linda Ichiyama, Vice Chair

Senate Committee on Judiciary

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

Re: Strong Support for SB1009, Relating to Flavored Tobacco Products

Mtg: Thursday, February 21, 2019 at 9:00 am at Conference Room 016

Thank you for the opportunity to submit testimony in **SUPPORT** of SB1009, which bans the sale of flavored tobacco products, effective 1/1/2020.

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. In 2015, the Student Health Advisory Council actively supported the passing of the law prohibiting the sale of all tobacco products to anyone under the age of 21. In 2018, the Student Health Advisory Committee also actively supported passing the law prohibiting the use of tobacco products on all 10 UH campuses and university-owned facilities. We remain deeply committed to the mission of reducing the use of tobacco products, including electronic smoking devices, among adolescents and young adults.

Electronic cigarettes are now the most commonly used form of tobacco among youth in the United States, surpassing conventional tobacco products, including cigarettes, cigars, chewing tobacco, and hookahs. According to the Centers for Disease Control and Prevention, e-cigarette use among adolescents has increased considerably, growing an astounding 900% among high school students from 2011 to 2015. The sale

of candy-like flavored tobacco products entices minors to start using these harmful products which may cause addiction, lead to dual use of combustible cigarettes and vape products and to damage of the developing adolescent brain. The banning of flavored tobacco products is an imperative next step in tobacco control, if we are committed to protecting the health of adolescents and young adults in Hawaii.

On behalf of the Student Health Advisory Council, mahalo for your support for SB1009.

LATE

SB-1009-SD-1

Submitted on: 2/19/2019 1:42:11 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Betty Sestak	Individual	Support	No

Comments:

From: mmg2b@everyactioncustom.com on behalf of [Michelle Gray](#)
To: [JDCTestimony](#)
Subject: Strong Support of SB1009 SD1, Relating to Flavored Tobacco Products
Date: Tuesday, February 19, 2019 11:04:11 AM

Dear Senate Committee on Judiciary,

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

Hrg: February 21, 2019 at 9:00 AM at Capitol Room 016

I strongly support SB1009 SD1, which would end the sale of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

Hawai'i is already experiencing a youth vaping epidemic. Studies have shown that 8 in 10 kids start with a flavored tobacco product. It's no coincidence that the rise in youth vaping has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Fruit Hoops, Sour Straws, or Cookie Monsta?

It's also critical to include menthol cigarettes in the flavored tobacco ban. Menthol cigarettes are a popular starter product, as it has cooling properties that mask the harshness of tobacco smoke and nicotine. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, such as the Native Hawaiian community, and has led to health disparities.

We must end the sale of candy-flavored tobacco to protect our youth from a lifetime of addiction. The industry is promoting flavors that mimic popular food or candy to hide the fact that they contain nicotine and with more kids who were never smokers using these products, we have an urgent need to act. I strongly support SB1009 SD1 and ask you to pass this out of committee.

Sincerely,
Michelle Gray
Honolulu, HI 96825

SB-1009-SD-1

Submitted on: 2/19/2019 2:18:00 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
C. Azelski	Individual	Support	No

Comments:

Hawai'i is already experiencing a youth vaping epidemic. With **8 in every 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.

SB-1009-SD-1

Submitted on: 2/19/2019 2:29:51 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christine Davis	Individual	Support	No

Comments:

Aloha, I am Christine Davis from Kihei. As a 12th grade student from Kihei Charter School and an active member of the Maui Nui Youth Council and Coalition for a Tobacco-Free Hawaii, I am testifying in strong support of SB1009.

Smoking is harmful to people, the environment, and the economy. Not only does smoking cost the state lots of money, \$526 million every year to be exact, it also harms the consumer's body. Kids my age don't realize how harmful smoking and vaping is. With 81% of youth who ever tried tobacco products started with a flavored product, it is evident that flavors are a big lure to get youth using vapes and other smoking devices, leading to a lifetime of addiction and health problems.

Please protect the youth in Hawaii from becoming addicted and harmed by tobacco. SB1009 is a step in the right direction, and I strongly support it as a high school student

