



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



Date: 03/11/2020

Time: 09:00 AM

Location: 229

Committee: Senate Commerce, Consumer
Protection, and Health
Senate Education

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 2457, HD2 RELATING TO THE YOUTH VAPING EPIDEMIC.

Purpose of Bill: Beginning 1/1/2021: bans the sale of flavored tobacco products; prohibits mislabeling of e-liquid products containing nicotine; and establishes fines and penalties for violations. Requires the Department of Education to establish a safe harbor program by which persons under 21 years of age may dispose of electronic smoking devices in their possession. Requires public school teachers and educators to confiscate electronic smoking devices. Increases fines for the purchase or possession of tobacco products and electronic smoking devices by persons under 21 years of age. Authorizes a court to impose, as a penalty on a person 18-21 years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine. Effective 7/1/2050. (HD1)

Department's Position:

The Department of Education (Department) appreciates the intent and offers comments on HB 2457, HD2.

There is a zero-tolerance for tobacco products and electronic smoking devices (ESDs) on the Department's campuses, transportation, and/or during Department school-sponsored activities.

The Department is working in partnership with the Hawaii Department of Health (DOH) to educate youth to make positive health decisions. To raise awareness about the risks and dangers of tobacco products and ESDs, the Department's efforts focus on the following:

- Providing health education to develop students' skills that support healthy behaviors;
- Collaborating with DOH on the collection of Youth Risk Behavior Survey (YRBS) data on Hawaii's youth and their usage of tobacco and ESDs;

- Promoting public awareness through parent letters and flyers of Section 712-1258, HRS, which makes it unlawful for anyone under the age of 21 years of age to be sold, purchase, use, or possess tobacco products and ESDs; and
- Monitoring students for compliance or violations of Title 8, Chapter 19, Hawaii Administrative Rules (HAR) Student Misconduct, Discipline, School Searches, and Seizures, Reporting Offenses, Police Interviews, and Arrests, and Restitution for Vandalism, Complaint Procedure and Investigation of Discrimination, Harassment, (Including Sexual Harassment), Bullying and/or Retaliation, as it relates to the use of tobacco products and ESDs.

Thank you for the opportunity to provide testimony on HB 2457, HD2.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. 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.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2020**

ON THE FOLLOWING MEASURE:

H.B. NO. 2457, H.D. 2, RELATING TO THE YOUTH VAPING EPIDEMIC.

BEFORE THE:

SENATE COMMITTEES ON COMMERCE, CONSUMER PROTECTION, AND
HEALTH AND ON EDUCATION

DATE: Wednesday, March 11, 2020 **TIME:** 9:00 a.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Clare E. Connors, Attorney General, or
Delanie D. Prescott-Tate, Deputy Attorney General

Chairs Baker and Kidani and Members of the Committees:

The Department of the Attorney General offers the following comments on this bill.

The bill seeks to address the significant risks to public health caused by the rapidly growing use of electronic smoking devices and e-liquids in Hawaii, especially among the youth. The bill seeks to establish a safe harbor for disposal of electronic cigarettes by persons under twenty-one years of age; allows public school teachers or educators to confiscate an electronic smoking device found in the possession of a student under twenty-one years of age; establishes the offense of sale or advertising of tobacco products within the Hawaii Penal Code; and amends section 712-1258(6), Hawaii Revised Statutes (HRS), by increasing the available sentencing options for violating the criminal offense of selling or furnishing tobacco products to persons under twenty-one years of age.

The Department of the Attorney General recommends that the term "remote retail sales" be stricken from the HRS section title on page 6, lines 18 to 19, because the proposed criminal statute does not reference remote retail sales. The Department of the Attorney General further recommends that the term "heated tobacco products" be stricken from the definition of "e-liquid" on page 9, lines 3 to 4, because "heated tobacco

products" are already included in the definition of "cigarette" under section 675-2(d), HRS (2016), and are therefore already regulated.

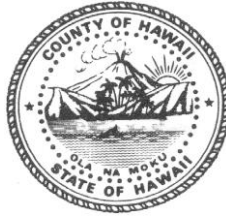
The proposed criminal offense of "sale or advertising of tobacco products" is based off the definition of "tobacco product" on page 10, lines 11 to 12. That definition refers to the meaning as set forth in section 712-1258(7), HRS. However, the definition in section 712-1258(7), HRS, does not include the term "e-liquid." For purposes of clarity, the Department of the Attorney General suggests that the definition of "tobacco product" in section 712-1258(7), HRS, be amended to read as follows:

"Tobacco product' means any product made or derived from tobacco that contains nicotine or other substances and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by other means. 'Tobacco product' includes but is not limited to a cigarette, cigar, pipe tobacco, chewing tobacco, snuff, snus, e-liquid, or an electronic smoking device. 'Tobacco product' does not include drugs, devices, or combination products approved for sale by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act."

Thank you for the opportunity to provide comments.

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL NO. 2457 HD2

A BILL FOR AN ACT RELATING TO THE YOUTH VAPING
EPIDEMIC

COMMITTEE COMMERCE, CONSUMER PROTECTION,
AND HEALTH

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair

COMMITTEE ON EDUCATION

Senator Michelle N. Kidani, Chair
Senator Donna Mercado Kim, Vice Chair

Wednesday, March 11, 2020, 9:00 AM
State Capitol, Conference Room 229

Honorable Chairs Baker and Kidani, Honorable Vice Chairs Chang and Kim and Members of the Committee Commerce, Consumer Protection and Health & Committee on Education. The Office of the Prosecuting Attorney, County of Hawai‘i submits the following testimony in SUPPORT of House Bill No. 2457 HD2

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. In last year’s visit to Hawai‘i, Surgeon General Jerome Adams brought up the fact that our state ranks 2 from the highest in the nation for ESD use. Statistics from the State Department of Health show 1 out of ever 6 public middle school students in Hawai‘i has used an ESD.

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 Food and Drug Administration 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 House Bill No. 2457 HD2. Thank you for the opportunity to testify on this matter.



HB2457 HD2 Ban the Sale of Flavored Tobacco

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH:

- Sen. Rosalyn Baker, Chair; Sen. Stanley Chang, Vice Chair

COMMITTEE ON EDUCATION;

- Sen. Michelle Kidani, Chair; Sen. Donna Mercado Kim, Vice Chair
- Wednesday, Mar. 11, 2020: 9:00 pm
- Conference Room 229

Hawaii Substance Abuse Coalition Supports HB2457 HD2:

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of over 30 non-profit alcohol and drug treatment and prevention agencies.

Flavored tobacco targets youth and 95% of smokers start before legal age for smoking:

- *Given the historic rise in e-cigarettes by youth, banning the sale of flavored and menthol tobacco products can help to reduce the danger to children from vaping, which is a growing major public health concern.*
- *In 2019, the prevalence of self-reported current e-cigarette use was high among US high school and middle school students. A cross-sectional survey conducted in 2019 that included 19,018 participants, the prevalence of self-reported current e-cigarette use was 27.5% among high school students and 10.5% among middle school students with many current e-cigarette users reporting frequent use and most of the exclusive e-cigarette users reporting use of flavored e-cigarettes. November 5, 2019; e-Cigarette Use Among Youth in the United States, 2019 Karen A. Cullen, PhD1; Andrea S. Gentzke, PhD2; Michael D. Sawdey, PhD1; et al; <https://jamanetwork.com/journals/jama/article-abstract/2755265>*
- *When Congress banned flavored cigarettes in 2009, there was a correlating reduction in overall tobacco product use by youth of 6.1 percent. Family Smoking Prevention and Tobacco Control Act, passed by the United States Congress in October 2009 bans cigarettes with flavors other than menthol or tobacco. Courtemanche, Charles J.; Palmer, Makayla K.; Pesko, Michael F. (1 May 2017). "Influence of the Flavored Cigarette Ban on Adolescent Tobacco Use". *American Journal of Preventive Medicine*. **52** (5): –139–e146. doi:10.1016/j.amepre.2016.11.019.*

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

HB-2457-HD-2

Submitted on: 3/8/2020 6:39:22 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jhanella Shayne	Testifying for HIPHI Youth Council	Support	No

Comments:

I'm Jhanella Shayne, a current ninth grader at Waipahu Highschool. I strongly support HB 2457. As a student I use the city bus. I would always encounter students vaping in the stops and I would avoid them. There was this one time I avoided a student vaping by covering my nose and mouth. A bus driver noticed me avoiding and confronted me saying "It's only vaping. It's not harmful." I couldn't take the fact that adults would encourage our kids to vape and that they are blinded of the harmful effects vaping offers. It's because they think it's just "juices" like those apple juice children drink. But it's more than that. It's targeting our students and the adults are supporting it. That's why I support the flavored tobacco ban. I want to share my voice and let my peers see that they are being targeted and how it's important to know the consequences they may face if they continue to let the tobacco industry and the adults tell them that it's "safe".

This is a great opportunity to empower our youth and spread the word against tobacco. I believe that it's important to have a say on these matters, especially since this affects our generation and the younger ones that follow. I always witness our students being manipulated and affected by the tobacco industry. I want this to stop right now and protect our future generations.



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Executive Officers

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Charlie Gustafson, Tamura Super Market, *Vice Chair*
Eddie Asato, The Pint Size Corp., *Secretary/Treas.*
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John Schlif, Rainbow Sales and Marketing, *Advisor*
Stan Brown, Acosta Sales & Marketing, *Advisor*
Paul Kosasa, ABC Stores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*
Beau Oshiro, C&S Wholesale Grocers, *Advisor*
Toby Taniguchi, KTA Superstores, *Advisor*

TO:

Committee on Commerce, Consumer Protection, and Health, and Committee on Education
Senator Rosalyn H. Baker and Senator Michelle N. Kidani, Chairs
Senator Stanley Chang and Senator Donna Mercado Kim, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION

Lauren Zirbel, Executive Director

DATE: March 11, 2020

TIME: 9am

PLACE: Conference Room 229

RE: HB2457 HD2 Relating to Youth Vaping

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.

We ask that menthol cigarettes be exempted from this measure. Many adults choose to use menthol cigarettes and we don't believe there is sufficient justification for penalizing those users, or the businesses that sell to adults who legally purchase these products.

It is also worth noting that trying to ban products that are legal in other parts of the country heavily incentivizes black market purchases. As we've seen in recent years with the fireworks ban, creating very specific state laws that are not enforceable can simply create a totally unregulated black market.

We thank you for the opportunity to testify.



HIPHI Board

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College of Tropical Agriculture
and Human Resources

Garret Sugai
Kaiser Permanente

Catherine Taschner, JD
McCorriston Miller Mukai
MacKinnon LLP

Date: March 9, 2020

To: Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Commerce, Consumer Protection, and Health
Committee

Senator Michelle N. Kidani, Chair
Senator Donna Mercado Kim, Vice Chair
Members of the Education Committee

Re: Strong Support HB 2457, HD2, Relating to the Youth Vaping
Epidemic

Hrg: March 11, 2020 at 9:00 am at Conference Room 229

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Instituteⁱ is in **Strong Support of HB 2457, HD2**, which would end the sale of all flavored tobacco products in the state and prohibit mislabeling of e-liquid products containing nicotine.

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

Hawai'i 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" in 2017, we have an urgent need to act. More troubling is that 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, invested \$13 billion in the popular vaping company Juul, which has 76% of the e-cigarette market share and is worth \$38 billion.

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.

Help us protect our keiki and vulnerable groups from deceptive marketing practices by the industry.

The industry claims that they're not targeting kids, but their actions tell a different story. With over 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. In addition, it was recently discovered that Juul placed banner ads on Nickelodeon's website nickjr.com and the Cartoon Network's website cartoonnetwork.com.ⁱⁱⁱ Tobacco companies have a long history of using these same tactics to entice new and younger users and make them repeat customers. Addiction is the opposite of freedom. We're fighting to keep our kids free from the deadly addiction to these products. The health of Hawaii's keiki must be protected from the predatory marketing of tobacco companies.

Hawai'i voters support ending the sale of flavored tobacco in Hawai'i.

In a poll^{iv} conducted by Ward Research Inc. for the Coalition in November 2019, 77% of registered Hawai'i voters were in support of prohibiting flavored tobacco products, including e-cigarettes, and 70% support including menthol.

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.** A study has shown that for every one adult that quits smoking using e-cigarettes, 81 youth and young adults who would not have considered smoking, will become cigarette smokers, starting with e-cigarettes^v. This is not a trade-off we can accept. We need to take action and regulate electronic smoking devices for our kids.

The Coalition appreciates alternatives that focus on education and community service. Although youth penalties are included in this bill, the Coalition appreciates that alternatives are also included: community service and prevention education. Possession of tobacco products by underage persons ("PUP") unfairly punish and stigmatize children, who become addicted at such a young age as a result of the tobacco industry's aggressive marketing to kids. PUP laws are a known tobacco industry tactic^{vi} that shift the blame away from the industry's irresponsible marketing and retailers' violations of our Tobacco 21 law. Further, PUP laws are not effective on reducing underage tobacco use and divert policy attention from effective tobacco control strategies and reinforce the tobacco industry's position that parents or guardians are responsible for restricting minors' access to tobacco.

The Coalition defers to the State Department of Education and State Department of Health on the manner of disposal and current confiscation policies.

The Centers for Disease Control and Prevention outlines a number of proven strategies to prevent youth tobacco use, including: regulating tobacco products; decreased access to tobacco products; increased price of tobacco products; tobacco prevention policies and programs in schools; and increased enforcement of restrictions on tobacco sales to minors.

Prohibiting the sale of flavored tobacco products can help to keep kids from ever starting to smoke cigarettes or e-cigarettes, 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 HB 2457, HD2.**

Mahalo,



Jessica Yamauchi, MA
Executive Director

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 <https://www.mass.gov/doc/juul-complaint/download>

^{iv} This study by Ward Research, Inc. summarizes findings from a phone survey among n=807 Hawaii registered voters (maximum sampling error +/-3.3%), conducted between November 7 - December 4, 2019.

^v Association Between Initial Use of e-Cigarettes and Subsequent Cigarette Smoking Among Adolescents and Young Adults: A Systematic Review and Meta-analysis
Samir Soneji, PhD^{1,2}; Jessica L. Barrington-Trimis, PhD³; Thomas A. Wills, PhD⁴; et al
JAMA Pediatr. 2017;171(8):788-797. doi:10.1001/jamapediatrics.2017.1488

^{vi} Wakefield M, Giovino G Teen penalties for tobacco possession, use, and purchase: evidence and issues Tobacco Control 2003;12:i6-i13; via https://tobaccocontrol.bmj.com/content/12/suppl_1/i6.citation-tools

Wednesday, March 11, 2020 at 9:00 AM
Conference Room 229

Senate Committee on Commerce, Consumer Protection and Health

To: Senator Baker, Chair
Senator Stanley Chang, Vice Chair

Senate Committee on Education

To: Senator Michelle Kidani, Chair
Senator Donna Mercado Kim, Vice Chair

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

**Re: Testimony in Support of HB 2457, HD2
Relating to The Youth Vaping Epidemic**

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 HB 2457, HD2, which bans the sale of flavored tobacco products, prohibits mislabeling of e-liquid products containing nicotine, and establishes fines and penalties for violations. The measure also requires the Department of Education (DOE) to establish a safe harbor program by which persons under 21 years of age may dispose of electronic cigarettes in their possession and authorizes public school teachers to confiscate electronic cigarettes, among other provisions.

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. Research conducted by the University of Hawaii Cancer Research Center, an NCI designated institute, found that the use of e-cigarettes by middle and high school aged children is rising at an alarming rate. 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, electronic smoking device (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 Moloaka'i hot bread.

This measure is an important step toward guarding against the harmful effects of smoking and e-cigarette use.

Thank you for the opportunity to provide testimony on this bill.



March 7, 2020

To: Chair Baker
Vice Chair Chang
Senate Committee on Commerce, Consumer
Protection, and Health

Chair Kidani
Vice Chair Mercado Kim
Senate Committee on Education

RE: **STRONG SUPPORT for HB2457 HD2**

Thank you for this opportunity to testify in **SUPPORT** of HB2457 HD2. Blue Zones Project was brought to Hawaii by HMSA to help increase the overall well-being of our communities and to make Hawaii a healthier, happier place to live, work and play. To accomplish that goal, we address ways that we can lower obesity rates, tobacco use, and chronic diseases.

It is clear that ESD use by youth is on an upward trend; from 2017-2019, e-cigarette use more than doubled among high school students and tripled among middle school students.¹ Locally, 27% of middle school students and 42% of public high school students acknowledge trying electronic smoking devices in 2017.²

There is also overwhelming data from local and national sources, including the Centers for Disease Control and Prevention (CDC), citing numerous safety and public health concerns with its use. The CDC notes that “young people who use e-cigarettes may be more likely to smoke cigarettes in the future.”³

It is also clear that e-cigarette companies are using flavors to hook kids; According to the 2019 Youth Tobacco Survey, nearly all (97%) of current youth e-cigarette users use flavored products and 70% use e-cigarettes “because they come in flavors I like.”⁴

This bill would ban the sale of flavored tobacco and prevent marketing efforts that is designed to appeal to any person under the age of 21. It would also establish a safe harbor program for person under the age of 21 to dispose of electronic smoking devices and requires public school teachers to confiscate such devices.

Thank you for this opportunity to testify in **strong support** of **HB2457 HD2**.

Sincerely,

A handwritten signature in black ink, appearing to read "Colby Takeda".

Colby Takeda, MPH, MBA
Senior Manager

¹ Wang, T. W., et al. (2019). Tobacco Product Use and Associated Factors Among Middle and High School Students. Centers for Disease Control and Prevention. *Surveillance Summaries*, 68(12):1–22

² 2017 Hawai'i Youth Risk Behavior Survey.

³ Dunbar, M. S., Davis, J. P., Rodriguez, A., Tucker, J. S., Seelam, R., & D'Amico, E. J. (2018). Disentangling Within- and Between-Person Effects of Shared Risk Factors on E-cigarette and Cigarette Use Trajectories from Late Adolescence to Young Adulthood. *Nicotine & Tobacco Research*, nty179.

⁴ Wang, T. W., et al. (2019). Tobacco Product Use and Associated Factors Among Middle and High School Students. Centers for Disease Control and Prevention. *Surveillance Summaries*, 68(12):1–22



HB-2457-HD-2

Submitted on: 3/9/2020 8:46:04 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Testifying for Maui Police Department	Support	No

Comments:

HAWAII YOUTH SERVICES NETWORK

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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

Big Island Substance Abuse Council

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

Kokua Ohana Aloha (KOA)

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

March 9, 2020

To: Senator Roslyn Baker, Chair
And members of the Committee on Commerce, Consumer Protection and Health

Senator Michelle Kidani, Chair
And members of the Committee on Education

Testimony in Support of HB 2457 HD 2 Relating to the Youth Vaping Epidemic

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports HB 2457 HD 2 Relating to the Youth Vaping Epidemic.

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.

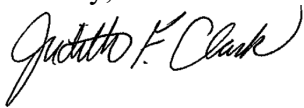
808novape researchers have found that:

- 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

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.

Sincerely,



Judith F. Clark, MPH
Executive Director

HB-2457-HD-2

Submitted on: 3/9/2020 9:15:58 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
HANALEI BENN	Testifying for irie hawaii	Oppose	No

Comments:

There should be a controlled law for underage, making sure actions are still be taken but also not taking it away from people of age, who some need it and helps them from a few months to a couple of years from not going back to cigarettes, which is way worse for a person and there body.

HB-2457-HD-2

Submitted on: 3/7/2020 8:33:33 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

Since their introduction to the U.S. market in 2007, e-cigarettes and vaping devices—tobacco harm reduction products that are 95 percent safer than combustible cigarettes—have helped more than three million American adults quit smoking.

1. Economic Impact

According to the Vapor Technology Association, in 2018, the industry created 451 direct vaping-related jobs, including manufacturing, retail, and wholesale jobs in Hawaii, which generated \$18 million in wages alone.^[1] Moreover, the industry has created hundreds of secondary jobs in the Aloha State, bringing the total economic impact in 2018 to \$100,745,600. In the same year, Hawaii received more than \$9 million in state taxes attributable to the vaping industry. These figures do not include sales in convenience stores, which sell vapor products including disposables and prefilled cartridges. In 2016, average national sales of these products eclipsed \$11 million.^[2]

2. State Health Department Data

As of November 13, 2019, the Hawaii Department of Health (HDH) has reported four cases of vaping-related lung illnesses.^[3] HDH notes that two of the patients are adults and “two are adolescents.” There is no further information on gender and/or substances vaped. This is alarming because many state health departments have already linked vaping-related lung illnesses to the use of products containing tetrahydrocannabinol (THC) and provided this information in their own updates. The Heartland Institute gives HDH a grade of D for information available on vaping-related lung illnesses.

3. More Information Needed

The most recent report on youth e-cigarette use in Hawaii is from the 2017 Hawai'i Youth Tobacco Survey.^[4] According to the survey, in 2017, 20.9 percent of Hawaii high school students reported using a vapor product at least once, in the 30 days prior to the survey. There is no information on frequent and/or daily use. Only 26.4 percent of Hawaii high school students reported “flavors” as a reason for using e-cigarettes. Further, in 2017, 80.6 percent of Hawaii high school students believed “all e-cigarettes are dangerous.” More data is needed to understand the effects of public health campaigns on youth e-cigarette use.

4. Youth Sales Miniscule

From January 1, 2018 to September 30, 2019, the U.S. Food and Drug Administration (FDA) administered 615 tobacco age compliance inspections in Hawaii, in which the agency used a minor in an attempt to purchase tobacco products.^[5] Of those, 26, or 4 percent, resulted in a sale to a minor. Of the violations, 9 (34 percent of violations and 1 percent of all compliance checks) involved the sale of e-cigarettes or vaping devices. The number of violations involving sales of cigars and cigarettes were 2 and 15, respectively, during the same period.

5. Misspent Money

In 2019, Hawaii received an estimated \$160.3 million in tobacco taxes and tobacco settlement payments. In the same year, the state spent only \$4.5 million, or 2 percent on funding tobacco control programs, including education and prevention.^[6]

Policy Solution

Electronic cigarettes and vaping devices have proven to be tremendous tobacco harm reduction tools, helping many smokers transition away from combustible cigarettes. Despite recent fearmongering, their use is significantly safer than traditional cigarettes, as noted by numerous public health groups including the Royal College of Physicians,^[7] Public Health England,^[8] and the American Cancer Society.^[9] Rather than restricting their use, and undoubtedly reducing public health gains and millions of dollars in economic output, lawmakers should dedicate existing tobacco funds on programs that actually reduce youth use.

Key Points:

1. Hawaii's vaping industry provided more than \$100 million in economic activity in 2018 while generating 451 direct vaping-related jobs. The national average of sales of disposables and prefilled cartridges exceeded \$11 million in 2016.
2. As of November 13, 2019, HDH has reported four cases of vaping-related lung illnesses. HDH notes two of the patients are adolescents and two are adults and offers no other information. HDH earns a D for its reporting on vaping-related lung illnesses.
3. In 2018, 20.9 percent of Hawaii high school students reported using vapor products on at least one day in the previous 30 days. Only 26.4 percent of Hawaii high school students cited flavors as a reason for e-cigarette use. More data is needed.
4. Only 1 percent of FDA retail compliance checks in Hawaii resulted in sales of e-cigarettes to minors from January 1, 2018 to September 30, 2019.
5. Hawaii spends very little on tobacco prevention. In 2019, Hawaii dedicated only \$4.5 million or 2 percent of what the state received in tobacco settlement payments and taxes.