Form Letter Names SB 1009

Late Testimony

1 Mark Levin	1 Crystal Milne
2 Bev Brody	2 Ronald Kuriki
3 Kim Swartz	3 Dawn Pung
4 Joseph Keawe'aimoku Kaholokula	4 Diane Omura
5 Kirsten Ralston	5 Lauren Loor
6 Clint Gima	6 Ilene Harrington
7 Anne Scharnhorst	7 Maria Moreno-Chow
8 Elicia Lujan	8 Michelle Schiff
9 Jan-Marie Osorio	9 Lindsay Grier
10 Michelle Quensell	10 Bryan Mih
11 Patti Ornellas	11 Keith Shirota
12 Toni Symons	12 Rialyn Menor
13 Cyd L. Hoffeld	13 Debra Ravey
14 Maria Pineda	14 Tommie Ravey
15 Shayda Marciel	15 Bonnie Oda
16 Allison Seales	16 Cherie Andrade
17 John Ishoda	17 Ivy Sylva
18 Haleigh Romero	18 Rita Martin
19 Linda Kim	19 Lisa Kakiuchi-Gima
20 Patricia Blair	20 Shani Gacayan
21 Barbara Nosaka	21 Ronald Steben
22 Eileen McCool	22 Casey Carvalho
23 Micharl Kellar	23 Helen Barrow
24 Tenaya Jackman	24 Marissa Asato
25 Michele Nihipali	25 Nichole Comilang
26 Sophia Davis	26 Evelyn Gamez
27 Hojung Nam	27 Shelly Ogata
28 Suzanne Fields	28 Rhiana Lau
29 Linda Weiner	29 Carol DeForest
30 Shelley Fey	30 Christopher La Chica
31 Mae Kyono	31 Ruthjie Diaz
32 Derek Bown	32 Lori Johnson
33 Danelle Watson	33 Wilson Datario
34 Alan Trinh	34 Jodi Kunimitsu
35 Ann Freed	35 Lindsey Guth
36 Stefanie Castro	36 Ethan Nebelkopf
37 Erin Bantum	37 Rondy Arquero
38 Ashley Menor	38 Todd Cullison
39 Diane Neubert	39 Cherisse Fernandez
40 Patricia Fleck	40 Karen Worthington
	41 Angelina Mercado
	42 Patricia Stevens
	43 Shaleigh Reed
	44 Normand Dufresne
	45 Derek Ching
	46 Matt Kanealii-Kleinfelder

47 Dennis Barger

48 Allie Hall

SB-1009-SD-1

Submitted on: 2/19/2019 3:05:18 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alysa Lavoie	Individual	Support	No

Comments:

Support SB1009 - Ban the flavors NOW! We don't need 10 years old with addictions.

If vaping was popular in 2009, these flavors would have already been banned by the Family Smoking Prevention and Tobacco Control Act- implemented on September 22, 2009. This law bans the sale or distribution of any cigarettes containing an artificial or natural flavor other than tobacco.

SB-1009-SD-1

Submitted on: 2/19/2019 3:31:33 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Randi Derego	Individual	Oppose	No

Comments:

A flavor ban is not the answer to stop under age use of tabbacco products.. But rather a possession law for anyone under age. A strict possession law will decress under age tobbaeco use like alchohol laws decressed underage drinking.

SB-1009-SD-1

Submitted on: 2/19/2019 4:28:09 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jake J. Watkins	Individual	Oppose	No

Comments:

SB-1009-SD-1

Submitted on: 2/19/2019 5:36:40 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Chang	Individual	Oppose	No

Comments:

SB-1009-SD-1

Submitted on: 2/19/2019 5:57:29 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Higa	Individual	Oppose	No

Comments:

SB-1009-SD-1

Submitted on: 2/19/2019 6:12:01 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Stevenson	Individual	Oppose	No

Comments:

I oppose bill Sb1009. I get that you want to make it less enticing to those not of legal age to smoke combustible cigarettes and vaping eliquids. Although the complete ban of flavored tobacco products is extreme way to try and deal with it. It does not make sense. I havent seen a launch of anti flavored alcohol? As a former smoker I switched to vaping because it is a healthier alternative. I dont smell like an ashtray when I'm done vaping as well. I have read studies done on vaping as far as I understand no one other than the person with their mouth directly on their nicotine deliver system will get nicotine inhaled. I have yet to hear or read of someone getting a secondary nicotine hit from a cloud of vapor. I also dont think it is fair that a county can adopt their own more stringent enforcement when they see fit. No one should have a back door to over ride a state law as a just in case , get out free card you know. Making flavored tobacco illegal by January 1,2020 is going to effect the sales of alot of brick and mortar shops. To me thats what makes Hawaii a unique place. A lot of people trying to make ends meet because the cost of living is soo high. We all gotta hustle more than 1 job just to stay off the streets. Dont you think we should address why 93k is low income bracket in Hawaii. I think more efforts should be diverted to making the cost of living in Hawaii more liveable instead of driving up taxes on tobacco and banning flavored eliquids and all the above mentioned in this bill. Why more focus wasnt on flavored alcohol which kills people too. Tobacco may have a higher rate of killing people but vaping has been proven to help and change lives drastically. FDA commissioner Scott Gotlieb himself has sent messages on multiple social media platforms claiming that vaping can help traditional smokers with improving their health. I believe a bigger focus on shops to use a hefty age verification process is someplace that it should start. Whether it be online sales or a face to fave sale an age verification needs to be alittle more strict. A penalty heavier than just a couple dollars should be dealt to a person who unlawfully tries to trick and pass such verification. If a shop can get a fine of 500 to 2000 dollars why shouldnt the offender be given the same time or possible jail time, maybe some community service time as well. Whats good for the shop in penalty should be good for the offender as well. Once again I OPPPSE SB1009.

Mahalo for your time.

SB-1009-SD-1

Submitted on: 2/19/2019 7:12:45 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaimana Brummel	Individual	Support	No

Comments:

SB-1009-SD-1

Submitted on: 2/19/2019 7:16:33 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaenz	Individual	Oppose	No

Comments:

I was a cigarette smoker for 22 years but I stopped smoking cigarettes 6 years ago thanks to flavored e-liquids!... I tried many different ways to quit cigarettes but none of them were affective except for vaping!.. please don't take that away!

SB-1009-SD-1

Submitted on: 2/19/2019 7:54:00 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carissa Holley	Individual	Support	No

Comments:

SB-1009-SD-1

Submitted on: 2/19/2019 10:06:53 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jostin A Iriarte	Individual	Oppose	No

Comments:

Dear Chair & Members

Aloha,

My name is Jostin I am a former smoker of 20 year's, I strongly oppose Senate SB1009, for the simple fact that this bill is unfair in the statement of Flavors is the reason of being the root cause of the teenage vaping epidemic is false, as a former smoker of traditional combustible cigarettes, vaping and its Flavors has helped myself, family members and friends of legal smoking and vaping age whether it be State age laws or federal to stay away from and stop smoking cigarettes, since I've quit smoking and started vaping having flavors to enjoy as a law abiding citizen while vaping should be a right that shouldn't be taken away from legal adults. As an adult we should have a choice to vape a flavor!! The vaping epidemic in Hawaii and the USA of teenager are because of certain devices like "Juul" and similar ones like it being easily accessible through gas stations, convenience stores ect, at least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21, these vape shops, manufactures and companies who follow the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward. The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because places other than vape shops dont take it seriously when asking for ID. There should be more stings to help aid the root cause & not punishing responsible Vape shops and adults. By taking away something "flavors" vaping Eliquids ect that has made a huge impact by lessing the amount of Traditional tobacco cigarette use, state and nation wide. It will greatly impact citizens to go back to combustible cigarettes which is definitely more toxic due to the fact my own Doctor has told me since I quit smoking cigarettes my health is much better in comparison.

Attachment "A1" is a letter from The FDA Commissioner, Scott Gottlieb. It states that the use of electronic nicotine delivery systems (ENDS) has contributed to a decline of combustible tobacco, which is known to cause cancer. It also clearly states that it intends on limiting flavored cigarettes to age restricted stores, or areas.

Also please take a look at Senator Richard Burr in his explanation of what his thought are on this matter here is the link

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W_qe6WHKH6gq-

zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM
Mahalo Nui Loa for your time & consideration

SB-1009-SD-1

Submitted on: 2/19/2019 10:08:09 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sheldon Miyakado	Individual	Oppose	No

Comments:

I oppose sb1009. people should be allowed to choose what they want. The regulation should be the stores selling the product to minors. Govt shouldn't be controlling adults as far was what they want to consume.

this would be like controlling the types of alcohol that have fruit flavors which is more readily available to minors.

SB-1009-SD-1

Submitted on: 2/20/2019 12:01:11 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Tam	Individual	Support	No

Comments:

Please advance SB1009, banning the sale of flavored tobacco products, such as flavored electronic nicotine-delivery systems.

At this point, virtually all of the electronic nicotine-delivery systems are controlled in some way by tobacco companies, who are in the business of addiction. The companies know that flavorings are highly effective in luring children and adolescents to use these nicotine-delivery devices, at a crucial period in brain, respiratory, and cardiovascular development. Indeed, we are already noting increased nicotine addiction and increased smoking AND vaping among youths who would otherwise have been considered low risk, until they began using ENDS. Asthma symptoms are also higher among ENDS-using kids. What other health issues will eventually result from using ENDS during the formative years?

Please counter the tobacco companies; pass SB1009.

Sincerely,

Elizabeth K. Tam, MD

SB-1009-SD-1

Submitted on: 2/20/2019 6:34:03 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Shishido	Individual	Support	No

Comments:

SB-1009-SD-1

Submitted on: 2/20/2019 7:43:03 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Logan	Individual	Support	No

Comments:

As an addiction researcher and clinician, considering long term implications on public health is critical. Flavored tobacco products are marketed to getting nicotine-naive teenagers and young adults, not assisting anyone with stopping or switching established tobacco use. Research has indicated youth are most likely to initiate with mint or menthol as they enjoy those flavors in chewing gum. Mango is the most popular flavor, directly marketed in pop culture and social media to target youth. The harms significantly outweigh any perceived benefits.

SB-1009-SD-1

Submitted on: 2/20/2019 7:46:53 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Tabata	Individual	Support	No

Comments:

SB-1009-SD-1

Submitted on: 2/20/2019 8:10:50 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John A. H. Tomoso	Individual	Support	No

Comments:

RE: SB1009

I support the ban on the sale of flavored tobacco products. Such flavoring of tobacco products is actually marketing of these products to children and, like the Keiki Caucus, I am very concerned that such sales sends a wrong message to all, especially young people and children, that tobacco products are good when, we all know that they are not.