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 Kihei, Hawaii. I am a property owner, father of young children, concerned citizen and a small business advocate who is proud to call Maui my home.

I am writing in **STRONG support** of banning flavored tobacco products. 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 County high school students, over 30%, are currently using e-cigarettes, while less than 5% of adults in Hawai'i are current users. These products are proving to be dangerous in themselves. A good portion of them will go on to use combustible tobacco products, which are the leading cause of preventable death and disease in the United States. Children are 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, cotton candy, and Pipeline POG 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).

In fact, the same documents show that tobacco companies have targeted minority groups like African Americans and Native Hawaiians even more so than other groups, which is evidenced by the fact that over 40% of Maui County Native Hawaiian high school students are using e-cigarettes. If our solution is to arrest and fine kids for being caught with these products, then more Native Hawaiian kids are going to end up criminalized for their addiction than other kids. This is a social justice issue that can't be ignored. Don't hold kids responsible for the industry's insidious manipulation. Hold the industry accountable, as they should be.

I also ask that you be sure to include menthol in order for this to be a comprehensive ban on flavored tobacco products. Menthol masks harshness, making it easier to start and harder to quit. Mint and menthol have historically been used to target youth and minority populations for the industry's profit. In fact, 78 percent of Native Hawaiian smokers smoke menthol cigarettes. This is a social justice issue that needs to be addressed here in Hawaii.

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.

Jamil Folio



Josh Frost - President • Patrick Shea - Treasurer • Kristin Hamada
Nelson Ho • Summer Starr

Tuesday, March 10, 2020

Relating to the Youth Vaping Epidemic
Testifying in Support

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports HB2457, HD2 Relating to the Youth Vaping Epidemic**, which bans the sale of all flavored tobacco products, prohibits the mislabeling of e-liquid products containing nicotine, and establishes fines and penalties for violators.

In the last few years the sale of traditional tobacco products has decreased while the sale of electronic smoking devices has grown. Federally, flavored tobacco products, excluding menthol are prohibited however only cigarettes, roll-your-own tobacco, and smokeless tobacco are subject to that regulation. Flavored products entice younger users and mask the harshness and taste of tobacco smoke. Currently there is very little regulation over the sale of e-liquids and electronic smoking devices. This industry desperately needs more oversight and regulation.

Other jurisdictions have paved the way and introduced legislation to regulate the sale of flavored tobacco products. The electronic smoking industry has been allowed to thrive because of the lack of state regulations, we must regulate this industry before it causes more harm to Hawaii's keiki.

For all these reasons, we urge you to move this bill forward.

Mahalo for the opportunity,
Gary Hooser
Executive Director
Pono Hawai'i Initiative



FILIPINO WOMEN'S CIVIC CLUB FOUNDATION OF HAWAII

"A United States Internal Revenue Service Tax Exempt 501 (C) 3 organization"

1718 Fernandez St. Honolulu, HI 96819, email: ceciliavillafuerte@gmail.com PH: (808) 780-4985

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

The Filipino Women's Civic Club **supports HB2457, Relating to the Youth Vaping Epidemic.**

As mothers, grandmothers, aunties, and *ninangs*, our members are extremely concerned about the health of our Filipino youth. We are concerned by the statistics that Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation: 15.7% of middle schoolers and 25.5% of high schoolers reported that they have vaped.

We are also extremely concerned about the impacts of e-cigarettes on the Filipino community. Vaping among Filipino youth is even higher than it is among the general student population. With flavors such as mango, lychee, *ube*, and more, manufacturers and marketers of electronic smoking devices have found a way to specifically target and hook young *kababayans*. The flavors have proven to be alluring and addictive - research has shown that more than 80 percent of who have used tobacco started with a flavored product such as e-liquids or nicotine pods.

Social pressures have also contributed to the spread of vaping within the Filipino community. A California study found that among Filipino youth, 86% of e-cigarette users began because their friends started to vape. The same study also found that Filipino youth were vaping at twice the rate of their other Asian American peers.

Because of these negative impacts on our community, **we urge you to pass HB2457, Relating to the Youth Vaping Epidemic, and other measures aimed at curbing the e-cigarette epidemic among our Youth.**

Sincerely,

Cecilia Villafuerte

FWCCF President 2018 to 2020



**Testimony to the Senate Joint Committee on Commerce, Consumer Protection, and
Health, and Education
Wednesday, March 11, 2020; 9:00 a.m.
State Capitol, Conference Room 229**

RE: HOUSE BILL NO. 2457, HOUSE DRAFT 2, RELATING TO THE YOUTH VAPING EPIDEMIC.

Chair Baker, Chair Kidani, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** House Bill No. 2457, House Draft 2, RELATING TO THE YOUTH VAPING EPIDEMIC.

The bill, as received by your Committee, would prohibit the sale or distribution of all flavored tobacco products in the State.

By way of background, the HPCA represents Hawaii Federally-Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of healthcare.

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.

It is for this reason that the HPCA joins the American Cancer Society of Hawaii, 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. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiiipca.net.



Ph: (808) 446-2032
Fax: (833) 565-3144
PediatricTherapiesHawaii@gmail.com
PediatricTherapiesHawaii.com

To: Hawaii State Legislature

Regarding: Flavor Tobacco Ban

Position: Strong Support

I am writing to express my strong support for a ban on all flavored tobacco products, including menthol. I feel this is an important measure that needs to be taken by our community leaders to protect our keiki and their health. As we all know, tobacco is highly addictive and detrimental to people's health and the flavors are what gets kids hooked in the first place. Since Hawaii has one of the highest middle and high school vaping rates in the country, it seems obvious that immediate action needs to be taken to address this epidemic. [A study](#) found that e-cigarette use is a strong risk factor for eventual cigarette smoking so preventing kids from starting vaping should be the focus for addressing this issue. Big tobacco argues that vaping helps adults quit smoking but the truth is, that for every adult that quits smoking using e-cigarettes, 81 young people will become future smokers, which is an unacceptable trade off.

Banning flavor tobacco products would do so much to help keep our youth healthy. It's no coincidence that the rise in youth e-cigarette use 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 Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. 81% of youth who ever used tobacco products started with a flavored product and 97% of youth who vape say they use a flavored product.

Please do the right thing and help protect our keiki from Big Tobacco. Protect them from getting starting using tobacco products and protect them from all the health risks that come with it. It is our job as adults, parents, business owners, law makers, and community leaders to do something about this issue because we can and it is our obligation to our youth.

Sincerely,

Dr. Amy Peterson
Executive Director/Physical Therapist
Pediatric Therapy Hawaii

HB-2457-HD-2

Submitted on: 3/8/2020 10:04:43 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
BELLA HUGHES	Testifying for Shaka Tea	Support	No

Comments:

March 7, 2020

**The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Senate Committee on Commerce, Consumer Protection, and Health
Hawaii State Capitol
Honolulu, Hawaii 96813**

**The Honorable Michelle N. Kidani, Chair
The Honorable Donna Mercado Kim, Vice Chair
Senate Committee on Education
Hawaii State Capitol
Honolulu, Hawaii 96813**

Dear Chairs Baker and Kidani, Vice Chairs Chang and Kim, and Members:

My name is Isabella “Bella” Hughes, and I am in strong support of HB2457, HD2, Relating to the Youth Vaping Epidemic. The bill would ban the sale of flavored tobacco products, prohibit mislabeling of e-liquid products containing nicotine, and establish fines and penalties for violations, require the Department of Education to establish a safe harbor program by which persons under 21 years of age may dispose of electronic smoking devices, and require public school teachers and educators to confiscate electronic smoking devices, among many other provisions.

As a mother and as a small business owner committed to health, I find it very concerning that companies are permitted to market tobacco products and e-liquid products containing nicotine to youth - in flavors that undeniably are targeting children. From my observations and from what I have independently read and researched, we absolutely are in a youth vaping epidemic and it is my sincere hope that the law and enacting HB2457 will protect our youth.

Mahalo,

Isabella “Bella” Hughes
bella@shaktea.com
Hilo, Hawaii

HB-2457-HD-2

Submitted on: 3/9/2020 1:43:07 PM

Testimony for CPH on 3/11/2020 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 HB2457 HD2 PROTECT OUR KEIKI

1. Hawai'i has among the highest rates of middle school and high school e-cigarette use in the nation; the U.S. Surgeon General has declared vaping a youth epidemic.
2. This is extremely concerning; There are numerous health impacts from e-cigarettes. Teens are particularly vulnerable to nicotine, which permanently impacts the developing brain.
3. It's no coincidence that the rise in youth e-cigarette use has coincided with an explosion of sweet e-liquid flavors used to hook kids. Tobacco companies are making and marketing deadly and addictive products right here in Hawai'i that look and taste like our favorite childhood flavors (Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Rolls, and Halawa Guava).
4. 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
5. Menthol flavors are particularly enticing, making menthol cigarettes another popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups. In Hawai'i, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.
6. Youth should NOT be penalized for falling victim to the tactics of the industry to create their generation of customers. There is [evidence](#) to suggest penalizing youth is not an effective strategy to reduce smoking.
7. This issue is simple—we need to protect our keiki. The scientific evidence is clear, flavored tobacco products have the greatest appeal to youth and we must end the sale of these products.

www.WeAreOne.cc

HUI NO KE OLAPONO

95 Mahalani St. Rm #21

Wailuku, HI 96793

P - (808)244-4647, F – (808)442-6884

Hui No Ke Ola Pono strongly supports banning the sale of flavored tobacco products for these reasons:

Lack of tobacco regulations on e-cigarettes has led to astronomical levels of youth vaping in Hawai'i. In order to reverse the alarming trend, Hawai'i must enact policies that create uniform regulations across all tobacco products, as well as allowing counties to create local solutions.

The tobacco industry claims that they're not targeting kids, but with more than 15,500 flavors, who is the industry really targeting. With flavors like "Blue Raspberry Sour Straws", "Cookie Monsta," or "Maui Mango" the answer is clear. Flavors are designed to appeal to kids, while nicotine gets them hooked for life.

Some troubling facts:

- In 2017, 25.5% of Hawai'i high schoolers reported ever using an electronic smoking device.
- Hawaii has the highest reported vaping rate among middle schoolers (15.7%) and the second highest vaping rate among high schoolers in the nation, just behind Colorado (Source: Hawaii YRBS, 2017)
- **32.3%** of Maui County high school students and **18.3%** of Maui County middle school students reported current use of e-cigarettes (2017)
- **41.7%** of Maui County Native Hawaiian high school students and **27.8%** of Maui County Native Hawaiian middle school students reported current use of e-cigarettes (2017)
- Only **4.7%** of adults in Hawaii reported current use of e-cigarettes (2017)
- 81% of youth who ever used tobacco products started with a flavored product
- 97% of youth who vape say they use a flavored product
- 90% of adult smokers started by age 18, and 95% started by 21. The tobacco industry is quoted as saying that, "The base of our business is the high school student."

ACTIONS HAWAI'I CAN TAKE TO REDUCE YOUTH VAPING

END THE SALE OF FLAVORED TOBACCO PRODUCTS

Appealing flavors are driving the youth vaping epidemic. With thousands of kid-friendly flavors on the market and little regulation, the industry has no incentive to stop selling flavors like Strawberry Milk Moo or Blue Raz Cotton Candy.

HOLD THE INDUSTRY ACCOUNTABLE NOT THE YOUTH

We need to hold the industry accountable through regulations instead of punishing youth who have fallen prey to their predatory marketing tactics.

Penalties on youth for purchase, use, or possession (PUP) do not work at reducing youth tobacco use and can even be counterproductive. As an unintended consequence, PUP laws can stigmatize tobacco use and deter addicted youth from seeking help to quit smoking.

RESTORE COUNTY AUTHORITY AND DEVELOP POLICIES TO TAKE ACTION

Counties need and want the ability to address youth vaping in their communities, but are prevented by state law. Changing the state law to give counties the authority to regulate the sale of e-cigarettes will allow for local solutions.

Teachers already have the ability to confiscate the devices if needed. This bill unfairly places the burden of enforcement on public school teachers. Instead, other policies to regulate the industry would be more effective.

Other policies are proven strategies to reduce youth tobacco use, such as decreasing access to tobacco products, increasing prices of tobacco products, tobacco prevention and education programs in schools, and increased enforcement of tobacco sales restrictions.

Raise Tobacco License and Permit requirement:

- Currently, the tobacco license is only \$2.50 annually and a retail permit is \$20 annually. The proposed increase is \$250 for a tobacco license and \$50 for a retailer permit. These fees are still much lower than alcohol license and permit fees. In comparison the annual wholesale liquor license for the City and County of Honolulu is \$2,640.

ESD tax to include e-cigs:

- Currently there is no tobacco tax attached to e-cigarettes. This bill would tax electronic smoking devices and e-liquid, which includes the e-juice as well as products with e-liquid pre-filled cartridges or pod-based products.
- The proposed tax would be the same as other tobacco products, which is 70% of the wholesale price. Retail price of some e-liquids is offered as low as \$0.99 cents per bottle.
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

Prohibit Online Sales:

- This bill would prohibit online shipment of tobacco products to consumers. Only a tobacco licensee is able to purchase and ship e-cigarettes online.

Funding for ESD health and education programs for youth

- Funding for tobacco prevention and control programs complement and strengthen the effect of tobacco policies in reducing smoking rates.

Mahalo a nui loa for your time and consideration.

HB-2457-HD-2

Submitted on: 3/8/2020 9:22:38 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Ching, MD, MPH	Testifying for American Academy of Pediatrics, Hawaii Chapter	Support	No

Comments:

The American Academy of Pediatrics, Hawaii Chapter strongly supports this bill, which prohibits the sale or distribution of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

The American Academy of Pediatrics has strongly supported elimination of flavored tobacco products, including menthol. These products have been shown to be disproportionately used by young people, especially teenagers, as the menthol and other flavors make it easier to start using tobacco and nicotine.

These products are targeted towards our keiki with flavors such as mango, bubblegum, gummy bear, and pineapple. The tobacco corporations have intentionally included menthol, which provides a soothing, cooling effect similar to that in cough drops. Menthol reduces the harsh irritation to the lining of the nose, mouth, and airways, which allows smokers and vapers to inhale more easily. This makes it much easier for young people to initiate tobacco use. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

Hawaii has one of the highest rates of middle schoolers (16%) and high schoolers (26%) currently using e-cigarettes—it is twice the national average. Nicotine is a highly addictive drug that impacts the adolescent brain, reducing impulse control and affecting mood. Those who use e-cigarettes are four times more likely to smoke regular cigarettes later on. The e-cigarette industry claims these are cessation devices, but a recent study has shown that even if one adult can quit with these devices, the trade-off is 81 young people who will start the habit in their place. This is completely unacceptable.

Once young people are addicted to nicotine, it is extremely difficult to quit. By eliminating these products from Hawaii, we have the chance to improve the health of many, especially of our keiki.

Please also consider a revision to hold tobacco and e-cigarette companies responsible for this problem. They hope to shift the blame from this billion-dollar industry onto the

young people that they have targeted with their deadly and highly addictive product. Comprehensive tobacco retailer licensing policies place responsibility on retailers rather than young consumers. With appropriate funding and enforcement, these retailer licensing policies have proven more effective in reducing youth initiation of tobacco and nicotine.

On behalf of the keiki and young people of Hawaii, I urge you to support this bill.

Mahalo for your consideration and support of this important measure.

**Committee
Members**

Annaleah Atkinson
808 652-7743

Lori Carlson
651 587-2904

Tom Christy
808 645-1594

Eric Devlin
808 429-3229

Regina Floyd
702 292-2372

Doug Haigh
808 635-1120

Eve Hands
808 346-7799

Steve Hardy
707 481-5070

Larry Lindsay
808 634-4559

Scott McCubbins
816 781-5883

Graeme Merrin
808 651-7211

Ryan Moen
808 651-0726

Lelan Nishek
808 245-7747

Tommy Noyes
808 639-1018

Ron Rector
808 639-2443

Valerie Woods
808 822-2420

Ron Wiley
808 245-9527



February 23, 2020

SENATE COMMITTEES ON
COMMERCE, CONSUMER PROTECTION AND HEALTH, AND EDUCATION

***STRONG SUPPORT FOR HB 2457 HD-2
RELATING TO THE YOUTH VAPING EPIDEMIC***

Aloha Senators,

The Friends of Kamalani and Lydgate Park committee would like to register our strong support for prohibiting the use of flavors, including menthol, in ALL tobacco products (including e-cigarettes) as set forth in HB 2457 HD-2. This issue is simple—we need to protect our keiki. The scientific evidence is clear, flavored tobacco products have the greatest appeal to youth and we must end the sale of these products.

The Friends of Kamalani and Lydgate Park collaborated with appointed and elected officials to designate portions of Lydgate Beach Park as the County of Kauai's first tobacco-free park, and we believe in advancing the health and wellness of our youth by protecting them from becoming tobacco product addicts.

Electronic smoking products—especially but not limited to flavored vaping compounds— are pernicious devices clearly profiting the tobacco industry by addicting children to nicotine. The detrimental long-term public health effects of nicotine addiction is established science. Hawai'i has among the highest rates of middle school and high school e-cigarette use in the nation; the U.S. Surgeon General has declared vaping a youth epidemic. This is extremely concerning. Teens are particularly vulnerable to nicotine, which permanently impacts the developing brain.

It's no coincidence that the rise in youth e-cigarette use has coincided with an explosion of sweet e-liquid flavors used to hook kids. Tobacco companies are making and marketing deadly and addictive products right here in Hawai'i that look and taste like our favorite childhood flavors (Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Rolls, and Halawa Guava).

Please fulfill your allegiance to the people of Hawaii and advance House Bill 2457 HD-2. It is your responsibility to protect our youths' health and wellness, not to assure the tobacco industry's and tobacco retailers' profits at the expense of assured life-long health degradation and quality-of-life impairments.

Sincerely,

Tommy A. Noyes, General Coordinator
The Friends of Kamalani and Lydgate Park

Date: March 11, 2020

To: The Honorable Roslyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Members of the Committee on Commerce, Consumer Protection, and Health

The Honorable Michelle N. Kidani, Chair
The Honorable Donna Mercado Kim, Vice Chair
Members of the Committee on Education

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

Re: Support for HB2457, Relating to the Youth Vaping Epidemic

Hearing: Wednesday, March 11 at 9:00am at Capitol Room 229

Thank you for the opportunity to submit testimony in SUPPORT of HB2457, which would prohibit the sale and distribution of flavored tobacco products. We support the allocations of funds towards education and tobacco cessation; and the removal of monetary penalties against youth and minors.

The Student Health Advisory Council has played a pivotal role in the development and implementation of health policies and tobacco education on the UH System campuses. We remain deeply committed to the mission of reducing the use of all tobacco products, including electronic smoking devices, among adolescents and young adults.

With products like Juul and other popular electronic smoking devices, it is increasingly clear that these products are addicting a whole generation of youth to a harmful product. The Surgeon General has gone so far as to declare youth e-cigarette use an epidemic, and states that there is an urgent need to protect young people from a lifetime of nicotine addiction and associated health risks.

Electronic cigarettes are now the most commonly used form of tobacco among young people in the United States, surpassing conventional tobacco products, including cigarettes, cigars, chewing tobacco, and hookahs. The sale of candy-like flavored tobacco products entices young people to start using these harmful products which can lead to addiction and cause damage to the developing brain. Flavored tobacco products also increase individuals' risk for dual use of vape products and combustible cigarettes.

The banning of flavored tobacco products is an imperative next step in tobacco control, if we are committed to protecting the health and well-being of our communities. Therefore, we urge you to support this measure and prohibit the sale of all flavored tobacco products in the State of Hawaii.

Mahalo,

Student Health Advisory Council

February 24, 2010

RE: HB 2457 HD2

Relating to Flavored Tobacco Products

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 Honolulu are involved in supporting efforts that enable 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 our most vulnerable community members including kids, teens, and young adults.

We strongly support of **HB 2457 HD2**, which would end the sale of flavored tobacco products, including flavored e-liquids

Please understand **that menthol is a flavor and needs to be included in this bill.** While many kids start vaping with fun flavors, such as bubble gum, they often transition to menthol flavors soon thereafter – a sign of being cool and “healthy.”

As such, we are in **SUPPORT** of HB2457 and urge you to pass this Bill.

Thank you very much for allowing us to testify.

Paula Adams

Ray L'Heureux

Amy Asselbayer

Daniel Leung

Michael Broderick

May Okihiro

Joy Barua

Diane Tabangay

Susie Chun Oakland

Tina Tamai

Jennifer Dang

Jordan Smith

Stacy Evensen

HB-2457-HD-2

Submitted on: 3/9/2020 11:15:53 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Algire	Testifying for Hawai`i Children's Action Network Speaks!	Support	No

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 10:33:22 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Azuma	Testifying for Vape Kings LLC	Oppose	No

Comments:

I strongly OPPOSE HB2457 HD2. Vape Kings LLC, which I own and operate, consists of two branches and 10 employees. Our mission is to aid in-person, Adult Smokers (21+), first in replacing combustible cigarettes, and eventually to reduce nicotine consumption altogether. At no point do we encourage underage use, and actively verify age upon entry and purchase for 100% of the products we sell. We do not manufacture any E-liquids or ENDS and rely on FDA compliant suppliers to provide the highest quality products currently on the market. FDA compliance includes, but is not limited to, Marketing Restrictions on Packaging and Warning Labels, as well as labeling with regard to printed Nicotine content.

The bottom line is that flavors matter to adults. As a bar with only one flavor of alcohol, and no mixers of any kind would fail. We too would be rendered out of business with the passage of any type of "flavor ban." Furthermore, as we do not "mix" or alter any E-liquids prior to sale, we offer only the highest quality end-product to our customers. Black Market products are dangerous, and in our absence, consumers will have few options. Reasonable regulation, which includes the 21+ age restriction, along with FDA guidance, rather than prohibition, is the best practice.

The four reported cases of severe lung injury in the State are concerning, but Vitamin E Acetate, an additive to illicit THC-based cartridges is associated with the 40 deaths linked to vaping. Those deaths were not linked to any FDA compliant, Nicotine-Based E-Liquid(s). States like WA have also created amendments to ban additives like Vitamin E Acetate, which is undoubtedly a more direct approach to combat lung injury associated with vaping. It is also important to note that Electronic Nicotine Delivery Systems (ENDs), or E-Liquids associated with ENDs do not typically contain such additives, as the illicit THC market uses it as a thickening agent to make lower grade products resemble higher grade products. Nicotine-based E-Liquids do not have an incentive to add these types of additives as they use Vegetable Glycerin (VG) which is already viscous, and in general, higher viscosity E-liquids are not seen as more

desirable. It is also important to note that the VG used by most FDA compliant manufacturers is USP grade.