Mahalo,

John A. H. Tomoso+, MSW, ACSW, LSW (Member of the CTFH-Maui Branch)

51 Ku'ula Street

Kahului, Maui,, HI 96732-2906.

808-280-1749

john.a.h.tomoso@gmail.com

SB-1009-SD-1

Submitted on: 2/20/2019 8:19:19 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
DANIEL DRAPESA	Individual	Oppose	No

Comments:

Aloha,

My name is Daniel Drapesa. I am writing you today to express my opposition to Senate Bill 1009.

I am an employee of a brick and mortar Vape shop that produces our own brand of Eliquid . We proudly make our product right here in Hawaii Nei, following all FDA regulations and procedures. This being said, I fear the repercussions of this bill passing into law. My Livelihood and the means by which I support my family could be compromised and even taken away completely.

On a daily basis I meet of aged individuals who's lives have been changed for the better because of harm reduction/smoking cessation products such as "ENDS" (electronic nicotine delivery systems) and Eliquid .

You say smoking traditional combustable cigarettes is at an all time low well this is true for adults as well. The fact that children are able to get a hold of these products is the main problem. As a Vaper who checks out many shops and an employee if one I can tell you the main reasons Youth have ENDS and Eliquid. Retailer such as gas stations, convenience stores, and even some vape shops neglect to is customers. The easy fix for that would be to increase penalties for said retailers and more enforcement. Family and friends also buy these items for youth. I've seen parent come in to shops and turn to their children and ask "what did you want to get again ?" Parents need to be accountable also. Make stricter punishment for the parents when youth get caught vaping or with parafanalia. That way parent do what they are supposed to and teach their children to abide by the laws!

Mahalo for considering my testimony.

Aloha.

SB-1009-SD-1

Submitted on: 2/20/2019 8:32:09 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashlee Klemperer	Individual	Support	No

Comments:

To the committee chair and members,

My name is Ashlee Chapman and I live in Kihei on Maui. As a mother, child of a smoker, and social worker I ask you all to support the passage of this bill to protect our youth. Vaping hit our communities and nation like a tidal wave, lacking regulation and taxation which left us all extremely vulnerable. The population most impacted by this tidal wave have been our keiki. For the first time in many years survey reports are showing increasing numbers of young people who are vaping. When we talk with our youth and asky why they do it or tried it the most common answer is because of all the flavored products available; they taste like candy and are packaged to look like candy. Hawaii is seeing exponential rates of youth vaping because of these flavors compared to the mainland.

Restricting these products by eliminating them from our communities will empower us all to fight the tidal wave of vaping. Please support the passage of this bill for the betterment of Hawaii.

Mahalo,

Ashlee Chapman

851 S Kihei Rd, Apt O103

Kihei, Hawaii 96753

SB-1009-SD-1

Submitted on: 2/20/2019 8:42:37 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Stene	Individual	Support	No

Comments:

While there are evident risks associated with vaping currently, we do not know the long-term implications of this form of substance use. As a community member working within the school system, vaping has been demonstrated as a present problem with adolescents and children. I am in support of SB1009 as we do not need to be enticing our children to begin misusing substances.

SB-1009-SD-1

Submitted on: 2/20/2019 8:48:26 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kanoë Kaiakamalie	Individual	Support	No

Comments:

Aloha,

My name is Kanoë Kaiakamalie. I'm writing today in support of SB1009 to ban flavored tobacco products in Hawai'i. Hawai'i has some of the highest rates of vaping in the country, with 25% of high school students and 15% of middle school students reporting they vaped in the past 30 days. 81% of kids nationwide use a flavored tobacco product as their introduction to tobacco, including vaping. 30% of vapers start using combustible tobacco within 60 days of starting to vape and 95% of current smokers started before the age of 21. It's clear that banning flavored tobacco is key to breaking this cycle. Flavored tobacco has no place in Hawai'i and we hope you feel the same. We don't need candy flavored tobacco to entice youth into starting a potentially life-long addiction to nicotine. Thank you for helping to keep Hawaii's keiki safe.

SB-1009-SD-1

Submitted on: 2/20/2019 9:16:00 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melorie Yuen	Individual	Support	No

Comments:

I support

SB-1009-SD-1

Submitted on: 2/20/2019 9:33:08 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Ching, MD, MPH	Individual	Support	No

Comments:

Senators Rhoads and Wakai,

As a pediatrician, I see first hand the impacts that vaping has on our children. My teenage patients say that they walk through their high school campuses and smell flavored vape products wafting through the air with smells like cotton candy. These products are targeting our children in a vulnerable age and may lead to lifelong nicotine addiction. Please pass this ban on flavored e-cigarettes and menthols from your committee.

Aloha,

Michael Ching, MD, MPH, FAAP

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 10:08:53 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
puna	Individual	Oppose	No

Comments:

Aloha

my name is Puna and I'm opposing to bill # sb1009 due to the fact that us as adults should be able to pick what flavors we should be able to vape. The way I look at it is that as adults if we get to choose what flavor alcohol we can consume then we as adults should be able to choose what flavor we can vape. if something like alcohol is legal in many states then should be vaping. Alcohol is a substance that causes thousands of deaths per year, vaping has not its a healthier alternative to traditional combustible cigarettes. How can you say we are drawing in the youth when there are adolescents out there that have been drinking from a much younger age than vaping. As a shop employee I ID every single person prior to making a purchase which is what stores need to do for alcohol. So please reconsider this ban and look at what is actually happening prior to this decision.

mahalo for your time

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 10:59:07 AM
Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Molly Mamaril	Individual	Support	No

Comments:

SB-1009-SD-1

Submitted on: 2/20/2019 11:02:07 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Ned Garcia	Individual	Oppose	No

Comments:

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 11:17:36 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
William Mansfield	Individual	Support	No

Comments:

I work closely with children ranging in ages from 4 to 10 years and I see how impressionable they can be. Marketing flavored products like these will certainly make them believe that they are not only acceptable, but also desirable in taste. If for some reason one of them were to obtain one of these flavored products, their classmates would be lining up to try cotton candy or chocolate flavored treats (or whatever flavor) just as if they were lining up for the ice cream truck. It is just wrong to market these flavors that will only serve to entice kids to try the product.

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 11:28:00 AM
Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lani Hernandez	Individual	Oppose	No

Comments:

SB-1009-SD-1

Submitted on: 2/20/2019 12:41:22 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Wheeling	Individual	Oppose	No

Comments:

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 12:59:51 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle K.	Individual	Support	No

Comments:

Please pass this bill to stop addiction to unhealthy products among people in the community. Mahalo!

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 1:26:13 PM
Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cate Cullison	Individual	Support	No

Comments:

The Honorable Karl Rhoads, Chair The Honorable Glenn Wakai, Vice Chair Members of the Senate Committee on Judiciary,

Please help Hawaii keep everyone healthy by banning flavored tobacco products. Candy and fruity flavors make it too easy for our kids to get hooked on tobacco. The public health consequences of nicotine addiction is clear, and they far outweigh any commercial benefit to Hawaii.

Mahalo for your consideration,

Cate Cullison

SB-1009-SD-1

Submitted on: 2/20/2019 1:42:02 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
devan ferreira	Individual	Oppose	No

Comments:

Aloha, my name is Devan Ferreira and for the past four years I've been smoking cigarettes. Trying to quit various times on my own was hard and every attempt was unsuccessful. However with vaping and being able to choose the flavor of my liking I was able to quit the harsh dangers of cigarettes. I strongly oppose S.B. 1009 for the simple fact that this bill is unfair in the statement that flavor e-liquid is reason of our Underage vaping epidemic. Vaping and being able To choose flavored e-liquid has not only improved the health of my family, my close friends but also my own health as well. Taking away the right of legal aged adults to choose the flavored e-liquid is a right that shouldn't be taken away from law abiding citizens that are trying to achieve a healthier life style away from traditional cigarettes. The underage vaping epidemic is being caused by certain vaping devices such as "juul" and other devices like them that are easily purchased in convenient stores, gas stations etc, roughly 90% of vape shops have followed the age laws with no sales to minors. With the legal age to smoke at 18 or 21 in other states such as Hawai'i, These manufactures and shops will be getting punished for something completely out of their control. With the reason of the epidemic staring in easy accessible stores such as gas stations or your local convince store where they don't take asking for an I.D. Seriously. With that being said I strongly oppose bill S.B. 1009

To the Senate Committee on Judiciary
The Honorable Karl Rhoads, Chair

LATE

Hrg: February 21, 2019 at 9:00 AM at Conference Room 016

Strong Support of SB1009, Relating to Flavored Tobacco Products

As a public health advocate, I cannot agree more with the Youth Council on this subject of banning flavored tobacco/nicotine products.

We, as the responsible adults in our “family” that is the State of Hawaii, must stand up for our children and young people. The industry says it wants to keep tobacco out of the hands of our children, but they don’t want to do anything about it. The surest proof that candy-flavored tobacco is infiltrating our schools is from the DOE. With 168,000 young people in our schools and with 42% of all high school students and 27% of middle schoolers reporting ever having used an “electronic vaping product” in 2017, we have an urgent need to act. All our young people deserve protection from a lifetime of addiction.

In addition, the industry claims they’re not targeting our youth, but their actions tell a different story. With 15,500 flavors and growing, these products are not being responsibly marketed. Candy flavors such as Fruit Hoops, Sour Straws, and Cookie Monsta are designed to appeal to our children, and make nicotine go down easier. The packaging and ads are attractive, and the products smell and taste good. All of these help to hook our youth and make them repeat customers. Addiction is the opposite of freedom. We’re fighting to keep our children free from the deadly addiction to these products. The health of Hawaii’s keiki must be protected from the predatory marketing of tobacco companies.