While I oppose most of this bill, I do applaud efforts to create “Safe Harbor” programs to get tobacco products of any kind away from minors, as well as giving educators the power to seize tobacco products they may observe in the possession of a minor. A flavor ban is not needed to create any these types of programs and powers. In fact, Hawaii-based, vapor-centric businesses like mine, are necessary in order to fund these types of programs, which address problems that will likely still be here in our absence.

Thank you for your time and consideration.

Paul Azuma

Owner

Vape Kings LLC

ESD 2020-1815001

1915 S. King Street

Honolulu, HI 96826



Senate Committee on Commerce, Consumer Protection, and Health
Senator Rosalyn Baker, Chair
Senator Stanley Chang, Vice Chair

Senate Committee on Education
Senator Michelle Kidani, Chair
Senator Donna Mercado Kim, Vice Chair

HB 2457, HD2 – RELATING TO THE YOUTH VAPING EPIDEMIC

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

Thank you for the opportunity to provide testimony in support with comments on HB 2457, HD2, which creates a safe harbor for disposal of electronic smoking devices, requires teachers to confiscate electronic smoking devices, prohibits the advertising, sales, and remote sales of flavored tobacco products, and amends the penalties for violations of use and possession by individuals under the age of 21. This measure is effective on July 1, 2050.

Flavors in tobacco products are a marketing weapon the tobacco manufacturers use to target youth and young people to a lifetime of addiction. Altering tobacco product ingredients and design, like adding flavors, can improve the ease of use of a product by masking harsh effects, facilitating nicotine uptake, and increasing a product's overall appeal. Candy, fruit, mint and menthol flavorings in tobacco products are a promotional tool to lure new, young users, and are aggressively marketed with creative campaigns by tobacco companies. Products with flavors like li hing gummy bears, taro pancake, cotton candy, and passion orange guava are clearly not aimed at established, adult tobacco users and years of tobacco industry documents confirm the intended use of flavors to target youth. Furthermore, youth report flavors a leading reason they use tobacco products and perceive flavored products as less harmful.

We take no position on provisions to create a safe harbor for disposal of electronic smoking devices in section 2 of the bill. We would defer to the Department of Education and Department of Health for implementation and administration of this part.

We also take no position on the provisions to require public school teachers to confiscate electronic smoking devices in section 3 of the bill. We would defer to the Department of Education for implementation of this requirement for teachers.

While we support provisions to restrict the sale of flavored tobacco products, we do have concerns over the potential to increase fines for violations of possession of a tobacco product by persons under the age of 21 in section 5 of the measure. While these undetermined penalties are discretionary and other options in lieu of the fine currently exist in the measure, we are wary of the fine increases that affect youth who may be addicted to these products. We would support any effort to remove or reduce all monetary fines for under-age use and possession for these reasons.

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

Date: March 11, 2020

To: The Honorable Roslyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Members of the Committee on Commerce, Consumer Protection, and Health

The Honorable Michelle N. Kidani, Chair
The Honorable Donna Mercado Kim, Vice Chair
Members of the Committee on Education

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

Re: Support for HB2457, Relating to the Youth Vaping Epidemic

Hearing: Wednesday, March 11 at 9:00am at Capitol Room 229

Thank you for the opportunity to submit testimony in SUPPORT of HB2457, which would prohibit the sale and distribution of flavored tobacco products.

The Student Health Advisory Council has played a pivotal role in the development and implementation of health policies and tobacco education on the UH System campuses. We remain deeply committed to the mission of reducing the use of all tobacco products, including electronic smoking devices, among adolescents and young adults.

With products like Juul and other popular electronic smoking devices, it is increasingly clear that these products are addicting a whole generation of youth to a harmful product. The Surgeon General has gone so far as to declare youth e-cigarette use an epidemic, and states that there is an urgent need to protect young people from a lifetime of nicotine addiction and associated health risks.

Electronic cigarettes are now the most commonly used form of tobacco among young people in the United States, surpassing conventional tobacco products, including cigarettes, cigars, chewing tobacco, and hookahs. The sale of candy-like flavored tobacco products entices young people to start using these harmful products which can lead to addiction and cause damage to the developing brain. Flavored tobacco products also increase individuals' risk for dual use of vape products and combustible cigarettes.

The banning of flavored tobacco products as well as providing tobacco education and cessation programs without monetary penalties for youth, is imperative if we are committed to protecting the health and well-being of our communities. Therefore, we urge you to support this measure and prohibit the sale of all flavored tobacco products in the State of Hawaii.

Mahalo,

Student Health Advisory Council

HB-2457-HD-2

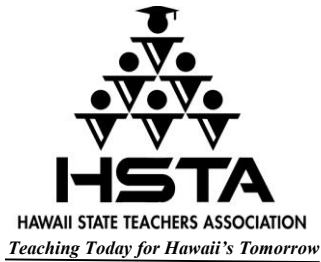
Submitted on: 3/9/2020 11:32:56 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Loren	Testifying for West Hawaii Community Health Center	Support	No

Comments:

Restricting the sale of youth-friendly flavors that appeal to young school is necessary to protect them from a lifetime of nicotine addiction.



Corey Rosenlee
President

Osa Tui, Jr.
Vice President

Logan Okita
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION & HEALTH and
THE COMMITTEE ON EDUCATION

RE: HB 2457, HD2 - RELATING TO THE YOUTH VAPING EPIDEMIC

WEDNESDAY, MARCH 11, 2020

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Baker, Chair Kidani, and Members of the Committees:

The Hawaii State Teachers Association **supports HB 2457 HD2, with amendments.**

We strongly support the parts of this bill banning the sale of flavored tobacco products. Flavored tobacco products are strongly correlated to usage among youth. With packaging that looks like it came off the shelf of a candy store and flavors such as Strawberry Watermelon Bubblegum, Unicorn Milk, and Sour Patch Kids, it's no surprise that 97% of youth who vape say they use a flavored product.

We also support providing a safe harbor program by which persons under 21 years of age may dispose of electronic cigarettes in their possession. It's important that we provide our youth with a way out when it comes to the use and possession of e-cigarettes and e-cigarette products. For this reason, we also suggest expanding the safe harbor program to accept other electronic smoking device products such as e-liquids. **However, we are concerned about the collection process, would it be a collection bin? If that is the case, we have been told in the past we cannot even have a collection bin for batteries at our schools, because they are considered hazardous waste, thus we are wondering if it is even possible at our schools.**

We do not support the component of the bill requiring public school teachers to confiscate electronic smoking devices because it does not solve the youth vaping epidemic and it doesn't need to be written into law as it is already a practice. These products are already contraband as set by the BOE

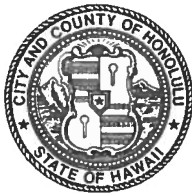
and DOE and teachers are already confiscating what they can when they can, but this does not reduce the use of these products by students at all. The confiscation of these devices is extremely difficult because it has to be visible before a teacher can attempt to confiscate it. Furthermore, if a teacher witnesses a student vaping but the student has hidden the device, the teacher is unable to confiscate it.

We also do not support increasing fines for the purchase or possession of tobacco products and electronic smoking devices by persons under 21 years of age. Imposing higher fines on youth will not solve the vaping epidemic. Conversely, what will help solve the youth vaping epidemic is banning flavored tobacco, imposing a tax on electronic smoking products so that they are on par with the taxation of traditional tobacco products, and using funds from taxation to support health education and prevention programs about the risks and dangers of the use of electronic smoking devices for youth.

To ensure we reduce the youth vaping epidemic in the most effective and targeted way, we respectfully ask you to **consider amending this bill to exclude the confiscation of these devices and the other punitive measures in this bill. The vaping industry is preying on our students who are the victims, and our students should be protected. Therefore, HSTA asks you to pass this bill w/ our suggested amendments.**

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulupd.org



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
CLYDE K. HO
DEPUTY CHIEFS

OUR REFERENCE MK-SA

March 11, 2020

The Honorable Rosalyn H. Baker, Chair
and Members
Committee on Commerce, Consumer Protection, and Health
The Honorable Michelle N. Kidani, Chair
and Members
Committee on Education
The Senate
Hawaii State Capitol
415 South Beretania Street, Room 229
Honolulu, Hawaii 96813

Dear Chairs Baker and Kidani and Members:

SUBJECT: House Bill No. 2457, H.D. 2, Relating to the Youth Vaping Epidemic

I am Mikel Kunishima, Captain of the Community Affairs Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 2457, H.D. 2, Relating to the Youth Vaping Epidemic.

The HPD strongly supports this bill that prohibits the sale of flavored tobacco products including electronic liquids. Flavored tobacco products directly target adolescents and young adult age groups. Recent deaths in these age groups have been directly linked to the use of e-products.

The HPD supports the additions to the Hawaii Revised Statutes, which directs the teachers or educators to confiscate an electronic smoking device found in the possession of students under the age of 21 and also requires each public school to coordinate with the department of health to properly dispose of the confiscated electronic smoking devices.

The HPD urges you to support House Bill No. 2457, H.D. 2, Relating to the Youth Vaping Epidemic.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,

Handwritten signature of Susan Ballard in black ink.

Susan Ballard
Chief of Police

Handwritten signature of Mikel Kunishima in black ink.

Mikel Kunishima, Captain
Community Affairs Division

March 10, 2020

TO: Chair Rosalyn H. Baker
Vice Chair Stanley Chang
Members of the Senate Committee on Commerce, Consumer Protection,
and Health

Chair Michelle N. Kidani
Vice Chair Donna Mercado Kim
Members of the Senate Committee on Education

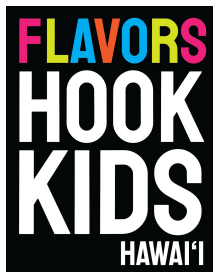
FR: Cigar Association of America, Inc.
(William Goo)

RE: **HB 2457 HD2** - Relating to the Youth Vaping Epidemic
Hearing Date: March 11, 2020
Time: 9:00 am

My name is William Goo. I represent the Cigar Association of America, Inc. (CAA).

CAA **opposes HB 2457 HD2** to the extent that a ban on the sale of flavored tobacco products includes cigars. The primary focus of this bill is to address the youth vaping epidemic in Hawaii. Cigars are primarily the choice and custom of mature, responsible and informed adults. Cigars are not the tobacco product of choice of Hawaii's youth. Any ban on flavored tobacco products should exclude cigars.

Thank you for considering this testimony.



To: Senator Rosalyn Baker, Chair
Senator Michelle Kidani, Chair
Members of the Senate Committees on Commerce,
Consumer Protection and Health and Education

Re: Support: HB2457, HD2: Relating to the Youth Vaping Epidemic

Hearing: Wednesday, March 11, 2020 at 9:00am in Room 229

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

The Flavors Hook Kids HI Campaign is pleased to submit this written testimony in **STRONG SUPPORT of HB2457, HD2** to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawai'i. We support the first step that this bill takes towards limiting the sale of flavored tobacco. Additionally, we support the inclusion of educational programming for youth on the dangers of nicotine addiction and how to quit using these products.

Flavors Hook Kids Hawai'i is working to protect our keiki by prohibiting the sale of all flavored tobacco products, including menthol, to prevent the tobacco industry from enticing children with these flavors. Endorsed by more than 200 organizations, community leaders and advocates, this campaign is a joint initiative of the American Heart Association, the American Lung Association, the American Cancer Society Cancer Action Network, the Campaign for Tobacco-Free Kids, and the Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute.

While Hawai'i has made great strides in reducing tobacco use, it remains the number one preventable cause of premature death and disease in Hawai'i and the nation, killing 480,000 Americans annually. In Hawai'i middle and high school e-cigarette use rates are truly alarming, (42% of all high school students and 27% of all middle school students reporting ever having used a "electronic vaping device."¹ Furthermore, we have recently

¹ 2016 Behavioral Risk Factor Surveillance System (BRFSS). <http://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=5203&localeId=14>

seen a drastic increase in the number of youth who use tobacco products. From 2017 to 2018 rates have increased among high schoolers from 11.7% to 20.8% and in middle schoolers from 3.3% to 4.4%.² It is clear that we must act and we must act now.

Prohibiting the sale of flavored tobacco products, including menthol cigarettes, in all tobacco retailers is a critical step that will help protect children living in Hawai'i from the unrelenting efforts of the tobacco industry to hook kids to a deadly addiction. Flavored tobacco products are designed to alter the taste and reduce the harshness of tobacco products so they are more appealing and easy for beginners, who are almost always kids. These products are pervasive and are marketed and sold in a variety of kid-friendly flavors. With colorful packaging and sweet flavors, these products are often hard to distinguish from the candy displays near which they are frequently placed in stores. **Nationally**, eight out of ten of current youth tobacco users have used a flavored tobacco product in the past month.³

Menthol is the Most Popular Tobacco Flavor Among Youth The minty taste imparts a cooling, soothing sensation, which masks the harshness of tobacco, making it easier to tolerate. The FDA's Tobacco Product Scientific Advisory Committee (TPSAC) has reported that:

- Menthol cigarettes increase the number of children who experiment with cigarettes and the number of children who become regular smokers, increasing overall youth smoking.
- Young people who initiate using menthol cigarettes are more likely to become addicted and become long-term daily smokers.

After a thorough review of the evidence, TPSAC concluded that "Removal of menthol cigarettes from the marketplace would benefit public health in the United States."⁴

As of 2017, researchers identified more than 15,500 unique e-cigarette flavors available online.⁵ Flavors are a critical part of the product design, and a key marketing ploy for the industry. The 2016 Surgeon General Report on e-cigarettes concluded, "E-cigarettes are marketed by promoting flavors and using a wide variety of media channels and approaches that have been used in the past for marketing conventional tobacco products to youth and young adults."⁶ The 2016 National Youth Tobacco Survey found that 78.2 percent of middle and high school students—20.5 million youth—had been exposed to e-cigarette advertisements from at least one

²CDC, "Tobacco Use is Rising" February 2019 Report.

³ Ambrose, BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014," *Journal of the American Medical Association*, published online October 26, 2015.

⁴Tobacco Products Scientific Advisory Committee (TPSAC), *Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations*, July 21, 2011
<http://www.fda.gov/downloads/AdvisoryCommittees/CommitteesMeetingMaterials/TobaccoProductsScientificAdvisoryCommittee/UCM269697.pdf>

⁵Zhu, S-H, et al., "Evolution of Electronic Cigarette Brands from 2013-2014 to 2016-2017: Analysis of Brand Websites," *Journal of Medical Internet Research*, 20(3), published online March 12, 2018.

⁶HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

source, an increase from 68.9 percent in 2014.⁷

Flavored Tobacco Products Are Popular Among Youth Across all tobacco products, the data is clear: flavored tobacco products are overwhelmingly used by youth to start, and preference for flavors declines with age.

These sweet products have fueled the popularity of e-cigarettes and cigars among youth. A government study found that *81 percent of kids who have ever used tobacco products started with a flavored product*. Recently released data from the 2019 National Youth Tobacco Survey shows that the youth e-cigarette epidemic continues to grow--27.5% of high school students are current e-cigarette users, a 135% increase from just two years ago.⁸ Just like with cigarettes, menthol e-cigarettes are popular among youth. 57.3% of high school e-cigarette users use menthol or mint flavored e-cigarettes, making these the second most popular flavors, just behind fruit-flavored products.⁹ Another national survey found that 97% of current youth e-cigarette users have used a flavored e-cigarette in the past month.¹⁰ Moreover, youth cite flavors as a major reason for their current use of non-cigarette tobacco products, with 70.3% say they use e-cigarettes “because they come in flavors I like.”¹¹

The Surgeon General has concluded that, “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”¹² A 2018 report from the National Academies of Science, Engineering & Medicine found that “There is substantial evidence that e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults.”¹³ It is critical for any policy restricting sales of flavored tobacco products to include e-cigarettes.

Menthol cigarettes, the only flavored cigarettes on the market, are popular among youth. It cools and numbs the throat, reducing the harshness of cigarette smoke, making it more appealing to a young person just starting to smoke. Young people who initiate using menthol cigarettes are more likely to become addicted and become long-term daily smokers.¹⁴

⁷Marynak, K., et al., “Exposure to Electronic Cigarette Advertising Among Middle and High School Students—United States, 2014-2016,” *MMWR* 67(10): 294-299, March 16, 2018, <https://www.cdc.gov/mmwr/volumes/67/wr/pdfs/mm6710a3-H.pdf>.

⁸FDA, “Trump Administration Combating Epidemic of Youth E-Cigarette Use with Plan to Clear Market of Unauthorized, Non-Tobacco-Flavored E-Cigarette Products,” September 11, 2019, https://www.fda.gov/news-events/press-announcements/trump-administration-combating-epidemic-youth-e-cigarette-use-plan-clear-market-unauthorized-non?utm_source=CTPEblast&utm_medium=email&utm_term=stratout&utm_content=pressrelease&utm_campaign=ctp-vaping.

⁹Cullen, KA, et al., “e-Cigarette Use Among Youth in the United States, 2019”*JAMA*, published online November 5, 2019.

¹⁰FDA, “Modifications to Compliance Policy for Certain Deemed Products: Guidance for Industry, Draft Guidance,” March 13, 2019, <https://www.fda.gov/downloads/TobaccoProducts/Labeling/RulesRegulationsGuidance/UCM633281.pdf>.

¹¹FDA, “Modifications to Compliance Policy for Certain Deemed Products: Guidance for Industry, Draft Guidance,” March 13, 2019, <https://www.fda.gov/downloads/TobaccoProducts/Labeling/RulesRegulationsGuidance/UCM633281.pdf>.

¹²HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*.

¹³National Academies of Sciences, Engineering, and Medicine (NASEM), *Public Health Consequences of E-Cigarettes*, 2018, <http://nationalacademies.org/hmd/Reports/2018/public-health-consequences-of-e-cigarettes.aspx>.

¹⁴TPSAC, *Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations*, July 21, 2011.

The industry wants to blame the users, to avoid further restrictions on the sale of their product. A national tactic used by the industry is to encourage the penalization of youth who have become addicted to these products, to divert attention away from their marketing practices. Youth are unjustly and ineffectively punished through penalties and criminalization. These policies do not work. They allow the industry to ensure addicted youth are not seen as addicts, but instead as the one with control. It also makes kids less likely to come forward to ask for help from a teacher or parent, ensuring that they remain addicted to nicotine and regular customers.

Education and Access Instead of Penalties Youth should receive effective education and be able to access cessation programs. **The scientific evidence leaves no doubt that menthol cigarettes and other flavored tobacco products increase the number of people, particularly kids, who try the product, become addicted and many die a premature death.**

This issue is about common sense and protecting our vulnerable populations. By adopting this policy, Hawai'i would become one of a growing number of states that are putting the health of their youth first.

Thank you for considering a comprehensive policy. It will help to keep our children and others safe.

Sincerely,



Liza Ryan Gill,
MA Campaign Manager
Flavors Hook Kids HI Campaign
liza@flavorshookkidshi.org

APPENDIX

A1: ENDORSING ORGANIZATIONS AND INDIVIDUALS

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 a program of
Hawai'i Public Health Institute
Get Fit Kauai
Hamakua Kohala Health Centers
Hana Lima Physical Therapy
Hawaii – American Nurses Association (Hawaii-ANA)
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
Hui Malama Ola Na Oihi
I Ola Lahui
Kaho'omiki; Hawaii Council of Physical Activity and
Nutrition
Kaiser Permanente
Kapiolani Medical Center for Women & Children
Kauai Rural Health Association
Keiki Injury Prevention Coalition
Lāna'i Community Health Center
Malama Pono Health Services
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

Waimānalo Health Center

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)
Association of Hawaiian Civic Clubs
Baldwin HS Peer Education
Being Adept
Big Island Interscholastic Federation (BIIF)
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 No Ke Ola Pono
Hui Ola Pono (UH Public Health's Student
Organization)
Kauai Path Inc.
Kiwanis Club of the Valley Island
Konawaena HS Wellness Committee
Maui Economic Opportunity, Inc. (MEO)
Maui Interscholastic League (MIL)
Moanalua HS Peer Education Program
Pacific American Foundation
Parents for Public Schools Hawai'i
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
Waipahu Int. Youth for Safety Club
We Are One Inc.
HEALTH & COMMUNITY LEADERS
Tina Alcain
Forrest Batz, PharmD
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
Cassioia Yamashita

SCHOOLS

Chiefess Kamakahalei Middle School
Damien Memorial School
Kamaile Academy
Maryknoll School
Maui Preparatory Academy
Mid Pacific Institute
Sacred Hearts Academy
Saint Louis Schools
Waiakea High School
Waimea Middle Public Conversion Charter School

ELECTED OFFICIALS & GOVERNMENT

Sen. Stanley Chang
Rep. Stacelynn Eli
Rep. Sharon Har
Maui County Councilmember Kelly King
Hawai'i County Councilmember Sue Lee Loy
Kalihi Valley Neighborhood Board #16
Kuliouou-Kalani Iki Neighborhood Board #2
Makakilo/Kapolei/Honokai Hale Neighborhood Board #34
Makiki/Lower Punchbowl/Tantalus Neighborhood Board #10
Mililani/Waipio/Melemanu Neighborhood Board #25
Nanakuli-Mailii Neighborhood Board #36
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)

BUSINESSES

Emma Whitney Photography
Filipino Business Women's Association
Ganesha Body Piercing
Heartlight Montessori Homeschool
Home Remedies Interior Design
JCS Enterprises Inc.
Paia Tattoo Parlor
Shaka Tea
The Man Cave
The Root Cellar Studio Maui
Wailuku Dental Group

Wednesday, March 11, 2020
State Capitol, Conference Room 229

To: Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Committee on Commerce, Consumer Protection, and Health

Senator Michelle N. Kidani, Chair
Senator Donna Mercado Kim, Vice Chair
Committee on Education

From: Maile Ketelsen, Program Coordinator
Kapi'olani Smokefree Families: Tobacco & Nicotine Cessation Program

Re: Support of HB 2457, Relating to the Youth Vaping Epidemic

Kapi'olani Smokefree Families, the tobacco & nicotine cessation program at Kapi'olani Medical Center for Women & Children, **supports HB 2457 relating to the youth vaping epidemic.**

At Kapi'olani Medical Center for Women & Children, we often treat pediatric and adult patients who are adversely affected by tobacco products in multiple ways, whether it's a cancer diagnosis after years of smoking or asthma in a child that has been exposed to secondhand smoke. Recently, we have seen an increasing number of teenagers and adolescents coming in who are screening positive for e-cigarette or vape use.

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. 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. We cannot sit by as a generation of adolescents becomes addicted to nicotine because of these flavored products.

In the best interest of our local youth, we would like to request your **support of HB 2457** to ban flavored tobacco products.

Thank you for the opportunity to provide testimony on this measure.

Aloha representatives. My name is Maile Ketelsen, I am the program coordinator and a tobacco treatment specialist for the tobacco and nicotine cessation program at Kapi'olani Medical Center for Women & Children. I am here to testify in support of House Bill 2457 to ban flavored tobacco products. This is a crucial step in reversing the trend of an entire generation of kids and young adults getting addicted to nicotine due to lack of regulation on these flavored products.