Included in the flavor ban would be menthol which has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes another popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, such as the African American community. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes. In the Philippines, market share of menthol cigarettes was 55%. The consequences of this are while nicotine and tobacco addiction are deadly for everyone, Native Hawaiians and Filipinos die at higher rates of lung cancer than other groups.

Although some adults claim ESDs have helped them to “quit”, ESDs are not FDA-approved tobacco cessation products. We have yet to see any scientific evidence, beyond anecdotal data, that e-cigarettes have helped smokers to quit completely from tobacco use. The issue is with the aggressive and deceptive marketing of these products, we’re seeing other things happening: 1) people who have never smoked are using e-cigarettes, 2) children are picking them up as a path to smoking, and 3) smokers are using them to perpetuate their habit instead of to completely quit. Even more troubling is because of the historic declines in smoking, big tobacco has decided to focus on candy flavors and nicotine delivery solutions. Tobacco giant Altria, maker of Marlboro, is investing in the popular vaping company Juul, which has 76% of the e-cigarette market share and is worth \$16 billion.

If Hawaii’s tobacco stores are truly supportive of keeping the community healthy, then they must be fine offering products for sale other than cotton candy or gummy worm-flavored e-juice. Our residents are proud to support local, but not when these products directly contribute to the youth

vaping epidemic. If we don't remove candy flavors, the cost to our kids will be a lifetime of addiction to tobacco.

Sincerely,

Shelly Ogata, RN, MPH

SB-1009-SD-1

Submitted on: 2/20/2019 2:53:37 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Abe	Individual	Oppose	No

Comments:

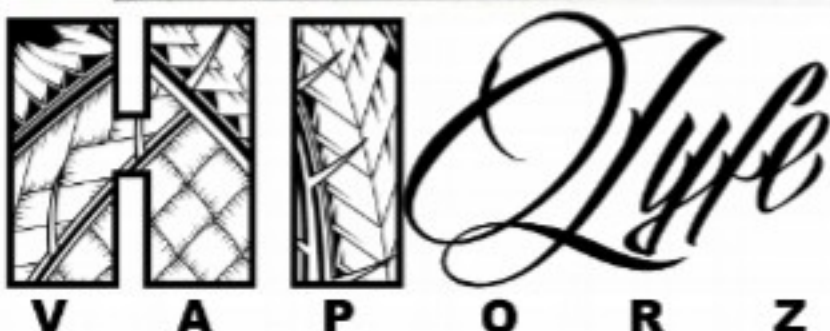
I'm Alex and I strongly oppose any flavor ban bill.

Please Print Clearly. Mahalo

LATE

2019 BILL SIGN UP OPPOSALS INFO HB276,HB1021,SB1247,SB1009

	NAME	EMAIL	CONTACT NUMBER
1	JUSTIN FRIESEN	JFriesen@hawaii.edu	808-929-2486
2	Darien Williams	Darien.tokunaga27@gmail.com	808-365-8060
3	Brandon Torrey	Keloni.torrey79@gmail.com	808-364-5573
4	Nathaniel Romo	cherrchh.com@gmail.com	808-745-8793
5	Jeffrey Jones	jjones@bgch.com	808 498 5333
6	English G. Jones	englishjones@aol.com	808 772 7338
7	Jerry Mole	Jerry.Mole@ymail.com	808-364-0565
8	Jonathan Garcia-Ariza	ekaligarcia@icloud.com	808-465-955
9	Shorlee Salazar	ShorleeSalazar@yahoo.com	Shorlee Salazar IG
10	Sheldon Bailey/Randi Bailey		808 225-6253
11	KEVIN TATE / BLANCA G		808 391-7921
12	Logan Joseph		
13	James Spauts		
14	STANYA LAIA	SLAA420@GMAIL.COM	808-852-1069
15	Rachael Ke	RachaelK@hawaii.edu	808-372-0987
16	Tagulimn Fauwu	TSFauwu@gmail.com	(808) 499-5975
17	Justin Longoria	Lonjoridisthpa@gmail.com	808 445-7112
18	Jernica Branco@gmail.com	GREEN.SHAUN1994@gmail.com	808-665-9400
19	JEFFREY GASPAR	jgaspar@gmail.com	
20	Kaleo GOMES	Kgomes2718@gmail.com	(808) 675-1785
21	Jack Perry	jackdanielsperry@gmail.com	808-369-5302
22	Patrick Maynes Jr	pmaynesjr89@gmail.com	(808)-476-3746
23	Keala Solomon	kealasolomon@gmail.com	
24	Shantezarce Samoa	shantezarce@msn.com	(808) 672-9400
25	ARLAN R. DECKARD	themetadyst@gmail.com	808-940-3975
26	Antonio Pansich		808 291-2905
27	Judy Toisler		808 203 7511
28	Josiah Ballungay	Josiah.Ballungay@gmail.com	808 653 8702
29	Emilio Pimental	Billcy2254@gmail.com	808-372-4127
30	Jennifer Bibeau	jenniferbibbeau73@gmail.com	808 228 8115
31	Jason Graham	jasongraham83@gmail.com	912-312-5606
32	LISA TERRELL	LucEm@Hawaii.com	808 306-9106
33	Valentine Valdez III	valentine@gmail.com	808 588-3406
34	Nathan Kekawa	NateKekawa91@gmail.com	
35	Charles L Quiambau	QuiambauCharles@gmail.com	808-223-2358
36	Dean Tabangera Jr.	deanandbittany22@gmail.com	808-747-5923
37	Frederic Duberville	dubervillef@gmail.com	908 283 1988
38	Shad Log		808 208-6451