Working at the hospital, I see the effects of tobacco use throughout the life continuum. On any average day, I see your average adult who wants to quit smoking, but it's only because their kid is admitted because of an asthma attack from secondhand smoke exposure, or their baby that is in the NICU due to smoke exposure in the womb. I see the smokers who want to quit smoking, but only because they've been recently diagnosed with lung cancer or irreversible COPD. I know what tobacco does to our people. Tobacco is the only product in our stores that when used as intended kills half of its users. Nicotine is made to keep its users addicted. When I ask my patients when they first began using tobacco, anecdotally, I'd say 95% of them began when they were under 16. And the industry only keeps getting better at targeting this demographic. Sure some adults may anecdotally say it has helped them to quit smoking, but research says otherwise, pointing to continued dual use rather than a full quit. And for the people that do successfully quit, at what cost? One study (Quantifying population-level health benefits and harms of e-cigarette use in the US) estimates that for every 1 US adult that quits smoking using e-cigarettes, 81 young people become future smokers.

That is why we need to ban flavored tobacco that attracts our keiki and young adults. We need to choose to protect the people and our kids, not the tobacco industry. Thank you for this opportunity to testify in support of House Bill 2457.

HB-2457-HD-2

Submitted on: 3/10/2020 8:23:20 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

Aloha Chair & members,

My name is Jostin we at Hi Lyfe Vaporz, LLC Strongly oppose HB 2457 HD2, With the recent false information in the media & CDC that has been spread negatively throughout the public, it definitely has already cause such a negative impact on our business & many across the USA. It would be vital that our government pass proper information about vaping rather than causing an immediate scare on the public. Thankfully after proper understanding vaping nicotine products is now known not to be the issue people were dying & getting sick from across the nation. It important for our government to understand how how all that mess in the media has affected many small businesses like our, we took over a 30% loss in sales now we are on the verge of closing one of our stores as well as cut many hours off of our employees schedule because we cant afford to keep them employed. It has created a lost of employment & a lost in revenue for small businesses, but has and will start to create more unemployment. Please reconsider & understand how Bill's like this affect not only business, employees but the public as well, we mustn't resort back to conventional cigarettes.

As small business owner a bill of this magnitude can affect thousands of people in the state of Hawaii that has nothing short of a positive impact In their lives, health & especially the purpose of quitting combustible cigarettes. Our business has kept my wife & I employed for over 5 years & is now helping our son get a higher education. With Bill's like this it affects many families when the issue isnt what's being portrayed. As a small business owner my business Hi Lyfe Vaporz, LLC has had over 10 employees, a bill like this could impact our business as well as many across the state in such a negative manner, causing people to lose their jobs & homes they would be unable to provide for their families, not only that, many may end up going back to combustible cigarettes which infact is already known to be a health factor throughout the world. The FDA has implemented stringent rules and regulation for the vape industry which all manufactures and retailers are suppose to comply with as well as stay up to date. One of the problems with youth vaping epidemic isn't "Flavors" an issue is with enforcement to retailers of age restriction. By completely banning anything in this industry that has helped many adults will have a negative impact, taxes alone from the

industry generates a good chunk of funding for our state. It's important to understand taking away vaping may greatly impact revenue to the state for health and research ect.

Bill's like this simply goes against the positive impact vaping has made for all legal adults, who transitioned to a better alternative to combustible cigarettes. I humbly ask to think before passing such a bill. Myself ,my family as well as our employees and customer's will be greatly be affected negatively. I am a former smoker of 20 year's, I oppose HB2457 HD2, 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 teenagers 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, 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 your time



LATE

1212 New York Ave. N.W.
Suite 900
Washington, D.C. 20005
202-525-5717

Free Markets. Real Solutions.
www.rstreet.org

Testimony from:

Anthony Lamorena, Government Affairs Associate, R Street Institute

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

March 11, 2020

Senate Commerce, Consumer Protection, and Health Committee

Chairwoman Baker and members of the committee,

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

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

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

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

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

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

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

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

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

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

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

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

Mahalo.

Anthony Lamorena
Government Affairs Associate
R Street Institute
(202) 525-5717
alamorena@rstreet.org

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

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

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

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

HB-2457-HD-2

Submitted on: 3/10/2020 7:39:12 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Beglar	Testifying for yegiazaryan	Oppose	No

Comments:

I deeply oppose this bill because flavored ejuice product have saved my life and i have quit cigarettes for 6 years now and banning this Will probably either make me go back on cigarettes or i would have to start buying from other states online. With all due respect please oppose this bill. Prohibition never work then will create underground market wich is untaxed and unregulated.

TESTIMONY IN SUPPORT OF
HB2457
FROM MEMBERS OF VARIOUS NATIVE
HAWAIIAN ORGANIZATIONS

A PDF version for the committee clerk, so you don't have to scan them, is available at:

<http://j.mp/2457testimony>

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Keali'i McClellan. I grew up in the Ko'olaupoko area of O'ahu and currently live in Pūowaina.

As a Native Hawaiian, I believe it is important for the legislature to take action on the youth vaping epidemic. Specifically, by targeting vulnerable young Native Hawaiians, the vaping epidemic will and has become a gateway to other drug abuse and medical problems.

Being an uncle to many young 'ōpio, there is a great concern for the impact that vaping has on the development of their lungs and overall health. While they won't feel the effect initially, they don't understand the long health impact that it has on their young developing bodies.

Therefore, I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Keali'i McClellan
kealiiaimoku@gmail.com
Pūowaina, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Patrick Branco. I grew up in and still reside in Kailua, O'ahu, and am a member of the Kailua Hawaiian Civic Club.

As a Native Hawaiian, I believe it is important for the legislature to take action on the youth vaping epidemic, since vaping is causing the next generation to become highly addicted to nicotine.

Specifically, I am concerned about my brother who vapes and is highly addicted. He hasn't been able to stop, despite several attempts to stop.

Therefore, I humbly request that you pass HB2457, Relating to the Youth Vaping Epidemic.

Mahalo,

Patrick Branco
ptrck.branco@gmail.com
Kailua, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Makamae Shook. I grew up in Kapolei, and currently live in Kailua.

As a Native Hawaiian, I think that it's important for legislature to take action on the youth vaping epidemic because we already face many health challenges. We need to educate the youth on being *pono* mentally, spiritually and physically. Hawaiians used food and plants as medicine and nourished themselves with what's around them. Right now, the power of association and social media have such a big influence on our youth and the lack of regulation for things like vaping it perpetuates an unhealthy population of native Hawaiian youth.

I have numerous friends, family and even my spouse who actively vape. For some they used to smoke cigarettes and transitioned to vaping. For most, they picked it up because someone they know does it, they tried it and now it's a habit/addiction for them.

When I was in high school, mods (what you can vape from) were so popular, and it was a cool thing to show and tell about the juice/liquid, no matter how much nicotine was in it. Ripping someone's mod became a way for people to bond and it led to students as young as freshmen smoking all over campus. No matter how many stories show up on the news of people being hospitalized because of vaping, kids are still buying it anyway thinking that it won't happen to them. This goes for my friends and family too.

I think that if it's regulated heavier, it'll decrease the chances of youth touching it, and then we can prolong that and educate them on the dangers of using it and making healthier decisions.

Therefore, I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Makamae Shook
makamaeshook@gmail.com
Kailua, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Allan Silva. I grew up in Kailua, and currently live in Kāne'ohe.

I am a Native Hawaiian, a parent, and a grandparent. The legislature must take action on the youth vaping epidemic because of the well-being of our future leaders. I have had a teenage family member that got involved with vaping and got sidetracked from school studies and behavior.

We must take action and **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Allan Silva
hawaiiiteam@gmail.com
Kāne'ohe, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Makana McClellan. I am a Native Hawaiian parent, and a member of the Pearl Harbor Hawaiian Civic Club. I grew up in Kāneʻohe, and currently live in Pacific Palisades.

We must unite against vaping as a threat to the future generations of our Native Hawaiian community. We can no longer allow companies to prey on our keiki and strip them of their health & well-being.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Makana McClellan
Pacific Palisades, Oʻahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Antoinette Lee. I currently live in Pacific Palisades, and am a member of the Pearl Harbor Hawaiian Civic Club.

As a Native Hawaiian, a parent, and a grandparent, I believe it is important for the legislature to take action on the youth vaping epidemic because we spend a lot of money educating our youth; we need to keep them alive and healthy; and we look forward for them to be the leaders of tomorrow.

Therefore, I humbly request that you pass **HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Antoinette Lee
Pacific Palisades, O‘ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Candace Puailihau. I am a Native Hawaiian who grew up in Makakilo, and currently live in Kapolei.

I believe the legislature must take action on the youth vaping epidemic. It's killing our keiki because companies are marketing flavors that are attractive to young adults/teens.

In my 'ohana, my brother vapes and we are so worried about him.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Candace Puailihau
Kapolei, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Legislators:

My name is Hokulani McKeague. I am a Native Hawaiian who grew up in Hilo, and currently live in Honolulu. **I support HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Hokulani McKeague
hbm3@hawaii.edu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Pua Silva. I grew up in Kailua and currently live in Waipi'o.

As a Native Hawaiian, a mother of 5 adult children, and grandmother to 6 keiki under the age of 7, I worry constantly about the health and safety of my family. When my children were growing up it seemed like every few years there was another drug or disease we had to worry about. Now, with vaping, my grandchildren are being marketed to by companies that have the audacity to sell juice-flavored poison and claim they aren't targeting my mo'opuna. We can not allow these death dealers to steal another generation of our keiki. Please support this legislation to make it wholly illegal to target kids with any flavored tobacco and e-cigarette products.

I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Pua Silva
maryellensilva@yahoo.com
Waipi'o, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Edwina Branco. I am a Native Hawaiian who grew up in Kailua, O'ahu, and now live in Waimea on the Big Island.

As a Native Hawaiian and a parent, I believe the legislature must take action on the youth vaping epidemic. Vaping is harmful to humans. In my 'ohana, my son vapes and I don't want him to harm himself.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Edwina Branco
Waimea, Hawai'i Island

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Lydia Kuiee. I grew up in Honolulu, and now live in Salt Lake. I am a member of the Pearl Harbor Hawaiian Civic Club.

As a Native Hawaiian, a parent, and a grandparent, I believe the legislature must take action on the youth vaping epidemic because of the health issues it is causing. In my 'ohana, my nephew had an e-cigarette burst in his hand.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Lydia Kuiee
Salt Lake, O'ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Benjamin Baker. I grew up in Papakōlea, and I am a member of the Moku'aina A Wakinekona Hawaiian Civic Club.

As a Native Hawaiian, a parent, and a grandparent, I believe the legislature must take action on the youth vaping epidemic to prevent a lifelong drug addiction among our young people.

I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Benjamin Baker
benjaminbaker@comcast.net
Member of Moku'aina A Wakinekona Hawaiian Civic Club

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Rae DeCoito. I grew up in Kaimukī, and currently live in Maunaloa, O‘ahu. I am a member of the Pearl Harbor Hawaiian Civic Club.

As a Native Hawaiian and a parent, I believe the legislature must take action on the youth vaping epidemic, because anything that negatively impacts the health of our youth should be eliminated. Social media and trends from the mainland take over the youth of Hawai‘i. An education campaign and legislation should be in place to protect them.

In my ‘ohana, my daughter’s friends were vaping and when I learned of it, I sat them down and told them of the dangers. I also took away the vaping pipe for the duration of the school year. My daughter and her friends are very intelligent high achievers, so I was surprised to learn that they were vaping.

Therefore, I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Rae DeCoito
rdecoito@msn.com
Maunaloa, O‘ahu

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Debra Bohol. I grew up in Kailua, and currently live in Kahalu'u.

As a Native Hawaiian, a parent, and a grandparent, I believe the legislature must take action on the youth vaping epidemic. Peer pressure is out there on many platforms, and vaping endangers our keiki and should be addressed.

In my 'ohana, my 33 year old son occasionally has used e-cigarettes at BBQs, but he stopped once he heard about the health risks and because of my input as well.

I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Debra Bohol
bohol.debra@gmail.com
Kahalu'u, O'ahu



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Senate Committee on Commerce, Consumer Protection, and Health
Committee on Education

Time: 9:00 a.m.
Date: March 11, 2020
Where: Conference Room 229

RE: SUPPORT FOR HB2457 HD2, RELATING TO THE YOUTH VAPING EPIDEMIC

Chairs Baker and Kidani, Vice Chairs Chang and Kim and members Nishihara, Ruderman, Thielen, Wakai, Dela Cruz, Kanuha and Fevella.

The listed organizations are in **support of HB2457 HD2** which bans the sale of flavored tobacco products and prohibits mislabeling, sale, or marketing as “nicotine-free” any e-liquid product that contains nicotine.

Electronic cigarette use in Hawai‘i, particularly among youth, has increased rapidly in recent years. These products have been shown to have severe health risks, including death. The Hawai‘i State Department of Health has noted that flavored e-liquids may appeal directly to children and teenagers.

According to the Hawai‘i State Department of Health, approximately 45 percent of high school students and 26 percent of middle schoolers across Hawai‘i have tried e-cigarettes. A 2018 study from the Centers for Disease Control identified Native Hawaiian and Pacific Islander (NHPI) middle and high schoolers as having the highest rate of tobacco use of any race or ethnicity nationwide. E-cigarettes, which often use flavored e-liquids, were the product most commonly used by NHPI students.

Tobacco industry documents indicate that the companies intentionally marketed flavors, especially menthol, to youth and other vulnerable groups. A 2013 report by the U.S. Food and Drug Administration found that menthol cigarettes led to increased smoking initiation among youth and young adults, greater addiction, and decreased success in quitting smoking. The 2008 Hawai‘i Behavior Risk Factor Surveillance System Survey found that 78 percent of NHPI smokers use menthol cigarettes.

In recognition of the growing risks flavored tobacco products pose on Hawai‘i’s people, especially our keiki, we urge legislature to take immediate action to address this issue.

‘A‘ohe hana nui ke alu ‘ia. No task is too large when we all work together!

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

LATE

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Malie McClellan. I grew up in Puna on the Island of Hawai'i and now live in Honolulu, O'ahu. I support HB2457, Relating to the Youth Vaping Epidemic.

Vaping seems to come across as attractive through the advertising for these products, including all the flavors and scents. I think this has had a wide-ranging reach to the young people of Hawai'i, resulting in a high level of usage in this population. I really think that the advertising is so focused and targeted that it's hard for young people to ignore it forever, even if they do abstain at first.

I know a few people who vape, and with the hospitalizations that have occurred I'm increasingly worried about the long-term effects of vaping. I believe it was first sold as safer than cigarettes, which now seems to be undeniably false.

I humbly request that you pass **HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Malie McClellan
malieesp@gmail.com
Honolulu

LATE

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Tin Myaing Thein, and I am a resident of Hawai'i Kai. I support HB2457, Relating to the Youth Vaping Epidemic.

As a parent and grandparent, I feel that the legislature must take action on the youth vaping epidemic now, otherwise the problem will be too big to solve. I have seen the effects of vaping first-hand: I caught kids that visited us trying it, but we were able to stop them from going further by explaining how it hurt their lungs.

I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Tin Myaing Thein
myaing@msn.com
Hawai'i Kai

LATE

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Kehau Pe'a. I grew up in Pana'ewa and now live in Pauoa. I am Native Hawaiian and a member of the Pearl Harbor Hawaiian Civic Club. I write to support HB2457, Relating to the Youth Vaping Epidemic.

I feel that the legislature must take action on the youth vaping epidemic now. I also wish there were ample fun, clean and rather inexpensive community or after-school activities for our keiki to engage in so they don't opt to vape.

I humbly request that you pass **HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Kehau Pe'a
lonoheahe@gmail.com
Pauoa

LATE

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Charlynn McGinnis, and I am a resident of 'Aiea. As a Filipino and Pacific Islander parent, I support HB2457, Relating to the Youth Vaping Epidemic.

I believe that the legislature must take action on the youth vaping epidemic now. How productive will the youth be if they are addicted to vaping now? They must be protected and educated on the dangers of vaping. If not now, then when? If not us, then who?

I humbly request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Charlynn McGinnis
cmaemcginnis@yahoo.com
'Aiea

LATE

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Zeny Yasuda, and I grew up on Molokai and currently reside in Kapolei. As a parent, a medical professional, and a member of the Filipino community, I support HB2457, Relating to the Youth Vaping Epidemic.

As we learn more about vaping's effect on health, undoubtedly our youths will end up with lifelong and costly medical problems the medical community has to manage. The tobacco companies are taking advantage of their innocence with attempts to entice youths at any expense. Immediate action is needed now.

As a parent representative at my daughter's high school, it concerns me that my daughter is exposed to alarming cases of vaping amongst high schoolers at her school. The teachers are unaware about the vaping paraphernalia and often unable to identify them being used in classrooms.

Therefore, I humbly request that you pass **HB2457, Relating to the Youth Vaping Epidemic**.

Mahalo,

Zeny Yasuda, R.N.
zktyasu@gmail.com
Kapolei

LATE

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Brett Carey, and I am a resident of Kona. As a medical professional, I strongly support HB2457, Relating to the Youth Vaping Epidemic.

Medical evidence suggests that vaping harms the developing brain and links to various forms of cancer have been suggested. Today as an experiment - I ordered and then canceled an online order for a vape pen and cartridges just to see if it were possible to order such substances without and kind of formal background check. Any youth with access to electronic forms of payment can purchase vaping supplies. The legislature needs to take action as vaping can even be considered a gateway drug to other tobacco products. Let's let our youth enjoy childhood without the introduction to chronic addiction and disease.

As former Chairman for the West Hawaii Community Health Centers and private practice owner in Kona, I have come across many young people addicted to vaping. They were under the belief that this practice was a healthy form of nicotine consumption. Many of these children developed asthma-like symptoms that were difficult to diagnose and treat as often children are not honest about their vaping behaviors.

Therefore, I respectfully request that you **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Brett Carey
bcare001@gmail.com
Palisades, Kona

LATE

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Richard Taaffe, and I am a resident of Kailua Kona. As a medical professional and a parent, I strongly support HB2457, Relating to the Youth Vaping Epidemic.

Vaping is detrimental to the health of our youth and the development of their brains. Future health care costs will increase unless something is done.

I respectfully request that you pass **HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Richard Taaffe
rtaaffe@westhawaiiichc.org
Kailua Kona

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

LATE

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Alex Teece, and I am a resident of Pauoa.. As a teacher, I strongly support SB2228, Relating to Flavored Products for Electronic Smoking Devices.

Protect our keiki by passing **HB2457, Relating to the Youth Vaping Epidemic!**

Mahalo,

Alex Teece
alex.teece@gmail.com
Pauoa



REV. DENNIS BARGER, PC(USA) Retired
Kihei, Maui, Hawai'i

In addition to serving as a pastor for over 40 years I am a former California Certified Prevention Specialist and I have worked as a Mono County Health Department, Health Promotion Professional. I have been trained as a Smoking Cessation Specialist by the American Lung Association and worked for the local chapter of ALA on Maui to help people break the addiction to tobacco. I have been helping youth and adults to break their dependence on nicotine for over fifteen years. I am an active member of the Coalition for a Tobacco Free Maui. I know how easy it is for young people to become addicted to fruity flavored vapes.

Hawai'i is experiencing a serious youth vaping epidemic. With 8 in every 10 kids starting with a flavored tobacco product, and 42% of Hawai'i high schools students trying e-cigarettes, we have an urgent need to act. With over 15,500 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

I strongly SUPPORT SB2457, which would regulate an irresponsible tobacco industry and remove the thousands of fruit and candy-flavored tobacco products and e-liquids that are addicting our keiki, including menthol cigarettes, flavored smokeless tobacco, and flavored cigars.

BECAUSE:

- **We need to hold the industry accountable through regulations** instead of punishing youth who have fallen prey to their predatory marketing tactics.
- **Penalties on youth for purchase, use, or possession (PUP) do not work at reducing youth tobacco use** and can even be counter-productive. As an unintended consequence, PUP laws can stigmatize tobacco use and deter addicted youth from seeking help to quit smoking or vaping.
- **Teachers already have the ability to confiscate the devices** if needed. This bill unfairly places the burden of enforcement on public school teachers. Instead, other policies to regulate the industry would be much more effective.
- **Other policies are proven strategies to reduce youth tobacco use**, such as decreasing access to tobacco products, increasing prices of tobacco products, tobacco prevention and education programs in schools, and increased enforcement of tobacco sales restrictions.
- **81% of youth** who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
- **Tobacco companies are making and marketing deadly and addictive products** that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- **Restricting the sale of kid-friendly flavors** that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

I urge YOU to support HB2457.

Mahalo, *Rev. Dennis F. Barger*

HB-2457-HD-2

Submitted on: 3/9/2020 7:49:10 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lani Hernandez	Individual	Oppose	Yes

Comments:

This bill is not liberal, it's hateful and oppressive. Bills like this one are **making me rethink a lifetime of voting Democrat**. Hawaii Democrats have forgotten what "liberal" once represented, that being having our choice on how we want to live.

The Democrat party has gotten so bad now that even Republicans are more liberal on most issues of choice. **Please prove me wrong.**

Sincerely, Lani H.

HB-2457-HD-2

Submitted on: 3/6/2020 5:15:40 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Arbeit	Individual	Support	No

Comments:

We need to stop children from vaping so they don't become addicted to nicotine. Banning sweet flavors, confiscating the devices in schools, and fining their uses by children should prove effective toward controlling the increasing addiction to tobacco by children. Education of violators is an excellent idea but should become part of the curricula so children will be less likely to start vaping.

HB-2457-HD-2

Submitted on: 3/7/2020 7:50:00 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 8:20:55 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Santiago	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/6/2020 7:48:28 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 10:41:57 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Robinson	Individual	Oppose	No

Comments:

Make a voter happy by not allowing HB2457 to leave committee.

HB-2457-HD-2

Submitted on: 3/7/2020 11:28:43 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments:

Please pass.

HB-2457-HD-2

Submitted on: 3/7/2020 9:58:10 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tammy Young	Individual	Oppose	No

Comments:

Don't take away the flavors I like.

HB-2457-HD-2

Submitted on: 3/7/2020 12:01:20 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Denny Diez	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 11:41:19 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Keawe'aimoku Kaholokula	Individual	Support	No

Comments:

Aloha,

I am Joseph Keawe'aimoku Kaholokula, PhD, a Professor and Chair of Native Hawaiian Health at the John A. Burns School of Medicine and a Board Member of the Hawaii Public Health Institute. I am in strong support of HB2475 HD2 for the following reasons:

- 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
- Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

Mahalo nui for your consideration on this bill.

HB-2457-HD-2

Submitted on: 3/7/2020 1:00:41 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Patterson	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 2:00:34 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

February 12, 2020

Aloha,

I have been a school counselor in rural Maui for almost 20 years. The past 2-3 years there has been a significant rise in electronic cigarette use by students in my school as young as 3rd and 4th grade. As you know there are devastating consequences to beginning this habit as children and young adults. As a school and community we are doing all we can to educate and prevent this from happening including parent meetings, prevention presentations, counseling, etc, however, we are no match for big-vape companies with unlimited money for advertising to children on social media.

Our community is predominantly Native Hawaiian, data shows that our people have the highest use rate in our state. Something more has to be done to turn the tide away from these harmful devices. Please remove the penalties for children. If there are penalties, our community of young native Hawaiians will be impacted the most. By removing the option of purchasing these products sold to children we, the adults are doing something to improve their health and futures (out of jail).

As a counselor, as a mother, as a very concerned citizen, please do all you can to ensure regulation so our children do NOT have access to these devices. This includes a flavor ban (which will directly impact children) and online sale regulation, I am terrified about their future health and happiness if this continues unregulated.

Me ka mahalo,

Moani Aiona

Moani Aiona, School Counselor
Hana High & Elementary School

HB-2457-HD-2

Submitted on: 3/7/2020 2:55:36 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Stamps	Individual	Oppose	No

Comments:

Hello,

I am 37 and have enjoyed vaping flavored nicotine for several years now. I believe vaping flavored nicotine is my right, as well as it being a much healthier alternative to smoking combustible tobacco. Banning flavors would create a black market with no quality control and close local businesses.

Thank you,

Matthew Stamps

HB-2457-HD-2

Submitted on: 3/7/2020 12:56:06 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathryn Braun	Individual	Support	No

Comments:

I am a professor of Public Health, testifying as an individual. My husband has Chronic Obstructive Pulmonary Disease, caused by smoking cigarettes from age 14 to age 34. When he started at age 14, he had no idea that he was causing damage to his lungs. Now, he is a high utilizer of our healthcare system!

About 80% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes (like my husband). About 42% of Hawai'i high schools students report trying e-cigarettes, and this is a pathway to tobacco addiction.

With flavors like Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum, the industry is clearly targeting our children! It's well-documented that menthol flavors are particularly enticing to teens who haven't previously used tobacco, as it has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes easier to start and harder to quit.

Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of addiction and subsequent disease, which is costly to families and to the state. Please vote to support this bill.

HB-2457-HD-2

Submitted on: 3/7/2020 6:16:12 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara J. Service	Individual	Support	No

Comments:

Flavors hook kids! Nuff said!

Barbara J. Service MSW (retired Child Welfare)

Senior Advocate

HB-2457-HD-2

Submitted on: 3/7/2020 5:41:49 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Wells	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 7:26:10 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Naomi Muronaka	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 7:02:14 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 7:37:44 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
dillon rellez	Individual	Oppose	No

Comments:

I oppose this bill. E-cigarettes are much safer than combustible cigarettes and help people quit smoking and other bad habits. I disagree that the government here would try and make it hard on people who work so hard to be free and do as they please. The vaping community has been following rules so far so please quit trying to hurt people that are just trying to live. Thank you for your time.

HB-2457-HD-2

Submitted on: 3/7/2020 7:42:23 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
natalea mikami	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 7:27:16 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ellen benton	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 7:46:42 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Garett Uyesugi	Individual	Oppose	No

Comments:

Testimony in Opposition:

Its a addiction to nicotine and not flavors. The better path to address this is to do a nicotine cap. The youth are using Juuls type devices that have a super high addictive nicotine percentage<3 and 5 percent per volume>. Traditional Ecig stores sell mostly .3 percent<point 3> by volume. Its comparing apples to oranges. Also banning advertisements vvould have a positive effect. The 21st century cure for tobacco smoking and cancer is here. Its e-cigs and the evidence support this. Cancel the cure then vve go back to pre e-cigs statistics vvhile the countries that embraced e-cigs continue on to be a smarter, healthier country then U.S. going backvvards. Your traditional e-cig stores are trying to save lives. 500k americans die each year from tobacco smoking. Because of e-cigs the statistics shovv its plummeting. Lung Cancer also just statisticly shovved a huge plummet. Lets stay on this path of saving peoples lives. Dont be numb to the 500k deaths. Its not acceptable and it can be greatly decreased only if you support the best anti tobacco smoking strategy...e-cigs

Since their introduction to the U.S. market in 2007, e-cigarettes and vaping devices—tobacco harm reduction products that are 95 percent safer than combustible cigarettes—have helped more than three million American adults quit smoking.

1. Economic Impact

According to the Vapor Technology Association, in 2018, the industry created 451 direct vaping-related jobs, including manufacturing, retail, and wholesale jobs in Hawaii, which generated \$18 million in wages alone.[\[1\]](#) Moreover, the industry has created hundreds of secondary jobs in the Aloha State, bringing the total economic impact in 2018 to \$100,745,600. In the same year, Hawaii received more than \$9 million in state taxes attributable to the vaping industry. These figures do not include sales in convenience stores, which sell vapor products including disposables and prefilled cartridges. In 2016, average national sales of these products eclipsed \$11 million.[\[2\]](#)

2. State Health Department Data

As of November 13, 2019, the Hawaii Department of Health (HDH) has reported four cases of vaping-related lung illnesses.[\[3\]](#) HDH notes that two of the patients are adults and “two are adolescents.” There is no further information on gender and/or substances vaped. This is alarming because many state health departments have already linked

vaping-related lung illnesses to the use of products containing tetrahydrocannabinol (THC) and provided this information in their own updates. The Heartland Institute gives HDH a grade of D for information available on vaping-related lung illnesses.

3. More Information Needed

The most recent report on youth e-cigarette use in Hawaii is from the 2017 Hawai'i Youth Tobacco Survey.[\[4\]](#) According to the survey, in 2017, 20.9 percent of Hawaii high school students reported using a vapor product at least once, in the 30 days prior to the survey. There is no information on frequent and/or daily use. Only 26.4 percent of Hawaii high school students reported "flavors" as a reason for using e-cigarettes. Further, in 2017, 80.6 percent of Hawaii high school students believed "all e-cigarettes are dangerous." More data is needed to understand the effects of public health campaigns on youth e-cigarette use.

4. Youth Sales Miniscule

From January 1, 2018 to September 30, 2019, the U.S. Food and Drug Administration (FDA) administered 615 tobacco age compliance inspections in Hawaii, in which the agency used a minor in an attempt to purchase tobacco products.[\[5\]](#) Of those, 26, or 4 percent, resulted in a sale to a minor. Of the violations, 9 (34 percent of violations and 1 percent of all compliance checks) involved the sale of e-cigarettes or vaping devices. The number of violations involving sales of cigars and cigarettes were 2 and 15, respectively, during the same period.

5. Misspent Money

In 2019, Hawaii received an estimated \$160.3 million in tobacco taxes and tobacco settlement payments. In the same year, the state spent only \$4.5 million, or 2 percent on funding tobacco control programs, including education and prevention.[\[6\]](#)

Policy Solution

Electronic cigarettes and vaping devices have proven to be tremendous tobacco harm reduction tools, helping many smokers transition away from combustible cigarettes. Despite recent fearmongering, their use is significantly safer than traditional cigarettes, as noted by numerous public health groups including the Royal College of Physicians,[\[7\]](#) Public Health England,[\[8\]](#) and the American Cancer Society.[\[9\]](#) Rather than restricting their use, and undoubtedly reducing public health gains and millions of dollars in economic output, lawmakers should dedicate existing tobacco funds on programs that actually reduce youth use.

Key Points:

1. Hawaii's vaping industry provided more than \$100 million in economic activity in 2018 while generating 451 direct vaping-related jobs. The national average of sales of disposables and prefilled cartridges exceeded \$11 million in 2016.
2. As of November 13, 2019, HDH has reported four cases of vaping-related lung illnesses. HDH notes two of the patients are adolescents and two are adults and offers no other information. HDH earns a D for its reporting on vaping-related lung illnesses.

3. In 2018, 20.9 percent of Hawaii high school students reported using vapor products on at least one day in the previous 30 days. Only 26.4 percent of Hawaii high school students cited flavors as a reason for e-cigarette use. More data is needed.
4. Only 1 percent of FDA retail compliance checks in Hawaii resulted in sales of e-cigarettes to minors from January 1, 2018 to September 30, 2019.
5. Hawaii spends very little on tobacco prevention. In 2019, Hawaii dedicated only \$4.5 million or 2 percent of what the state received in tobacco settlement payments and taxes

HB-2457-HD-2

Submitted on: 3/7/2020 7:59:27 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 8:07:36 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Costa	Individual	Support	No

Comments:

- 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
- Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

HB-2457-HD-2

Submitted on: 3/7/2020 8:33:59 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jericho Tobin	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/7/2020 8:42:30 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Revell	Individual	Oppose	No

Comments:

As someone who was born and raised in Hawaii I am very disappointed in the actions of our legislators taking away the right to choose from free adults! I am an adult I like flavors! It is my god given right to choose if I want to part take in the use of flavored tobacco, flavored vapor products, or flavored alcohol.

The excuse that teens are using flavored vapor products is not the responsibility of myself or other free Adults! We are not responsible for children breaking the law!

Step up enforcement and punish parents for their children breaking the law! Do not destroy Hawaiian's livelihood by shutting businesses down and harming working families of Hawaii! It is hard enough to make it here in Hawaii and our own government is now attacking small businesses by bans and other nonsense! Please use common sense and punish the people who break the law and those who allow their children to break the law. Do not impose of peoples freedoms and harm Hawaiian owned businesses!

HB-2457-HD-2

Submitted on: 3/8/2020 8:44:15 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Dietrich	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 10:17:00 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Royce Fukuroku	Individual	Support	No

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 10:26:03 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Lau	Individual	Oppose	No

Comments:

The pre-made vape products are safe and helping me to avoid tobacco.

HB-2457-HD-2

Submitted on: 3/8/2020 11:19:43 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

Since their introduction to the U.S. market in 2007, e-cigarettes and vaping devices—tobacco harm reduction products that are 95 percent safer than combustible cigarettes—have helped more than three million American adults quit smoking.

EMMA WHITNEY

PHOTOGRAPHY

To Whom it May Concern,

My name is Emma Whitney, and I am the owner of Emma Whitney Photography. I live in Kula and I am writing you regarding a very important issue, for our community and out keiki.

I am writing regarding the upcoming hearing for the measure HB 2457 I am testifying in STRONG, and UNYIELDING SUPPORT of HB 2457.

For me, it is inconceivable that this is even a question on the table, for the facts regarding the harm of tobacco are undeniable. The use of candy flavors to directly target children, are reprehensible and as undeniable. When I was coming of age, in the 80's and 90's, tobacco manufacturers used menthol tobacco to do this, and it worked. This is the cigarette that my friends chose, because it tasted minty.

The tobacco industry is depending on our lifelong addiction, for their monetary security, so it is no surprise that they are scared, for when the true nature of the addiction and health impacts, came to light, the number of smokers hit record lows. To now use flavors that mirror sugar children's candies, to gain new smokers, reaches a whole new level of low! This tragic and disgusting and it is only hurting our children and our community.

It should alarm you, that 42% of all High School students, and 27% of Middle School students have tried these products. Of course, they have! Candy flavored anything, is appealing. All of these children are at an enormous risk for long term, severely detrimental, and terminal health issues.

These products do not help people quit, as they are touted. Instead, children are picking them up and getting hooked. By choosing to sell these products, we are contributing to the inevitable long term harm of these children.

Please, protect our children. No one needs candy flavored tobacco.

Mahalo for doing right by our community.

Aloha,
Emma Whitney

HB-2457-HD-2

Submitted on: 3/8/2020 12:13:19 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Individual	Support	No

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 12:41:56 PM

Testimony for CPH on 3/11/2020 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, and 42% of Hawai'i high school students trying e-cigarettes, we have an urgent need to act. With over 15,500 flavors on the market, restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

[HB 2457](#) will remove the thousands of fruit and candy-flavored tobacco products and e-liquids that are addicting our keiki.

HB-2457-HD-2

Submitted on: 3/8/2020 1:23:41 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ASHLEY MATTOS	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 1:23:59 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

Aloha Board. Please OPPOSE Bill HB2457 I Believe if you support BILL'S ON POSSESSION which means people under the age of 21 will be faced with legal action while in possession of any Cigarettes or Electronic Devices is the ANSWER not a BAN OR RAISING TAXES ON VAPING PRODUCTS. SO PLEASE OPPOSE THIS BILL.

Thanks for your time.
Valentino Miranda-Kepa

HB-2457-HD-2

Submitted on: 3/8/2020 1:39:41 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Kim	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 1:40:34 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erin Alicia Wiggins	Individual	Oppose	No

Comments:

Date: March 8, 2020

To: The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Members of the Senate Committee on Commerce, Consumer Protection and Health

The Honorable Michelle N. Kidani, Chair
The Honorable Donna Mercado Kim, Vice Chair
Members of the Senate Committee on Education

Re: **Strong Support for HB2457 HD2**, Relating to the Youth Vaping Epidemic

Hrg: March 11, 2020 at 9:00 AM in Capitol Room 229

Aloha Senate Committees on Commerce, Consumer Protection and Health and Education,

As a parent, educator and healthcare professional, I am writing in **strong support of HB2457 HD2**, which bans the sale of flavored tobacco products; prohibits mislabeling of e-liquid products containing nicotine; and establishes fines and penalties for violations; requires the Department of Education to establish a safe harbor program by which persons under 21 years of age may dispose of electronic smoking devices in their possession; requires public school teachers and educators to confiscate electronic smoking devices; increases fines for the purchase or possession of tobacco products and electronic smoking devices by persons under 21 years of age; authorizes a court to impose, as a penalty on a person 18-21 years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine.

Hawai'i is in the midst of an unprecedented youth vaping (nicotine addiction) epidemic and has one of the highest rates of youth e-cigarette use in the nation. With ultra-potent nicotine salt e-liquids available in a multitude of sweet flavors, these products are highly attractive to, and pose a huge risk of addiction and life-long impaired brain development for, our youth.

The reality is, **flavors hook kids**. 97% of youth in Hawai'i who use e-cigs vape flavored products, including mint and menthol. Menthol is a chemical found naturally in mint plants that is added to many tobacco products and e-liquids to reduce the throat burn caused by inhaled nicotine and to increase satisfaction with smoking and vaping, compounding the addictive nature of nicotine-containing products.

In research comparing vaping patterns, kids who use flavored products puff deeper and more often than when vaping unflavored products. And, more than 80% of kids who use flavored e-cigs say *they wouldn't vape if flavors were unavailable*.

Tobacco industry proponents will say that flavored e-cigarettes should remain available to help smokers quit combustible tobacco cigarettes. The reality is that **for each adult who tries to quit smoking with e-cigarettes, 81 kids who use e-cigs will become**

daily tobacco cigarette smokers.

Under the HB2457 HD2 flavor ban, unflavored and tobacco-flavored e-cigarettes would remain available for adult cigarette smokers seeking to use e-cigs to quit smoking. Research finds that youth are not attracted to unflavored or tobacco-flavored e-cigs.

HB2457 HD2 strongly promotes factual labeling of e-liquids to make it more likely that both adults and youth will be easily able to determine if a product contains the highly addictive drug, nicotine. This is particularly important for youth, many of whom are unaware that most e-cigs and e-liquids contain nicotine, and, the products most popular with kids contain ultra-potent nicotine salts.

I applaud the safe-harbor measure that provides encouragement for underage users to surrender e-cigs and e-liquids for safe disposal.

I oppose penalizing youth who are the victims of sophisticated tobacco/vape industry efforts to entice kids to vape and get hooked on nicotine.

Independent research finds that penalties on youth for purchase, use, or possession (PUP) have been shown to not reduce youth tobacco/nicotine use. As an unintended consequence, PUP laws can stigmatize tobacco/nicotine use and deter addicted youth from seeking help to quit.

Through advertisements aimed at youth, a vast offering of sweet flavors that appeal to kids and other youth-targeting means, the *unregulated vape industry* is responsible for starting and fueling the youth vaping epidemic. This industry, due to predatory marketing tactics targeting our kids, should be held accountable through regulations, rather than punishing youth who are the nicotine-addicted victims.

Teachers already have the *ability* to confiscate electronic smoking devices, if needed. This bill unfairly places the burden of enforcement on public school teachers by *requiring* them to confiscate e-cigs, rather than establishing policies to more effectively regulate the irresponsible tobacco/vape industry.

Proven policies to reduce youth tobacco/nicotine use, include reducing access to tobacco products, increasing prices of tobacco products, tobacco prevention and education programs in schools, and increased enforcement of tobacco sales restrictions.

I strongly support HB2457 HD2, respectfully ask you remove fines and the *requirement* for teachers to confiscate e-cigarettes, and to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Kea'au, HI

HB-2457-HD-2

Submitted on: 3/8/2020 1:49:26 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Riley	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 2:03:24 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Monique gunn	Individual	Support	No

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 3:37:17 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jill Stensrud	Individual	Support	No

Comments:

I am writing in strong support of HB2457 HD2, RELATING TO THE YOUTH VAPING EPIDEMIC.

With news reports that e-cigarette companies like Juul bought ads on Cartoon Network, Nickelodeon and other children's web sites, it's impossible to believe claims that they are not targeting our kids. The New York Times: Juul Bought Ads Appearing on Cartoon Network and Other Youth Sites, Suit Claims The case, brought by Massachusetts after a lengthy investigation, presents some of the strongest evidence the vaping company was marketing to teenagers. <https://www.nytimes.com/2020/02/12/health/juul-vaping-lawsuit.html>

The latest craze, Puff Bars, come in 24 sweet flavors like Lychee, Mango and Lush ICE. I see these disposables vape devices and knockoffs littering parks and sidewalks around schools. They are cheap, come in brightly colored packaging and are often displayed right next to candy at gas stations and convenience stores. Not targeting kids???

While there may be multiple devices our kids are using to vape, there is one common factor, flavors. Enough is enough, please end the sale of all flavored tobacco including e-cigarettes to protect our keiki. Thank you for your support.

I am submitting written testimony in support of HB2457 to Prohibit the Sale and Distribution of Flavored Tobacco Products. As a long-time pediatrician on Kauai, I have been very discouraged by the rise in the use of vaping products among intermediate and high school students. Others of my patients complain that they are unable to use the rest rooms in school due to the widespread vaping done in the bathrooms. This is particularly disheartening after all of the extensive and successful efforts of the past 20 plus years to cut down on teen smoking.

It is well-established that youth are attracted by tasty flavors and clever colorful packaging of e-cigarette products. This is a deliberate strategy by tobacco companies to mislead teens as to the “risk-free” nature of these products. Local tobacco manufacturers have resorted to flavors such as Hawaiian Sweet Rolls, Halawa Guava, and Hawaiian POG, among others. Over 80% of young people who use vaping products begin with flavored liquids. In addition, another fact well-known to the public health community is that lower income smokers, especially Hawaiians and Pacific Islanders, start with and continue smoking menthol cigarettes. Cigarette companies are well-aware of this phenomenon and target these groups specifically with menthol advertising. In effect, flavored and menthol tobacco products are starter drugs, as nicotine is one of the most addicting substances.

It cannot be stressed enough that vaping products contain much higher nicotine concentrations than cigarettes, yet another strategy to hook vulnerable teens and maintain the nicotine dependence. E-cigarettes are marketed as a “tobacco cessation” product, but in fact are even more highly addictive and toxic than cigarettes and are manufactured to assure more and more need for the addicting nicotine in the vaping liquid. Smokers who believe they have “quit smoking” are only exchanging one poison delivery system for another.

In summary, there are no redeeming reasons for allowing flavored and menthol tobacco products, and many to make them illegal. It is time to protect our keiki from deadly substances and stand up to the tobacco industry. I implore you to vote for HB2457.

Linda Weiner, MD
Pediatrics, Kauai

Testimony Presented Before the
Senate Committee on Commerce, Consumer Protection and Health and Senate and
Senate Committee on Education
Hearing Date: Wednesday, March 11, 2020

HB 2457 - Relating to Vaping

Chair Baker, Chair Kidani, and Members of the committees:

I am writing in **strong support** of HB2457. I understand that 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.

We have to stop kids from getting hooked on these dangerous products.

As a physician, I believe that preventing kids from vaping is

Thank you for the opportunity to provide testimony.

Kelley Withy, MD, PhD

HB-2457-HD-2

Submitted on: 3/8/2020 5:42:17 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
austin carvalho	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 5:54:09 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Clayton Silva	Individual	Oppose	No

Comments:

The bill is totally not fair.

STRONG SUPPORT for HB2457

FOR OUR KEIKI'S CURRENT & FUTURE HEALTH

THANK YOU for this opportunity to impact the health and welfare of Hawaii's children and citizens, and your civic contribution to protect us from unwarranted and dangerous products.

I am a **state teacher**, retired, and have seen first-hand 3rd, 4th and 5th graders, and middle schoolers', use, transport and share vape devices and the proven, harmful e-nicotine concoction. PLEASE regulate this predatory nicotine industry now, DO NOT burden school staff with enforcing keeping dangerous objects out of children's hands. Parents were not able to!

I am a **voter, constituent, taxpayer** and feel Hawaii's Legislature can and should PROTECT kids and hold this corporate-for-profit purveyor of the drug nicotine accountable by regulating products OBVIOUSLY marketed to kids and young adults, including my 40-year-old neighbor! These nicotine devices sensationalize marketing (i.e., "unicorn tears", "cookie monsta"). In addition, the flavor menthol also needs to be included--science proves it does not have any beneficial qualities (aka 'cool the throat') and was historically marketed to women, communities of color, and NOW more minorities, especially Pacific Asian, use menthol in their vaping devices. Prevent this menthol-flavored-nicotine addiction NOW!

I am a **concerned citizen working toward social justice** in our community. EDUCATE, not CRIMINALIZE is the answer for youth possessing vape devices. IT'S BECOME EPIDEMIC with 25.5% of high schoolers vaping regularly, sharing with other kids..... WE NEED MORE REGULATION because surveys showed only 4.7% of adults in Hawaii currently use e-cigarettes..... Don't let these kids start (enticed by flavors), kids vaping or smoking (continue due to physical addiction, serious withdrawals and earlier people start using nicotine, and longer they will buy and use nicotine products), and STOP AT THE STATE LEVEL the corporate funnel providing these lung-tissue-killing e-cigarettes to kids in low-income families and rural areas where youth tobacco use is the greatest in Hawaii.

Flavors, including menthol, used with vaping devices are NOT PART OF FDA-approved smoking cessation program!!! Adults, and now some children, need quality, effective nicotine cessation but LET'S AT LEAST STOP THESE AGGRESSIVE AND MANIPULATIVE MARKETING PRACTICES WITH AN INDUSTRY THAT IS ONLY FOR-PROFIT from the physical and compulsive harm of young and older people in Hawaii.

Mahalo, and be Pono now! Laurie Tanner, Educator/Author, Kihei, HI 96753

HB-2457-HD-2

Submitted on: 3/8/2020 8:05:23 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
CLINT GIMA	Individual	Support	No

Comments:

As a high school teacher, I know teen vaping is already an epidemic. What is attracting teens to vape is the candy flavors ecig companies offer. Stopping the sale of these flavors is one way we can deter kids from vaping. I have a former student already addicted to nicotine and she says she is constantly increasing the amount of nicotine in her ecig just to avoid headaches. She started vaping in high school because she was attracted to all the different candy flavors.

Her story, unfortunately, is not uncommon. Is this the legacy you, as someone who has the power to prevent this, want to leave our youth. This is a no-brainer. Do the right thing.

Thank you,

Clint Gima

HB-2457-HD-2

Submitted on: 3/8/2020 5:54:09 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Clayton Silva	Individual	Oppose	No

Comments:

The bill is totally not fair.