LATE

2019 BILL SIGN UP OPPOSALS INFO HB276,HB1021,SB1247,SB1009

	NAME	EMAIL	CONTACT NUMBER
1	Shannon Stevenson	lopaka75@hotmail.com	808 392 1975
2	Aaron Achuel	delendirefai@gmail.com	808-352-4387
3	Matilda Freitas	gene433fit@gmail.com	808-782-9246
4	Warren Alipio	knanan103@gmail.com	808-529-8159
5	Clayton Laran		808 461 3198
6	Jeremiah Uti	uti.t.jeremiah@gmail.com	(808) 260-3876
7	Fiona Mispoti	wv.f.mispoti@yahoo.com	(808) 777-0810
8	John Kapua II	JohnKapua808@gmail.com	808 206-5881
9	Edson Pimental	Pimentaledson34@gmail.com	808-741-5174
10	Debra Rae Guthrie	d.guthrie@yahoo.com	7700267
11	Kaliko Paaluhui McTeley	kf10rapm@gmail.com	808-979-4328
12	DREWYN USANU	knunimut808@gmail.com	808 725-4663
13	Ilima Uecker	ilima702@gmail.com	8087800626
14	Sheldon Aki	Skaki.Jr@gmail.com	808-772-7548
15	Kevin Espinosa		808-469-8865
16	Nicole Briones	nicolebriones@gmail.com	808-782-8567
17	Kealii Kaunapu	DK286436@alumni.dixie.edu	808-348-1572
18	Melina Silva	abkkst@yahoo.com	808-462-8250
19	Brandon Weis		808-687-0918
20	Sherine Quintal	sherrinequintal1993@yahoo.com	808 492 4701
21	Sheldon Pomaikei		808-368-5172
22	Caprina Bowen	Showerie@weck.com	808-697-3115
23	Keanu Kaopuiki	KaopuikiKeanu@gmail.com	(808) 492-3610
24	Warren Salis	Warren.Salis@gmail.com	808-436-5219
25	Sherri Salis	SKSalis97@yahoo.com	808-436-5219 808 386 2642
26	Kevin Salis	KevinKSalis@gmail.com	808 386 3710
27	John Ganer	JohnGaner16@gmail.com	808-518-0827
28	Nani Ganer	NaniGaner@gmail.com	808-518-0828
29	Sypher Sampson	sypher96792@yahoo.com	807-804-9067
30	Wahani Salis		808-859-2124
31	Shelby Salis		808-979-4594
32	Jacobs Green	JacobG96792@gmail.com	808-489-4250
33	CPule	cavalynpule@gmail.com	(808) 723-1053
34	Teewillz	Teetokunagwillz@gmail.com	(808) 688-8510
35	Yvonne Estencion	Noncestencion96@gmail.com	(808) 688-8512
36	Kelly Cockett	kcockett44@yahoo.com	(808) 953-0022
37	Maile Alnarin	Summersland@gmail.com	(808) 321-3361
38	Nicholas Zellini	Nickzellini08@gmail.com	808-354-0020
39	TREMAINE FUAMATI	Fuamatu@gmail.com	(808) 258-4631



LATE

2019 BILL SIGN UP OPPOSALS INFO

**HB276,HB1021,SB1247,SB1009,HB387,HB1574,HB177,HB195,HB331,
HB1047,HB1019,HB1021,HB825,HB880,HB1018,SB159,SB182,SB524,
SB1016,SB222,SB887,SB639,SB541,SB1273,SB1245,SB1080,SB1247,S
B1244**