HB-2457-HD-2

Submitted on: 3/8/2020 10:37:07 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Mih	Individual	Support	No

Comments:

As a pediatrician and medical director of the Kapi'olani Smokefree Families Program, I strongly support this bill, which prohibits the sale or distribution of flavored tobacco products, including flavored e-liquids and menthol cigarettes.

The American Academy of Pediatrics has strongly supported elimination of flavored tobacco products, including menthol. These products have been shown to be disproportionately used by young people, especially teenagers, as the menthol and other flavors make it easier to start using tobacco and nicotine.

These products are targeted towards our keiki with flavors such as mango, bubblegum, gummy bear, and pineapple. The tobacco corporations have intentionally included menthol, which provides a soothing, cooling effect similar to that in cough drops. Menthol reduces the harsh irritation to the lining of the nose, mouth, and airways, which allows smokers and vapers to inhale more easily. This makes it much easier for young people to initiate tobacco use. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

Hawaii has one of the highest rates of middle schoolers (16%) and high schoolers (26%) currently using e-cigarettes—it is twice the national average. Nicotine is a highly addictive drug that impacts the adolescent brain, reducing impulse control and affecting mood. Those who use e-cigarettes are four times more likely to smoke regular cigarettes later on. The e-cigarette industry claims these are cessation devices, but a recent study has shown that even if one adult can quit with these devices, the trade-off is 81 young people who will start the habit in their place. This is completely unacceptable.

Once young people are addicted to nicotine, it is extremely difficult to quit. By eliminating these products from Hawaii, we have the chance to improve the health of many, especially of our keiki.

Please also consider a revision to hold tobacco and e-cigarette companies responsible for this problem. They hope to shift the blame from this billion-dollar industry onto the young people that they have targeted with their deadly and highly addictive product. Comprehensive tobacco retailer licensing policies place responsibility on retailers rather

than young consumers. With appropriate funding and enforcement, these retailer licensing policies have proven more effective in reducing youth initiation of tobacco and nicotine.

On behalf of the keiki and young people of Hawaii, I urge you to support this bill.

Mahalo for your consideration and support of this important measure.

HB-2457-HD-2

Submitted on: 3/9/2020 5:28:35 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin Mills	Individual	Support	No

Comments:

Hawaii is in the middle of a youth vaping epidemic; 42% of high school students report trying vapes. A majority (8 of 10) start with flavored products. We need to protect our youth from these harmful products so they can grow healthy. As a parent and health educator, I am in strong support of banning flavored tobacco products.

HB-2457-HD-2

Submitted on: 3/9/2020 7:26:06 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Robello	Individual	Support	No

Comments:

To whom it may concern,

My name is Crystal Robello and I stongly support HB2457, the ban on flavored tobacco. I've been raised around smokers all my life, and it is a deadly and addictive habit. I have had to endure the suffering of second hand smoke and also watch the ones I love suffer too. Flavored tobacco highly captivates a younger audience because the temptation is even greater for them. Some know that it is harmful to their health, but other youth just think it's fun because of the flavor. They do not realize the harmful effects it has on their bodies and that they will eventually suffer too. Flavored tobacco should not be allowed due to the harms smoking posses in our community. Please take my testimony into consideration as I stongly support HB2457. Thank you for your consideration.

Sincerely,

Crystal Robello

Community Engagement

HB-2457-HD-2

Submitted on: 3/8/2020 11:40:55 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lauralee Baoy	Individual	Support	No

Comments:

I support HB 2457. I work for Parents And Children Together in the Community Teen Program which services the youth 5 years to 18 years of age in the KPT community, and Kalihi surrounding areas. I have noticed an increased use of vapes by our youth primarily because of the allure of the flavors that these vapes include such as grape and cotton candy. I have seen a youth as young as 6 years old using a vape because he thought it was cool because he saw other kids doing it and he told me himself that it tasted good. We need to stop this from happening to our youth. Access needs to be more heavily restricted and those who are providing access to these products should be fined more heavily. I agree that the department of education teachers and staff should be given the authority to confiscate vape products from youth and believe that youth found in possession should be able to receive vape cessation education and support in school in lieu of suspension or detention. Let's make it more difficult for our youth to get hooked on these products that are highly nicotine addictive by banning flavors that increase the allure and curiosity to use.

HB-2457-HD-2

Submitted on: 3/9/2020 8:02:05 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

HB-2457-HD-2

Submitted on: 3/8/2020 11:50:52 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cyd L. Hoffeld	Individual	Support	No

Comments:

Aloha Senate Committees on Commerce, Consumer Protection, and Health, and Education:

My name is Cyd L. Hoffeld and I am the health promotions manager for a large community health center on Hawai'i Island. One of my duties is to teach health education in schools and I **strongly support HB2457 HD2.**

Recently, I attended the HSTA Teachers Institute Day for East Hawai'i at Kea'au High School. While there, I had the opportunity to hear the stories of many teachers and other HSTA members regarding the way vaping products have affected their lives through the experiences of their students and their own children.

Many teachers and counselors shared their stories with me and I would like to share one teacher's story about her sixteen year old son. He has asthma and maybe because of curiosity, peer pressure, or from thinking it was a harmless candy flavored product, he tried vaping. When he did it triggered a life threatening asthma attack and his mother had to rush him to the hospital emergency room for treatment.

The cost to him was the inability to breathe freely and the potential for a lifetime of nicotine addiction. The cost to his mother was a \$100.00 emergency room copay. Youth and their families are paying the price for these candy flavored products that are advertised as "harmless" and a better "safer" way to quit smoking cigarettes while vape shops and the tobacco industry are raking in millions of dollars as they ride this pina colada, mango madness, unicorn blood, and cotton candy wave of nicotine laced candy and fruit flavored e-juices that hook kids.

Let's put the responsibility back on the industry that target our youth who are already paying the price and will continue to pay the price if this epidemic isn't stop. We all understand and know that this industry survives and thrives on new users...the younger the better because they are the future consumers of these quickly evolving nicotine delivery systems.

I **strongly support HB2457 HD2** and pledge to continue to provide our youth with the highest quality health education. Please make a pledged to hold the industry

accountable through strong regulations that protect our youth who fall prey to predatory marketing of addictive candy flavored products.

Mahalo for the opportunity to testify on this very important bill.

HB-2457-HD-2

Submitted on: 3/9/2020 8:04:50 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 8:35:09 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

Since their introduction to the U.S. market in 2007 , e-cigarettes and vaping devices and tobacco harm reduction products that are 95% safer than combustible cigarettes have helped more than 3 million american adults quit smoking.

HB-2457-HD-2

Submitted on: 3/9/2020 8:50:53 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
mary santa maria	Individual	Support	No

Comments:

Please pass HB2457 that will ban all flavored tobacco products. We know that 81% of youth who start smoking do so with flavors. The industry has targeted our youth, especially in Hawaii, with exotic flavors in the electronic cigarette juices. The nicotine in these juices hooks them on the products. PLease make it easier for youth to say no. Without the flavors this stuff taste junk!

Mahalo

Mary Santa Maria

Makawao Hawaii, 96768

Senator Rosalyn Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Commerce, Consumer Protection, and Health Committee

Senator Michelle N. Kidani, Chair
Senator Donna Mercado Kim, Vice Chair
Members of the Education Committee

Monday, March 9, 2020

Strong Support for H.B. 2457, Relating to The Youth Vaping Epidemic

My name is Ashley Choo and I am a student at the University of Hawaii at Mānoa. As a Public Health major, I have focused on examining the long term health effects of vaping, specifically in underage populations. As a student, I have seen firsthand, the damaging effects nicotine containing products has caused to my peers both mentally, physically, and socially. I strongly support H.B. 2457, Relating to the Youth Vaping Epidemic which would ban the sale of flavored tobacco products and prohibit the mislabeling of e-liquid products. However, I recommend the following amendment regarding the establishment of fines and penalties for minors.

Nicotine products that look to mimic fruit or candy flavors appeal to underage populations. More than 80% of youth who use tobacco products started with flavored products and more than half of youth smokers use menthol cigarettes. These are the results of aggressive marketing tactics from big tobacco companies targeting adolescents. We cannot hold minors accountable for being victimized by companies that look to institute a lifetime of addiction in such vulnerable populations. Therefore, it is unjust and discouraging to implement such fees and penalties on youth. It is important to hold tobacco companies accountable for the prevalence of underage usage. Penalties to minors who are simply curious and unaware of the health risks posed to them may further hurt youth and send a wrong message to tobacco companies allowing them to continue their duplicitous ways. Therefore, I respectfully urge the committee to amend portions of the bill pertaining to penalties for youth.

Nicotine is a highly addictive substance that alters neurotransmitters in the brain. Allowing the exposure of such harmful chemicals to adolescents' continually developing brains is detrimental to the productivity, physical well-being, and mental state of the individual. It is

important to take measures that would prevent the initiation of e-cigarette usage such as that of implementing a flavor ban, and regulating mislabeled tobacco products that this bill proposes

It is evident in recent news the health effects e-cigarettes have caused. Individuals have suffered from various respiratory illnesses and pulmonary complications that have been linked to the usage of e-cigarettes. It is important to take the necessary measures to promote the cessation and decreased initiation of e-cigarette usage. Taking action now to restrict access to flavored tobacco products will prevent a lifetime of addiction for our youth. I respectfully urge the committee to pass H.B. 2457, and note the proposed recommendation. Thank you for the opportunity to testify.

Bernadette Dario Fajardo
94-404 Punono Street
Mililani, HI 96789

The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Bernadette Fajardo, and **I support HB2457, Relating to the Youth Vaping Epidemic.** I am the immediate past president of the Filipino Women's Civic Club Foundation, and have served as president of the Filipino Business Women's Association, Filipino Chamber of Commerce of Hawai'i, and the Candonians of Hawai'i.

As a leader in the Filipino community, and as a wife, mother, and grandmother, I am very concerned about the health of the next generation. Statistics have shown that Hawai'i has the highest reported vaping rate among middle schoolers (15.7%) and the second highest vaping rate among high schoolers (25.5%) in the nation. This is unacceptable.

Our young people are being preyed upon by big tobacco companies who are using flavors such as mango, lychee, *ube*, and more. These flavors are designed specifically to appeal to the younger demographic, and have lured in too many of our young *kababayans*. Studies show that these flavors make it much more likely that users will move onto other tobacco products: more than 80 percent of who have used tobacco started with a flavored product such as e-liquids or nicotine pods.

I am also concerned that within the Filipino community, too many of our young people are falling victim to social pressures to vape. They perceive it as "cool" or "safe," when in reality it is neither. A California study found that among Filipino youth, 86% of e-cigarette users began because their friends started to vape. The same study also found that Filipino youth were vaping at twice the rate of their other Asian American peers.

Something must be done, and so on behalf of my family and the Filipino community, **I urge you to pass HB2457, Relating to the Youth Vaping Epidemic, and other measures aimed at curbing the e-cigarette epidemic among our youth.**

Sincerely,


Bernadette Fajardo

HB-2457-HD-2

Submitted on: 3/9/2020 9:43:38 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Owens	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 9:51:37 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jaesha	Individual	Support	No

Comments:

I support the ban of flavored e-juice or flavored tobacco products. In reality tobacco kills more people than car accidents, AIDS, homicides, and alcohol combined. This statement makes a whole lot of sense if you think about it, from a young age we were educated on pretty much everything from sex-ed, alcohol use, and misconduct. But I don't recall ever being properly educated on tobacco/nicotine. There are so many harmful chemicals that compose cigarettes and vapes that are masked by flavors that make these deadly chemicals more appealing, especially towards younger generations. Such as smurf cake, honeydew, unicorn blood, tutti frutti, fruity pebbles, melon twist, and so much more. 15,500 flavors and counting all targeted towards the people who are easily influenced by marketing. A.K.A youth. The Vaping and flavored tobacco industries know how easily influenced they are, so they try to disguise the toxicity of their products either by their tasty flavors or the suggestion that smoking their product is "cool". They are okay with the fact that the youth are ingesting their products, might as well allow them to drink chemicals straight from the bottle. It'll probably kill them faster than vaping and slowly dying. I thoroughly support the ban of e-juice or flavored tobacco products because it's an unnecessary deadly product that has gruesome impacts that will only continue to grow if it isn't stopped sooner than later.

HB-2457-HD-2

Submitted on: 3/9/2020 9:52:00 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaiola Lingaton	Individual	Support	No

Comments:

I support the ban of flavored e-juice and flavored tobacco products because nicotine affects teens health in the future. As teens grow up they start to have health problems like lung disease. I don't want my younger siblings and cousins to be smoking all because of the appealing flavors to have popcorn lungs or even lung disease in the future. I don't want to see my family members or friends smoking very dangerous chemicals. Lots of young teens and young adults are dying because of vaping. Would you want your family members or friends dying from vape or tobacco products?

HB-2457-HD-2

Submitted on: 3/9/2020 9:53:03 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cody Relacion	Individual	Support	No

Comments:

I support the ban because nicotine isn't good for you. Nicotine affects your memory, attention, concentration, cognition, and impulse control. Also vaping will damage your lungs and mouth. From vaping you can get popcorn lungs and by holding the smoke in to do tricks you can get sores in your mouth. I also support this ban because I don't want any of my family members to be doing it and they end up dieing or in the hospital.

HB-2457-HD-2

Submitted on: 3/9/2020 9:54:06 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessie Jacinto	Individual	Support	No

Comments:

I support the ban of flavored tobacco and e-juice because all the chemicals in the tobacco. Products like ambergirs (whale vomit), urin (dog pee), castoreum (beaver anal gland oil) these are some things that are put in cigarett. E-juice and their flavors Target the younger generation the nicotine hooke's them in and fries their brain cells making them want more and more. I would not like my nieces and nephews to get addicted to nicotine in these products i don't want their health to decline from these products.

HB-2457-HD-2

Submitted on: 3/9/2020 9:54:33 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carter Sharon	Individual	Support	No

Comments:

I support the ban on the sale of flavored vape juice. I support the ban, because I have seen first hand the effects teen vaping can have on a family. I know from experience that less teens will vape if flavored juice is not available. The chemicals used for the flavors are harming the youth of our country. The big companies are making loads of money off of these unsuspecting victims. We need to stop being selfish and start making changes.

HB-2457-HD-2

Submitted on: 3/9/2020 9:56:58 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kahale Kaleiohi	Individual	Support	No

Comments:

I support the ban of flavored e juice because there are too many kids nowadays vaping and trying these products. And these vaping companies are targeting little kids in elementary and middle school with all these different flavors. I mean there are over 15,000 different flavors and little children are very curious about these things. And since they are so curious they'll try it and their brain isn't fully developed yet so it's easy to persuade a little kid. For instance you take your kid to the doctor to get their shots and they don't want to take the shot so you bribe them by telling them that you'll get them sweet treats like, ice cream,McDonalds, and etc...

HB-2457-HD-2

Submitted on: 3/9/2020 10:31:34 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cyrus Howe	Individual	Support	No

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 10:44:09 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea	Individual	Support	No

Comments:

3/9/2020

Dear Members of the Committee,

My name is Andrea Snow, and I live and work on Maui. I lost my grandfather and aunt to lung cancer, so I understand how smoking and lung disease devastates families. My grandfather was so addicted to nicotine, he continued to secretly smoke after having part of a lung removed. He started by smoking menthol cigarettes at age 12, back in the day before we had the research showing smoking causes cancer.

I often go into schools to speak with students about taking care of their health. It is devastating to hear that many of the young people I see are already addicted to nicotine, and thereby tobacco, through the use of flavored electronic vaping devices.

Some troubling facts:

- 81% of youth who ever used tobacco products started with a flavored product**
- 97% of youth who vape say they use a flavored product**

I am in support of HB2457, because vape and tobacco products should not be flavored to appeal to children. We need to stop this addictive product from being marketed, priced and consumed like candy bars. Menthol is especially attractive to young people. 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 (Source: Hawaii BRFSS, 2008).

Banning flavors and taxing tobacco products are proven strategies to reduce youth initiation. The vast majority of youth who vape start with menthol or flavored products. These may taste good and sound harmless, but they are a drug and are incredibly addictive. Some vape pods gives kids doses of nicotine equivalent to 40 cigarettes worth, ensuring they are hooked.

Please pass HB2457 to ban flavored tobacco and vape products to stop kids getting addicted to nicotine now, before another generation faces the consequences.

Thank you,

Andrea Snow

61 Kapuai Rd.

Haiku, HI 96708

HB-2457-HD-2

Submitted on: 3/9/2020 10:47:44 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Miriam Mendoza Martinez	Individual	Support	No

Comments:

My name is Miriam Mendoza Martinez and I am a student at Konawaena High school. I am in favor of this bill which bans the sale of flavored tobacco in Hawaii. The tobacco consumption rates on this Island are extremely high. Today the youth is suffering due to the marketing of these products because they appear just like our favorite candy flavors. Just at my school alone many teens vape in the bathrooms and even in classrooms around other students making it seem cool when maybe they're just that addicted or hooked up to the nicotine that it is very hard to just spend a few minutes without vaping. Additionally, teens are now hanging out in the bathrooms vaping for whole class periods so this is not only affecting their health but affecting their education. As part of my coalition I support this ban because I have seen people that want to quit and it is extremely hard to quit. These products are causing severe health issues throughout our island and even nation wide. Also, I have seen and talked to many people that want to stop especially with all the recent deaths but can't because they need help and also sometimes they're parents don't even know what they are going through so they don't have the emotional support to quit making it so hard for them. Overall, Hawaii should ban the sale of flavored tobacco products because it is taking control of many people especially the youth affecting their lives in many negative ways there are no benefits with these harmful products to society so why should we keep them if all they do is cause more and more harm.

HB-2457-HD-2

Submitted on: 3/9/2020 10:49:08 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

The honorable Donna Mercado Kim

Hawaii State Senate

Dear Senator Kim,

I would like to share my life long history as a smoker. I'm 61 years old and recently had a Carotid Endarterectomy to remove a large piece of plaque lodged in my artery. This plaque build up is a result of smoking since I was a teenager. I have arterial disease that requires I quit smoking or risk premature death.

Quitting smoking is without a doubt the hardest thing I've ever done. Without the ability to vape, it wouldn't have been possible. Like anyone else, I want the experience to be pleasant. If not for the various flavors available I wouldn't have had success, nor would I continue to be smoke free without those options. It's a substitute that isn't as satisfying as smoking, but it's tolerable when the flavor is suited to my particular taste.

I definitely agree that kids shouldn't have access to vaping supplies. It was no different for us when we were young & wanted to smoke. But, it wasn't illegal for me to purchase cigarettes all those years ago as it is now. The responsibility should be on the shop owners and parents to see that kids aren't allowed to purchase these products.

Having said that, you can ban flavors for all of us, but it can be made at home by purchasing the necessary ingredients online. I wouldn't want kids doing that for fear of contamination. Kids are resourceful & they will find a way if that's their intention. I would be concerned about their experimentation with "added" ingredients.

The long and the short of it is this bill will hurt smokers trying to quit more than punish the youth and therefore should not become law.

Thank you for listening,

Michele Borland

1577 Onipa'a Street

Honolulu, HI 96818

[808-927-1461](tel:808-927-1461)

HB-2457-HD-2

Submitted on: 3/9/2020 10:55:44 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mayra	Individual	Support	No

Comments:

Hi my name is Mayra Mendoza and I'm a Junior at Konawaena High School. I strongly support the ban of flavored tobacco in our state because it is affecting so many individuals and they have no idea what it's doing it to them. Im concerned about the people who use flavored tobacco to be cool because it is really not and they are doing it because they know people who do it. Also, some people want to use it to stop smoking cigarettes but it is worse, and it is not helping them at all. Even people who don't use flavored tobacco are being affected because of second hand smoke and that is what hurts me the most because they are just random people who shouldn't suffer the consequences that other people are causing. I wouldn't want any of my little siblings or my family to be around those environments and that is why I am advocating against flavored tobacco. Even at my school I see vaping constantly and it is getting way out my hand. Bathrooms are getting closed down, and people who are at the wrong place at the wrong time are getting punished for things they didn't even do. So overall, I would like for this bill to get passed because it is really important for it to get passed. Lots of people would benefit from this and we would all be healthier. I wholeheartedly support this bill because it will do no harm, it would only help everyone in our society and cause better habits in our lives.

HB-2457-HD-2

Submitted on: 3/9/2020 11:02:13 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
April Pacheco	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 1:12:13 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jessa	Individual	Support	No

Comments:

Hello! My names Jessa S. :). I'm from Hana, Maui which is on the eastside of the hawaiian island Maui. I'm 13 years of age and a 8th grade student. My reason for this is to tell u my opinion on Why tobacco products shouldn't target youths. I think tobacco products shouldn't target the youth because if this targets our youth it could change their future, which when they get into society they can change other peoples future. Such as if they get too addicted to tobacco at a young age such as 13-18 years old they wont be doing as well in school which when they get older they won't have a much of a future they could be proud of. The kids these days see ads on how these products are ok for them to use. Such as the people that make these products as everyday looking objects. Like office supplies, children juice boxes, jacket strings, and etc. So with this said I would want these kids to have a better future by not using these "products" and live a healthy non tobacco life.

HB-2457-HD-2

Submitted on: 3/9/2020 1:14:02 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kaimana	Individual	Support	No

Comments:

i was forced against my will to testify

HB-2457-HD-2

Submitted on: 3/9/2020 1:14:30 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kawelo	Individual	Support	No

Comments:

I am an 8th grader at hana school and i think that youth vaping ia very bad because it causes a lot of problems with your body.

HB-2457-HD-2

Submitted on: 3/9/2020 1:12:51 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kainalu	Individual	Support	No

Comments:

i was force against my to testify. iam an 8 th grader from hana high and elementary school

HB-2457-HD-2

Submitted on: 3/9/2020 1:20:20 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Deslyn	Individual	Support	No

Comments:

Im a 14 year old student from Hana and im against youth vaping because it can affect there health at a young age, it can affect the way they live in the future and the many things they have ahead of them.

HB-2457-HD-2

Submitted on: 3/9/2020 1:24:36 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
julian	Individual	Support	No

Comments:

Hi, I am a student at Hana School. Im a 8th grader and I am writing to you tell you that you need to make a decision that will save us from poor health. I want you to end the sale fo flavored tobacco products so that student like me do not get a hand on those products. I see that it is a problem here at our school with student, getting in trouble for using them. So if you stop it from being made, it will make us have a better life in the future. Make that decision in ENDING SALES OF ALL TOBACCO PRODUCTS.

Mahalo,

Julian

HB-2457-HD-2

Submitted on: 3/9/2020 1:10:40 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kawaiolaakealoha Sanita	Individual	Support	No

Comments:

Hi I am Kawaiolaakealoha Sanita a 8th grade student ant Hana High and Elementary School. I'm here to say that tobacco products are very bad for not just minors but also adults to. Vapes, weed, cigerets ec. are all very bad and for your phycical and metal health. I know the side affects that affect minors and adults. Smoking weed can sometimes cause certian peopls brain to react differently which can cause depression and suicidal thoughts. "Marijuana use has also been linked with depression and anxiety, and with suicidal thoughts among teens" says the Center for Disease Control and Pervation. What I read from them tells me that smoking can really harm everyone espesally teens. We as a comunnity need to stop tobacco and drug abuse for our generation.

HB-2457-HD-2

Submitted on: 3/9/2020 1:20:59 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ekolu	Individual	Support	No

Comments:

Aloha,

I am a 8th grader her at Hana School. I would really want you to banned all of the products that has to do with vaping. You guys have the power to stop these products before it ever gets into the hands of us students. Having these product out on shelves for adults to buy it for us students is wrong. Help take it out of the hands of us students by not having it made at all, I see that this is a issue here at school. Parent by it and some how their child get a hold of it and use it. So if adults are not responsible enough then it should not be made.

Thank you,

HB-2457-HD-2

Submitted on: 3/9/2020 1:10:07 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
mahea	Individual	Support	No

Comments:

I am an 8th grade student. Smoking is bad in general but its even worses for kids. Smoking at a young age is very bad because your brain and body or still growing and it couol effect your growth. Also it is very bad for your lungs and heath in general. It is very addictive and it is hard to stop smoking .

HB-2457-HD-2

Submitted on: 3/9/2020 1:09:05 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jacob pu	Individual	Support	No

Comments:

am a 8th grade student. i think tobaco products are bad for kids because they have different kinds of flavers that are adicting to kids.

HB-2457-HD-2

Submitted on: 3/9/2020 1:24:41 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
william	Testifying for hana high and elementary	Support	No

Comments:

I a child of the youth of a small town of hawaii called hana, want the ban for liquid vapes for it effects my school and my community

HB-2457-HD-2

Submitted on: 3/9/2020 1:09:38 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Zoe	Individual	Support	No

Comments:

Hello! My name is Zoe and I'm a the grade student. I believe vaping products shouldn't be targeted at youth. If kids see adds that their interested in they are possible to get it and may not even know what they're doing. They don't know the risks or affects. Vaping and nicotine could change the course of their lives and not for the better. These kids aren't fully developed and this will mess them up even worse than if they were adults. Some affects kids could get by vaping is slow brain development, affect memory, concentration, learning, self-control, attention, and mood increase the risk of other types of addiction as adults. Having big companies affect the next generation like this should stop.

HB-2457-HD-2

Submitted on: 3/9/2020 1:30:17 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Winters	Individual	Oppose	No

Comments:

Standing on my testimony in strong opposition

HB-2457-HD-2

Submitted on: 3/9/2020 1:25:39 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
seaena	Individual	Support	No

Comments:

My name is Seaena, im in 8th grade and i think tobaco companies should not target students or young children like us teenagers because tobaco products are bad for our health.Also it could hurt or kill us teenagers because our bodies are still developing,and with all the chemicals you guys put in that shit its bad for our body!!!.PUT A STOP TO IT!!! Ban flavors in all tobacco products and dont have penalties for youth so they can get adult help.

from seaena

HB-2457-HD-2

Submitted on: 3/9/2020 11:59:24 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Claire Kamalu Carroll	Individual	Support	No

Comments:

Aloha committee members,

I am testifying on HB2457. We as adults are fighting to save lives and clear the clouds when it comes to vaping. E-cigarettes especially flavored products are addictive and harmful. With data taken we are now facing children and young adults being highly addicted to these products.

in recent study's 97% of youth who vape say they started with flavored product. We we surprised? No. These flavored tobacco products are prey upon our youth in their cravings for something they already love such as Bubble gum, airheads, watermelon etc.

we have children under the age of 18 already on nicotine patches and suffering from respiratory issues and some of these health conditions are non-reversal in their health conditions.

please make good decisions and pass HB2457

Mahalo,

Claire Kamalu Carroll

HB-2457-HD-2

Submitted on: 3/9/2020 2:51:46 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jake J. Watkins	Individual	Oppose	Yes

Comments:

I can see that the goal of this bill is to make enemies of tens of thousands of adults that love these products at election time.

HB-2457-HD-2

Submitted on: 3/9/2020 3:18:08 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Vickie Parker Kam	Individual	Support	No

Comments:

Aloha Committee Members,

Mahalo for taking the time to consider my testimony in STRONG support of HB2457 HD2. As a public school teacher I am well aware of the epidemic of vaping during the school day, before school in the community and after school when the kids hang out. The use of flavor tabaccos only makes the matter harder to deal with as an adult charged with overseeing their compliance on the no smoking mandate. Please consider passing this bill to allow us the power of the law behind our directives to give us the vapes. Why? Because often times it is the adult family members supplying the student with the vapes and cartridges and they argue with us. This bill will legalize our position.

This is an important step to future healthy citizens of Hawaii. Thank you for listening.
Sincerely, Vickie Kam - HIDOE Teacher

HB-2457-HD-2

Submitted on: 3/9/2020 5:10:52 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael S. Nakasone	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 5:22:34 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 5:43:37 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

Strong Opposition.

HB-2457-HD-2

Submitted on: 3/9/2020 6:14:07 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

I'm Alex and I oppose this bill.

HB-2457-HD-2

Submitted on: 3/9/2020 6:25:35 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Park	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 6:28:50 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cyrus	Individual	Support	No

Comments:

My name is Cyrus D., and I am from Kalihi, on the island of Oahu. I am testifying as a high school student. I am testifying on the HB2457- Relating To The Youth Vaping Epidemic. I am testifying in support of this bill.

I support the banning of flavored tobacco products because I see teens near or outside the school I am currently attending vaping. Every time I walk to school or go home, most of the time, the smell of flavored vapors, such as Strawberry and Bubblegum, suddenly appear, and it is distinguishable that it is from an electronic cigarette. My friends and I would always cover our nose and mouth to avoid inhaling the vapor since studies show that the vapers affect one's lungs and even the brain. Seeing this youth breathing-in flavored tobacco products makes me worried for them. Many of them might not be thinking or know the negative consequence of vaping. The worst thing is when my friends, my sister, and I are at the bus stop waiting for the bus. There are times when an individual, or several of them, is vaping at the bus stop, and often we have no choice but to leave where we are, away from all the vapors. It is displeasing. Besides this experience, I conducted an educational presentation to health classes in the school I am attending, and their experiences of encountering flavored tobacco seem to be the same. The most common experience students had is finding that e-cigs and e-juice are places next to candies in convenient stores, and the sweets appear identical to the tobacco product. Flavored tobacco products are affecting the youth, including me, in our community, and something needs to happen.

In addition to my experiences, Hawaii's youth vaping epidemic is on the rise. Our state is one of the smallest states in our country, yet the youth vaping is one of the highest rates. According to the Hawaii YRBS (2017), about 15.7% of middle schoolers, and 25.5% of high schoolers are currently vaping in our small state. This statistic is high and concerning because electronic cigarettes contain dangerous chemicals such as nicotine. As we all know, nicotine is a highly addictive chemical that can impact the lungs and the adolescent's brain. Apart from the nicotine and other dangerous drugs, the youth vaping rates in our state and other areas are high due to the number of flavors that exist in the market. There are over 15,500 flavors currently being irresponsibly sold in the market. The flavors are for sure attracting the youth to try different ones, but one thing they don't know is that the nicotine has hooked them in a dangerous path.

As a future healthcare worker, the health of the youth and future generations is important. It bothers me that the Tobacco companies are focused on targeting the youth. I am in full support of this bill- HB2457 - for the safety of the youth and the future generation.

HB-2457-HD-2

Submitted on: 3/9/2020 6:42:37 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

My name is Aaryanna Wong Yuen, I am 17 years old and I am I senior at Waiakea High School. I support HB2457 because it impacts me, my family and my friends. Those 2 things mean everything to me. If I was to see a family member or friend vaping those to the flavors I would stop them immediately because I know how addictive it could get. I would stop them because 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes. So 8 in 10 youth who use tobacco started with the flavored product. I know that nicotine in e-liquids negatively impacts teen brain development. Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction. 97% of youth who vape use a flavored product. Menthol is a flavor. It's minty taste like masks the harshness, allowing for a deeper and longer inhalation, making it harder to quit and easier to go back.

HB-2457-HD-2

Submitted on: 3/9/2020 7:20:26 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 7:25:33 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alysha Cosier	Individual	Support	No

Comments:

My name is Alysha Cosier and I am a pharmacy student. I am testifying in support of bill HB2457. I feel passionate about this bill because the use of Electronic Smoking Devices among youth in Hawai'i has increased and doubled or even tripled over the national rate. This vaping epidemic was brought by a perfect combination of easy access and flavorful tobacco products. If this epidemic continues, it would pose a significant risk for major health issues to the youth. 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. I believe that the proposed ban on all flavored tobacco products, including, but not limited to, tastes or aromas relating to any candy, chocolate, vanilla, honey, fruit, cocoa, coffee, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, or spice presented in this bill is essential in bringing a stop to the Hawai'i vaping epidemic. Again, I would like to emphasized my strong support for bill HB2457.

Thank you for the opportunity to testify.

HB-2457-HD-2

Submitted on: 3/9/2020 8:12:23 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Larson	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 8:43:34 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Poynter	Individual	Oppose	No

Comments:

Date: April 9, 2020

To: Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Members of the Committee on Commerce, Consumer Protection and Health

Senator Michelle N. Kidani, Chair

Senator Donna Mercado Kim, Vice Chair

Members of the Committee on Education

Re: Strong Opposition of HB2457,HD2, Relating to the youth vaping epidemic

Hrg: March 11, 2020, 9:00am, Conference Room 229

Dear Committee Members:

I strongly oppose HB2457 which attempts to *ban the sale of flavored tobacco products*.

I have been a smoker for 18 years, and for the past 5 years I have been off of traditional tobacco by switching to e-cigarettes. Banning flavored e-liquids will undo all the good in which E-cigarettes has done for smokers. For 15 years, E-cigarettes have helped adults make the change from smoking traditional cigarettes and having a healthier alternative choice. This alternative includes the same flavors this bill is trying to ban. E-cigarettes and flavored e-juice combined, aid as a harm reduction tool for heavy smokers. We all recognize and know it is unfortunate that youth are using these products (particularly Juul products), but banning flavors completely will hurt adults who need them to stay quit from traditional cigarettes. There have been many studies in the

United States and outside our country that support vaping as an alternative to smoking cigarettes. Flavors happen to be a very important factor when adults are making their decision to switch from combustible cigarettes to vaping. Prohibiting flavor options creates a barrier to becoming tobacco free and, as a result, many people will actually be encouraged to continue smoking traditional cigarettes instead of making the switch to a product that is estimated to be 99% less hazardous than smoking traditional cigarettes.

As an adult, flavors played a major role in the process of me quitting traditional cigarettes. If there is no PMTA reform at the FDA level and if local, state or federal government continue to ban access to these products, law-abiding adults like me will be less free to choose a healthier alternative. You will have vapors that are former smokers go back to smoking traditional cigarettes.

Banning flavored tobacco products will not curb youth vaping. If you look at surveys for teen use, curiosity was by far the number one reason why youth started vaping. Youth are very curious to try cigarettes, vaping, alcohol, drugs and other things. What will stop youth from experimenting with other things? Some agencies believe that flavors hook kids, but adults favor flavors as well. Flavors are an important aspect of vapor products as they help people who are quitting smoking disassociate nicotine consumption from inhaling smoke and the taste of burning tobacco.

Instead, please consider stronger laws that should deter the purchase of e-cigarettes among Hawaii's youth. The state of Hawaii already has a strong age to 21 law in place which should be enforced heavily to deter kids from attaining these products. Most adult users use the flavor products as well, in which a flavor ban will impact the adult consumers. If this bill is truly targeted to help youth, address the youth issue not penalize adults.

E-cigarettes are a healthier alternative. Traditional tobacco kills up to 14,000 people per day worldwide. E-cigarette use has helped traditional tobacco users quit and making the switch helps save lives. There are numerous studies that have shown vapor emitted from electronic smoking devices (ESDs) to have much lower levels of toxicants present in traditional tobacco smoke. Long term health effects of vaping are unknown compared with traditional tobacco such as cigarettes. ESD vapor are likely to be much less, if at all, harmful to users or bystanders (Hajek, P., Etter, J.F., Benowitz, N., et.al., Electronic cigarettes: review of use, content, safety, effects on smokers and potential for harm and benefit. Society for the Study of Addiction, vol 109, issue 11, Nov. 2014. 1801-1810).

Dr. Michael Siegal of the Boston University of Public Health, an expert in public health, supports vaping as an alternative to cigarettes. In his professional opinion, e-cigarette use is more reasonably effective than most nicotine replacement therapies via pharmaceutical products which often have nicotine in them. E-cigarettes are increasingly popular among smokers as an alternative and there is no hard evidence of regular use to be as detrimental as traditional tobacco. Just the fact that e-cigarettes enable users to reduce or quit smoking is a huge benefit and could save the state in

health care costs. Banning flavors will leave smokers without this helpful solution and may cause smokers to go back to traditional smokers if no alternative is allowed.

Please allow the people of Hawaii to continue to access e-cigarettes to help with their tobacco addiction. There are harmful medications available of which have been used to treat tobacco addiction that have dangerous side-effects. For example Chantix can cause depression, seizures, cardiovascular and blood vessel complications. These medications can be very expensive. E-cigarettes are definitely a healthier alternative. I have been vaping for 5 years after smoking cigarettes since I was in the 7th grade. I feel stronger, healthier (breathe better) and my sense of taste has returned. There are positive effects of e-cigarettes. Please don't take away the opportunity and personal choice for tobacco smokers to access lower cost alternatives.

I strongly oppose HB2457 and ask you to kill this bill on the spot.

Mahalo,

Electronically signed

Jonathan Poynter

HB-2457-HD-2

Submitted on: 3/9/2020 4:41:47 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dallas Nelson	Individual	Oppose	No

Comments:

I don't want a government that ruins things I like. HB2457 belongs in the trash can.

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair

COMMITTEE ON EDUCATION

Senator Michelle N. Kidani, Chair
Senator Donna Mercado Kim, Vice Chair

Melissa Yamaguchi

Date: March 8, 2020

Support for HB 2457 HD2 Relating to the Youth Vaping Epidemic

As a parent and citizen in the State of Hawaii, I want to make sure our youth in the State of Hawaii are discouraged in using tobacco or vaping devices, especially those that may be seen as targeting teens and youths such as flavored products.

As an executive board member of a sports related non-profit and as a team parent, I see the dangers and pressures our children in Hawaii face. Our students need more guidance such as education about tobacco products. They should be aware of the risks they take, not only the health but the legal issues that are joined with the use of such products and devices.

As a concerned parent and member of the community, I ask the committee to recognize youth tobacco use as a threat to our community and young people. I urge the committee to please pass HB 2457 HD2. Thank you for giving me the opportunity to testify.

March 9, 2020

Strong Support of HB 2457 RELATING TO THE YOUTH VAPING EPIDEMIC.

To The Senate

Hrg: Wednesday, March 11, 2020, 9:00 AM, Conference Room 229

I strongly support HB 2457 RELATING TO THE YOUTH VAPING EPIDEMIC, which would ban the sale of flavored tobacco products; prohibits mislabeling of e-liquid products containing nicotine; and establishes fines and penalties for violations.

Sadly, Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation, just behind Colorado. Flavors are designed to appeal to kids, while nicotine gets them hooked for life. We must act now to regulate the industry and protect youth from these predatory flavored tobacco products and a lifetime of addiction.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

Again, I strongly support HB 2457 RELATING TO THE YOUTH VAPING EPIDEMIC and ask you to pass this out of committee.

Sincerely,
Jessica Cambra ~mother of 3 Maui boys
101 Kealohilani Street
Kahului HI 96732
808-280-0055

HB-2457-HD-2

Submitted on: 3/9/2020 9:46:48 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Takitani Leahey	Individual	Support	No

Comments:

HB-2457-HD-2

Submitted on: 3/9/2020 10:18:32 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hilary Lang	Individual	Support	No

Comments:

Aloha,

I am a teacher and parent at Hana High & Elementary School for 11 years. I was an elementary teacher and now I am a middle school teacher. I have 7 and 11 year old children. We have had students as young as 3rd grade using vape products and bringing them to school. Our 6th grade class has 9 out of 22 students who are vaping. They are particularly drawn to the fun flavors, cute packaging, and being like their middle school family and friends. My kids are so excited about cotton candy, chocolate, strawberry, etc. Adults who are cigarette smokers are not looking for cotton candy flavor. Those are targeting my children. We have DARE at our school and anti-vape poster contests, but many students are not interested because they already use it. Vape products have highly addictive nicotine and many chemicals that are very hard on growing bodies and minds. There are many vape products that are easy for the kids to conceal (looking like regular classroom supplies, candy, or tiny enough to keep in their clothing). When the kids use these chemical products, they have a hard time focusing on their academic classes. Nicotine is very addictive. Our children have so many challenges growing up to have large corporations targeting them to be life long customers addicted to their products. They are not old enough to make educated and informed choices about this level of addiction, chemical dependency, medical problems, loss of academic learning, and social emotional problems. Please help us keep these tobacco and nicotine products out of the hands of children so that they have an opportunity to grow up with healthy minds and bodies.

I oppose penalties for our youth. We can not have our youth be afraid to get adult help. These are very addictive products and they have used these products it is because of the industry has targeted them. They will need to have support and help getting away from this addictive nicotine product and not be afraid that they will get in trouble.

We need to have intelligence in helping combat these industries targeting our youth and trying to get them to become new life long customers. Please support these bills in protecting our at risk native youth.

My daughter (Keola Yaeger, age 10) and I flew to Honolulu to testify in person for this bill. Hana is a rural community that is over 80% Hawaiian and is a 2 hour drive to the nearest stop light. Our school is being hit very hard by this vaping epidemic.

Hilary Lang

A concerned teacher and parent

Hana High & Elementary

HB-2457-HD-2

Submitted on: 3/9/2020 10:33:42 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Heaukulani	Individual	Oppose	No

Comments:

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH
Senator Rosalyn H. Baker, Chair

COMMITTEE ON EDUCATION
Senator Michelle N. Kidani, Chair

DATE: Wednesday, March 11, 2020

TIME: 9:00 AM

PLACE: Conference Room 229

SUPPORT the bill, **HB 2457 HD2**

My name is Rieko Nieto, a social work student in the behavioral mental health specialization at the University of Hawaii at Manoa. I am strongly SUPPORT of HB 2457 HD2 which the state bans the sale of flavored tobacco products from January 1, 2021

Since 2014, e-cigarettes have been the most commonly used tobacco product by youth in the United States. The research shows that E-cigarette use among middle and high school students in the U.S increased 900% from 2011 to 2015.¹ Unexceptionally, e-cigarettes use has been epidemic in Hawaii. Per the U.S. Centers for Disease Control and Prevention, Hawaii is the number two among states for children grades 6 to 12 who use e-cigarettes.

The students whose first use of nicotine at age 8 to 12 are more likely to become addicted to nicotine than those the first use at the age of 18 or more. Nicotine addiction will cause other types of drug addictions in the future. ²

The nicotine salts contained in E-cigarettes activate the same reward pathways in the brain that other drugs such as cocaine or amphetamines do. The withdrawal symptoms of nicotine are craving, sense of emptiness, anxiety, depression and moodiness irritability, and difficulty focusing or paying attention. The brain development in youth continues to the age of 25; therefore, the early age of E-cigarettes use affects their brain development as well.

I believe the behavioral mental health wellbeing is just as important as physical wellbeing in youth in Hawaii. Banning the sale of flavored tobacco products reduces nicotine addiction among the youth in Hawaii.

Finally, I respectfully ask you to consider the amendment of this bill. The target of the vaping markets is now the younger generation who potentially become addicted to nicotine. The tobacco companies make them into their new customers because the sales of tobacco products have been declining for several years. Youth is the victims of the vaping markets, so they should not be punished by law. I believe that punishment is not a great strategy to change their behavior.

Thank you for this opportunity to testify.

Rieko Nieto

¹ Wang TW, Gentzke A, Sharapova S, Cullen KA, Ambrose BK, Jamal A. Tobacco product use among middle and high school students—United States, 2011–2017. *MMWR Morb Mortal Wkly Rep* 2018;67:629–33.

²Lynch, Barbara S., and Richard J. Bonnie. *Growing up Tobacco Free : Preventing Nicotine Addiction in Children and Youths* . Washington, D.C: National Academy Press, 1994. Print.

HB-2457-HD-2

Submitted on: 3/10/2020 12:53:40 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
TIMOTHY OISHI	Individual	Oppose	No

Comments:

Aloha

The island of Oahu has many issues concerning its residents and visitors that should be addressed by the board to whom I am writing this to. One of the issues that you are discussing right now pertains to flavored tobacco products and the use of them by residents of the state especially underage users. I do agree that the use of flavored tobacco products by minors is a problem but bill **HB2457 HD2** which is proposed is not the right way of dealing with the issue. I don't know a right way to address this problem, but I can point out ways that will prevent this bill from working and in return hurting Hawaii's residents and tax payers of this beautiful state.

I started using tobacco products at the age of sixteen and have been using them ever since then. I started smoking Marlboro Lights and later moved to stronger ones like Marlboro Reds. None of the tobacco products that I started with or kept using were flavored in anyway including using menthol. Flavor did not attract me to start using tobacco products, but the curiosity of a sixteen-year-old kid did. The age to use tobacco products at that time was 18 but that doesn't prevent a curious teenager from getting what they want, and if anything, it makes it more desirable if they do. Minors these days are not getting flavored tobacco products from retail stores and they never will till they are of age. The easiest way of getting them today would be to get them online or from someone they know of age and willing to buy it for them. Many online websites don't require much to obtain flavored tobacco products like e-liquid for vaporizers. At the most they require either a birthdate which you select the month, day and date of the year you were born or just clicking the yes button saying that you are over 21 years of age. Any minor that is old enough to order something online will be able to figure out the birthdate they need to put to make it seem like they are of legal age to the site. Once they gain access, the whole inventory of that site is available to them and all they need is a credit card or visa gift card to purchase it. I currently work at a vaporizer store in the city of Honolulu and our establishment is strict on ID checking and making sure that no minor enters/purchases anything from the establishment or that any of the products that we sell are to our knowledge, being bought for a minor. Everyday we have to turn away eighteen to twenty-year-old kids that try to sneak by and hope that we are lenient or can slip by without us knowing. We even must turn away parents and grandparents that come in with minors that try to buy it for them to be the "cool" one in the minor's eyes. We constantly get from guardians that come in with minor why is it that they can't buy

the products since the kid just was telling them what to buy but they are the ones buying it. Some will even say that they would rather have their child/grandchild vaping than smoking things like marijuana or methamphetamine.

In the introduction of the bill it states that The legislature finds that tobacco use remains the leading cause of preventable disease and death in the United States and in Hawaii. Tobacco use is a serious public health problem that results in loss of life and financial burdens on society and the health care system. Annually, \$526,000,000 in health care costs are directly attributed to smoking in the State.

The legislature further finds that, while there has been a decline in the use of combustible cigarettes over the last decade, there has been a dramatic increase in the use of electronic smoking devices by Hawaii's youth. While this might be true, bill **HB2457 HD2** will force all vapers that have already switched over from traditional tobacco back to their old habits. This statement already shows the effects that electronic cigarettes have made on the reduction of combustible tobacco problems. A prohibition on these products will make ex-smokers revert back to using combustible tobacco products especially since the access to these products will be easily accessible.