	NAME	EMAIL	CONTACT NUMBER
1	Deanne Palpell	Deanne-96792@icloud.com	
2	Ryzen Nelson	Ryzen.Nelson12@gmail.com	
3	DANSEN CARVALHO JR	DANSENS AUTO REPAIR@gmail.com	
4	Kekoa Gomes-Kohamu	Kekoa.Kohamu@gmail.com	(808) 548-8283
5	Jacob Talbot	Jacob.Talbot@icloud.com	541-601-5057
6	TIANA SALCEDO	salcedotke@gmail.com	808-255-4448
7	Samantha Mose	epiandSamanthamose@gmail.com	808-430-3279
8	S GARCIA	85-109 ALHAMBRA P.	232-9402
9	Alexis Keawe	85-932 Kapulewa St.	228 5483
10	Riko Peter	RikoPeter808@icloud.com	808-439-1477
11	Charles Kaaukai	CharlesKaaukai@gmail.com	808 260-2490
12	JOSIAH KAPOI	JOSIAH808@gmail.com	(808) 778-5371
13	Chynna - Kalila Natu-dad	Chynna_Kalila@outlook.com	(808) 633-2382
14	Patrick Carrigan	PatrickCarrigan@gmail.com	408-442-0598
15	Christian Hepa	C.hepa808@icloud.com	808 741-0881
16	Makao Kekumu	makao808@gmail.com	(808) 781-8586
17	Felipe Holt	FelipeHolt@gmail.com	808 370-7463
18	ELIWH MAKUE	ELIWH.MAKUE@icloud.com	808 797 1730
19	Alika Kapahua	Alika.Kapahua@gmail.com	808 700 1077
20	Rylan Williams	Rylan-Williams@yandex.com	(808) 367-5108
21	Leah Makue	Makue Leah 10@gmail.com	(808) 892-0002
22	Deborah Kaleimamahua	DeborahKaleimamahua@gmail.com	(808) 219-4199
23	Guadalupe Moe	lupe-moe@yaho.com	
24	ELMER PASAOA	hohmbuiltcoils@yahoo.com	(808) 798-6904
25	JAMES RHODES	MRRHODES808@gmail.com	808 590 0324
26	Theresa Farrell	TheresaFarrell@gmail.com	(808) 489-6902
27	JEREMY CARVALHO	BUSHAYERS@gmail.com	(808) 861-0778
28	Robt. Robertson	Robt.Robertson@icloud.com	808 434 9698
29	Rafael Rodriguez	rafael.rodriguez@lstechnology.com	
30	Jonah Kaeo	JonahKaeo@yahoo.com	808-389-9841
31	Ezekiah Moniz-Hopeau	Ezekiah.Moniz-Hopeau@gmail.com	808-554-6469
32	Earl Mendez	EARL MENDEZ	808-265-7119
33	Renzo Khan	RENZOKhan@yahoo.com	808-351-2565



LATE

SB-1009-SD-1

Submitted on: 2/20/2019 7:10:04 PM
Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Watanabe	Individual	Oppose	No

Comments:

Keep the flavors.

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 7:33:00 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Orozco	Individual	Oppose	No

Comments:

LATE

SB-1009-SD-1

Submitted on: 2/20/2019 7:46:49 PM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Stevens	Individual	Oppose	No

Comments:

Respect my right to like the flavors I want to like.

LATE

Honorable Ronald D. Kouchi
SB 1009 SD1: RELATING TO FLAVORED TOBACCO PRODUCTS
Thursday, February 21, 2019 at 9am
Conference Room 016
State Capitol
415 South Beretania Street

My name is MacKenzie Chang. I just turned twenty-four, today is actually my birthday. I also am a full time student, a wife and mostly important, a mother of two wonderful little girls.

I am testifying in favor of prohibiting sales of flavored tobacco products. The original purpose of the electric cigarette was to help people who struggled with a nicotine addiction, stop smoking altogether. It was first marketed as a tool to help smokers wean themselves off with lower doses of nicotine at a time to make quitting easier. It was marketed to seem safer and health conscience to it's customers. Now, people who have never struggled with a nicotine problem are active users of the electric cigarette. There is a lot information out there on the negative benefits of nicotine in a cigarette but there is almost no information on the negative effects of the electric cigarette. With the new compelling favors of these tobacco products, it becomes even more appealing, especially to the youth in our State. Large majority of smokers start smoking before twenty-one, which is the legal age to buy cigarettes. To find out that twenty one thousand children that are under the age of eighteen in Hawaii will die because of smoking is heartbreaking. The side effects of nicotine in a youth can affect their brain functions, attention span and the possibility of being addition to other substances increases.

As a mother, I want my children to live up to their fullest potential. I would hate to see my children and their peers fall into a trap just because it comes in pretty

wrapping. Tobacco is the number one preventable disease so let's prevent our children from dying from it. Thank you for the opportunity to share my testimony.

MacKenzie Chang

(808)203-3684

P.O Box 4020

LATE

SB-1009-SD-1

Submitted on: 2/21/2019 2:50:42 AM

Testimony for JDC on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Individual	Support	No

Comments:

Aloha Chair Rhoads, Vice Chair Wakai and members,

I am in strong support of this measure. Flavored tobacco products marketed to children represent the craven greed of tobacco companies who are in effect nothing more than drug pushers. Please pass.

Mahalo,

Ann S. Freed

Mililani Resident