Another concern that is addressed is The popularity of electronic smoking devices among youth is especially concerning because these products contain nicotine. The United States Surgeon General noted in the 2016 report titled "E-Cigarette Use Among Youth and Young Adults" that "[b]ecause the adolescent brain is still developing, nicotine use during adolescence can disrupt the formation of brain circuits that control attention, learning, and susceptibility to addiction". Yes, these products are popular with teens and of course no one wants to see them develop addictions and lifelong habits, but these products aren't meant to be used by them. City's such as San Francisco were one of the first to completely ban flavors for ESD's yet the made medical marijuana recreational. Making marijuana recreations like ESD's have a lot of positives for adults but have made it ridiculously easy for children and teens to get a hold of. If you ask any respectful psychiatrist, they will agree that nicotine, while still bad for developing minds, will do less damage than a psychoactive like the THC found in marijuana. Making a substance banned for the sake of the future generation will be pointless if you are making a far dangerous substance for them far more easily available.

A solution to help reduces this problem would be to make harsher punishments for children and teens found possessing or using an ESD. Working in a Vape store I have had the chance to talk to many teachers and they will all agree with there being harsher punishments. Right now, all the teachers can do is contact the parents and most of the times the parents will ask the teacher to give the ESD back to the child so that they can bring it home to them. With out a harsher consequence, kids will continue to use ESD's and the worst that can happen is the parents that bought the device for their kids is called to be notified. Harsher consequences for the underage would also makes parents think twice before purchasing or allowing the minor to use or possess an ESD. With no

consequences neither the child nor the parent will feel the need for anything to change because its just a slap on the wrist with no repercussions. Also just prohibiting purchasing ESD's online would decrease the number of underage users. If purchasing alcohol were like ESD's and be easily obtained online, we would have a whole generation of alcoholics. It stated that The legislature also finds that it is no coincidence that the number of electronic smoking device flavors has skyrocketed in recent years, with more than fifteen thousand unique electronic smoking device flavors identified in a 2018 study. Hawaii has experienced the heightened promotion of electronic smoking device products that offer flavors designed to appeal to the State's youth, such as candy, fruit, chocolate, mint, Kona coffee, Maui mango, shaka strawberry, and Molokai hot bread. Additionally, many of the packages are designed to resemble popular candies, such as Jolly Ranchers and Sour Patch Kids. The legislature additionally finds that young people are disproportionately using flavored tobacco products, including menthol. Even alcohol has candy, fruit and dessert flavors and they are used to make it more enjoyable to drink and also help mask the harshness of the liquid. Flavors are the most common for the underage to try because of the same exact reasons you've stated about E-Liquids. The sale of alcohol is prohibited online, and more restrictions are in place to help prevent the sale to underage. So, if flavored alcohol has these restrictions then why wouldn't that be done for ESD's as well.

Kids are always going to find a way to get what they want and what they are most curious about, and in return the adults that are trying to get off from tradition tobacco products are the ones that will be most affected by this bill. Many adults were successful in getting off tobacco products like cigars, cigarettes and chew by switching to vaping. Most cigar and cigarette users were able to make the switch using flavored e-liquid. The flavors helped by making it enjoyable to vape and if they would get the urge to smoke a cigar or cigarette, it would make them taste horrible as well as the smell. Many ex-smokers can't go back to cigarettes or cigars after vaping because of how horrible it tastes and the smell that lingers from the smoke. The flavors would help keep them from smoking and stay off the tobacco products that we for sure know kills. The whole reason that smokers switch to vaping is so that they can stay away from traditional tobacco. A flavor ban will take away a very big part of vaping that plays a positive role in helping people switch and not want to go back. Banning flavored e-juice will also force many ex-smokers to get their products online which will result in vaporizer stores statewide to close their doors come the time that this will be enforced. There will be hundreds of residents that are part of the industry that will be without a job once that happens and all the money that would have been spent in the state would be going elsewhere. Money will be leaving our state economy, hundreds will be out of a job and no taxes can be collected from any of the businesses that were forced to close. We are already facing a problem with the increasing number of homeless in the state and this would only add to the existing problem.

This is the reason why I don't believe that bill **HB2457 HD2** will be effective in a positive way for the residents and tax payers of the state of Hawaii. I am writing this testimony because **I STRONGLY OPPOSE HB2457 HD2 AND FEEL THAT IT SHOULD NOT BE PASSED**. One group of the population should not have to be sacrificed for the other's

sake. Just because some of the population is obese doesn't mean that we should ban everyone from eating rice and gravy. That's why we educate kids and parents about proper nutrition and a well-balanced diet. Everyone has the right to make choices including children and the only way we can help in making the best decisions for us would be through education. The vaping industry along with teachers, parents and government officials should work together to help solve this problem of underage vaping. Everyone in this state is part of one big Ohana and as an Ohana we should be coming together when trying to fix a problem involving all of us. Thank you for taking the time to listen to me.

Much Mahalo,

Timothy M. Oishi

HB-2457-HD-2

Submitted on: 3/10/2020 3:05:26 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Albo	Individual	Oppose	No

Comments:

Aloha,

I have smoked cigarettes for 20 years, I have been tobacco free for 8 years. I have been tobacco free due the accessibility of vaping products. I am against the consumption and promotion of vaping products to minors. But I do believe that I and many others should be afforded the right to vape any flavors that we choose.

Mahalo

Jeff Albo

HB-2457-HD-2

Submitted on: 3/10/2020 6:30:02 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Chan	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/10/2020 8:11:44 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
P Kuromoto	Individual	Oppose	No

Comments:

Members of the committee, I testify in **STRONG OPPOSITION to HD2457 SD2.**

For smokers, **ecigarettes are a miracle** – in the vaping community I have seen countless individuals seriously improve their health, including documented medical improvements in lung function and imaging, by switching from smoking to vaping. People are beating multi-decade cigarette habits, sometimes literally overnight, with vaping. **Many in early stage COPD have REVERSED the damage by switching to vaping.** It is an utter mystery why any government or health organization would not support this miracle and instead consign so many people to worse health outcomes and death. In fact, the level of disinformation surrounding this literally lifesaving product borders on criminal.

Flavors are an integral component of tobacco harm reduction vaping, the **vast majority of legal adult vapers use and prefer non-tobacco flavors.** Banning them would destroy a legal, vastly healthier alternative to tobacco smoking, destroying many businesses in Hawaii while leading tens of thousands of Hawaii residents back to smoking.

Vaping is not smoking, it is the SOLUTION to smoking, yet every year the legislature tries to ban it again. It is past time for the state to recognize that vaping is one of the best harm-reduction technologies ever invented and embrace it.

- **Most youth do not cite flavors as the primary reason they tried ecigarettes on the 2019 National Youth Tobacco Survey.** Only 22% cited flavors, versus 55% citing simple curiosity and 30% citing a friend or family member using them.
- The so-called "youth epidemic" is overblown. **The vast majority of youth reporting in the 2018 and 2019 youth tobacco surveys are not habitual users,** and of the ones that are, the great majority are or were tobacco users. And as the statistics show, youth smoking is down. This means that vaping, while novel and interesting to experimenters being an ascendant technology, is in fact doing the same thing in youth as it is in adults -- displacing smoking. This is good.
- **Nicotine ecigarette risk is assessed at least 95% less than smoking cigarettes,** and a recent study confirmed it to be **twice as effective for quitting smoking as patches, gum, and other similar products.** This is why the UK's

public health system embraces ecigarettes as smoking harm reduction and even places vape shops in hospitals.

- Regular commercial, **legal nicotine (or no-nicotine) e-cigarette use or vaping is not linked to lung injury, let alone death.** The CDC has conclusively linked the recent outbreak of illness to specific chemicals used by illegal THC/cannabis/marijuana concentrates dealers. These are two very different products and markets. The state department of health must be aware of this and must not lie about it.

HB-2457-HD-2

Submitted on: 3/10/2020 8:12:15 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kourtney Kwok	Individual	Support	No

Comments:

To Whom This May Concern,

The sale of flavored tobacco should be banned in Hawaii. My name is Kourtney Kwok and I am a senior at Punahou School. I was always aware of the problem around tobacco, but it wasn't until a year ago that I first realized how troublesome the issue was becoming. When I learned that more than half of my younger cousin's class vaped, I knew this was a serious issue. She was only in middle school and yet kids her age were using drugs. A couple months later, news regarding e-cigarette related illnesses and deaths were happening almost every week. It was surprising and concerning to see the numbers skyrocket on TV. I remembered those kids my cousin mentioned and felt a need to do something about it. I didn't want them to get sick, and I definitely didn't want any of my younger siblings or relatives to be involved with tobacco.

Tobacco, whether it's in the form of a cigarette or vaping liquid has significant effects on a child's brain development and overall health. There are hundreds of different carcinogenic and dangerous chemicals found in tobacco products, such as arsenic, formaldehyde, cadmium or lead. Young kids end up using these products mainly because of the various flavors offered, and in fact, 81% of youth who have ever used a tobacco product started with a flavored one. E-cigarettes, for example, offer over 16,000 unique flavors. For kids unaware of the harmful effects, this is what can hook them into using this dangerous product. Big Tobacco companies use this to their advantage by marketing flavors in ways that are familiar to children. They use packaging and designs similar to name brand candies, cereals, or local flavors to appeal to a younger audience. For example, there are products named "Hawaiian POG" or "Halawa Guava".

By banning the sale of flavored tobacco, it would prevent kids from getting hooked into using these products. The law may state you need to be 21 and over to purchase these items, but those who are underage still manage to get a hold of them. Hawaii has one of the highest vaping rates in both middle and high school for the United States; ending the sale of these addicting and enticing flavors would stop kids from continuing or joining. Education does play a role in prevention, but so does stopping the source as well. Without cool flavors to choose from, many youth would be discouraged from starting in the first place. This is why completely stopping the sale of flavored tobacco is important.

Whichever side of the argument you fall on, at the very least this action should be taken. Yes, this decision will affect businesses and adults who choose to use tobacco, but it will also save the lives of children in our community. Placing this bill into law will prevent kids from ever getting the opportunity to try using tobacco and protects them from a lifetime of nicotine addiction. While it is inevitable for there to be economic repercussions, I believe it is a necessary sacrifice we should all be making. When it comes to the health of those around us, especially of those in the next generation, it is an issue we should take seriously. By enforcing this bill, we can be one step closer to ending this epidemic.

Kourtney Kwok

HB-2457-HD-2

Submitted on: 3/9/2020 10:55:07 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christian Mahuna	Individual	Oppose	No

Comments:

I disagree with the bill, it will always remain in the hands of parents to teach and protect their kids.

HB-2457-HD-2

Submitted on: 3/10/2020 8:21:46 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Fields	Individual	Support	No

Comments:

Protect our keiki and STOP the madness that allows them to access flavored (including menthol) vaping products. The data supporting why you MUST STOP POISONING KIDS is overwhelming:

- 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
- Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
- Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

Do what is right to stop the youth vaping epidemic!

Suzanne Fields

Haiku, Maui

HB-2457-HD-2

Submitted on: 3/10/2020 8:22:01 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andy Takaaze	Individual	Oppose	No

Comments:

I oppose attaching the flavor ban to a possession law. Making a possession law is the correct way to stop kids from using products they are unable to purchase legally, just like the possession laws we have for alcohol. However a flavor ban only takes away the choices from law abiding adults looking to get of cigarets by using E-Cigs. STOP taking away choices from adults. Whats next going after fruit flavored liquor? Pass a possession law first!!!!

HB-2457-HD-2

Submitted on: 3/10/2020 8:34:22 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gabriel Griffis	Individual	Oppose	No

Comments:

Aloha and thankyou for the opportunity to voice my concerns on HB2457. I cannot stress enough how much adult vapers love and need their flavors. We are passionate about them in a way that youth vapers would never understand. Flavors helped us quit smoking and they are highly effective in that regard. Please do not destroy something so wonderful. I have not had a cigarette in about 5 years so I know what I am talking about. Many smokers who have switched to vaping also report better health as a result. Please consider the good things about vaping because they deserve attention and respect. We must save vaping and we can start by acknowledging that it can be a very, very good thing. Thankyou.

HB-2457-HD-2

Submitted on: 3/10/2020 8:59:51 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Anton	Individual	Oppose	No

Comments:

HB-2457-HD-2

Submitted on: 3/10/2020 8:13:43 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

Aloha Chair & members,

My name is Jostin I Strongly oppose HB 2457 HD2, With the recent false information in the media & CDC that has been spread negatively throughout the public, it definitely has already cause such a negative impact on our business & many across the USA. It would be vital that our government pass proper information about vaping rather than causing an immediate scare on the public. Thankfully after proper understanding vaping nicotine products is now known not to be the issue people were dying & getting sick from across the nation. It important for our government to understand how how all that mess in the media has affected many small businesses like our, we took over a 30% loss in sales now we are on the verge of closing one of our stores as well as cut many hours off of our employees schedule because we cant afford to keep them employed. It has created a lost of employment & a lost in revenue for small businesses, but has and will start to create more unemployment. Please reconsider & understand how Bill's like this affect not only business, employees but the public as well, we mustn't resort back to conventional cigarettes.

As small business owner a bill of this magnitude can affect thousands of people in the state of Hawaii that has nothing short of a positive impact In their lives, health & especially the purpose of quitting combustible cigarettes. As a small business owner my business Hi Lyfe Vaporz, LLC has over 10 employees, a bill like this could impact our business as well as many across the state in such a negative manner, causing people to lose their jobs & homes they would be unable to provide for their families, not only that, many may end up going back to combustible cigarettes which infact is already known to be a health factor throughout the world. The FDA has implemented stringent rules and regulation for the vape industry which all manufactures and retailers are suppose to comply with as well as stay up to date.

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

Bill's like this simply goes against the positive impact vaping has made for all legal adults, who transitioned to a better alternative to combustible cigarettes. I humbly ask to think before passing such a bill. Myself ,my family as well as our employees and customer's will be greatly be affected negatively. I am a former smoker of 20 year's, I oppose HB2457 HD2, 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 teenagers 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, 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 your time

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 10:17:13 AM
Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sabrina Spencer	Individual	Oppose	No

Comments:

Enough of this nanny state already. Stop the unfair discrimination on what products adults can have!

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 10:38:45 AM
Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
donald erway	Individual	Support	No

Comments:

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 10:26:55 AM
Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Hall Morin	Individual	Support	No

Comments:

Aloha,

My 11 year old son told me that if you are going to vape you might as well just commit suicide due to the health risks. This is grim stuff. Just ban it already.

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 11:26:29 AM
Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tia Barron	Individual	Oppose	No

Comments:

Aloha, I am opposing this ban.

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 12:33:24 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Testifying for Hawaii Smokers Alliance	Oppose	No

Comments:

We remain in STRONG OPPOSITION to hb2457 for the following reasons.

1. The bill would largely destroy the local vaping industry in Hawaii, costing jobs and livelihoods.
2. The bill bans all flavors of both normal tobacco and vaping products. The bill FALSELY claims to be about minors when in fact these products are already banned for minors. **Clearly the bill is intended as a transgressive act against adult smokers of voting age.**
3. The bill is highly bigoted against the freedom of choice of adults who proudly smoke and vape.

Sincerely, Hawaii Smokers Alliance

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 12:39:27 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia Honma	Testifying for Ken's Towing Service, inc.	Support	No

Comments:

As a child I was taught reason like this; if it looks like a duck, talks like a duck and acts like a duck, then it must be a duck. Today's children when faced with these flavored tobacco products cant use this same reason. If it smells like skittles, tastes like skittles and even looks like , it's not skittles! Please help our children dicifer what is really skittles candy and what is not by banning flavored tobacco products.



HAWAI'I COMMUNITY
FOUNDATION

LATE

March 11, 2020

House Committee on Consumer Protection & Commerce
Hearing: 9:00 a.m., March 11, 2020
Hawaii State Capitol Room 229

Re: SUPPORT for HB2457 HD2, Relating to the Youth Vaping Epidemic

Aloha Chair Baker, Chair Kidani, Vice-Chairs Chang and Kim, and members of the committees:

The Hawai'i Community Foundation (HCF) administers the Hawai'i Tobacco Prevention and Control Trust Fund. Through the Trust Fund, we have funded a variety of community grants and contracts to support tobacco prevention and control activities statewide for nearly 20 years. Our goal is to help improve the health and well-being of Hawaii's people by reducing death and disease caused by tobacco consumption. By managing statewide community grant programs in tobacco cessation and youth prevention for many years, HCF has gained substantial knowledge about what it takes at the grassroots level to reduce tobacco consumption in our communities.

The Hawai'i Community Foundation supports HB 2457, HD2. Flavors in tobacco products, including electronic smoking devices (ESDs), are used to attract new tobacco users through advertisements and product labeling. Many ESD flavors are designed to appeal to youth, such as bubblegum and cotton candy. Almost all commercially available ESDs contain highly addictive nicotine, which can cause long-term damage to the developing adolescent brain, affecting attention, learning, mood, and impulse control.¹ Among students 12-17 years old who ever used a tobacco product, 81% started with a flavored product.² Marketing of flavors to our keiki is being used to create a new generation dependent on nicotine, with long-term adverse health consequences to our state.

HCF strongly supports the inclusion of menthol as a prohibited flavor in HB 2457, HD2. Menthol in combustible cigarettes makes the smoke smoother and less harsh on the throat so that

¹ US Department of Health and Human Services. [E-cigarette Use Among Youth and Young Adults: A Report of the Surgeon General](#) [PDF – 8.47MB]. Atlanta, GA: US Department of Health and Human Services, CDC; 2016.

² 2013-2014 Population Assessment of Tobacco and Health (PATH Study), National Institutes of Health and U.S. Food and Drug Administration.

the smoke is easier to inhale deeply.³ In other words, menthol is used to mask the effects of tobacco smoke and deliver higher concentrations of addictive nicotine more deeply into the lungs. Marketing of menthol tobacco products has a disproportionate impact on island communities. As stated in Section 1 of HB 2457, adult Native Hawaiians and Pacific Islanders smoke mentholated tobacco at higher rates (78%) than White adult smokers (42%), resulting in higher rates of tobacco-related illnesses and death. We believe that public policy should not create exceptions for products that create greater health disparities for certain island populations.

³ Tobacco Products Scientific Advisory Committee. [Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations pdf icon\[PDF–15.3 MB\]external icon](#). Rockville, MD: US Department of Health and Human Services, Food and Drug Administration; 2011.

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 12:48:08 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Fujiwaki	Individual	Oppose	No

Comments:

Aloha Chair and Members, I strongly oppose HB2457. Due to all of the false information put out in the media it has caused such a big stigma in the vape industry. This has caused such a huge scare among individuals causing them to go back and smoke traditional cigarettes. The information put out by individuals claiming that vaping has caused them to have medical issues was false and was due to them vaping illegal THC cartridges. These are the reasons we are in this situation as we speak. I'm an adult and I love to vape flavors, by banning flavors it will cause more harm than good. Individuals especially the minors will go out and try to make their own e-liquid and it will be more dangerous. Instead of banning flavors we need more enforcement for youth vaping. These minors are still going to find a way to get it so why not enforce the rules and issue fines to them and parents instead.

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 1:17:45 PM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

LATE

HB-2457-HD-2

Submitted on: 3/10/2020 11:52:29 AM

Testimony for CPH on 3/11/2020 9:00:00 AM

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

Comments:

wife smoked cigarettes for more than fifteen years. She would constantly get sick and would get winded easily She tried quitting many times with no success. After trying vaping she was able to quit over night. She has been smoke free for over a two years now with out the urge to return. Her health has dramatically improved and she can run and play with our children. With out flavored E Liquids this all would not be possible and she would most likely got back to traditional cigarettes.

Aside from my wife's story, I myself work at a Vape shop. My coworkers and I would have our careers threatened by this bill passing and becoming law. That would take away our livelihood and the means that we provide for our families

On a daily basis at work I meet adults who are of age who tell me how vaping has helped them quit and stay off smoking for a month, a year, five years or more They tell me that vaping was the only way that truly worked for them. Studies show its 95% less harmful. Studies also show vaping gives smokers twice the likelihood of quitting over other methods (le patches, gum, etc)

VAPING IS NOT SMOKING! Alot of your supporting details bundle the two together and they are not the same thing.

A more effective path you could presue would be stricter punishments for retailers that sell to underage and for parents of kids caught vaping. Parents need to be accountable for their children. Often times they are the ones buying it for the kids. In closing I wish to express opposition to HB2457 and any other flavor ban. Thank you for your time and consideration.

Daniel Drapesa

Recipient Information

To: CPH Committee
Fax #: 18085866071

Sender Information

From: Sarah Pacheco
Email address: sarahpach@gmail.com (from 72.253.156.81)
Phone #: 8083986832
Sent on: Monday, March 9 2020 at 8:23 PM EDT



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The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

LATE

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

My name is Sarah Pacheco. I grew up in Hawai‘i Kai, and currently live in Kahala.

As a Native Hawaiian, I believe the legislature must take action on the youth vaping epidemic. The health consequences associated with vaping and e-cigarettes are, for lack of a better word, tragic, especially in young populations where their lungs and brains are still developing. Inhaling irritants at such large quantities that vaping allows destroys young lungs, while exposure to mass amounts of the chemical nicotine creates a future of addiction.

Native Hawaiians already face multiple health challenges – diabetes, heart disease, asthma, obesity, depression – all of which can be exasperated by vaping ... is this the future we want for our population?

I humbly urge you to **pass HB2457, Relating to the Youth Vaping Epidemic.**

Mahalo,

Sarah Pacheco
Kahala, O‘ahu



**FILIPINO NURSES ORGANIZATION OF HAWAII
and the
FILIPINO NURSES FOUNDATION**



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The Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: Support for HB2457, Relating to the Youth Vaping Epidemic

Dear Legislators:

The Filipino Nurses Organization of Hawaii **supports HB2457, Relating to the Youth Vaping Epidemic.**

As healthcare professionals, but also as parents and grandparents, our members are extremely concerned about the health of our Filipino youth. We are alarmed by the statistics that Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation: 15.7% of middle schoolers and 25.5% of high schoolers reported that they have vaped.

We are also extremely concerned about the impacts of e-cigarettes on the Filipino community. Vaping among Filipino youth is even higher than it is among the general student population. With flavors such as mango, lychee, ube, and more, manufacturers and marketers of electronic smoking devices have found a way to specifically target and hook young kababayans. The flavors have proven to be alluring and addictive - research has shown that more than 80 percent of who have used tobacco started with a flavored product such as e-liquids or nicotine pods.

Social pressures have also contributed to the spread of vaping within the Filipino community. A California study found that among Filipino youth, 86% of e-cigarette users began because their friends started to vape. The same study also found that Filipino youth were vaping at twice the rate of their other Asian American peers.

Because of these negative impacts on our community, **we urge you to pass HB2457, Relating to the Youth Vaping Epidemic, and other measures aimed at curbing the e-cigarette epidemic among our youth.**

Sincerely,


Amie Guillermo, RN
President