



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

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**ON THE FOLLOWING MEASURE:**

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

**BEFORE THE:**

HOUSE COMMITTEE ON FINANCE

**DATE:** Tuesday, February 25, 2020      **TIME:** 12:30 p.m.

**LOCATION:** State Capitol, Room 308

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

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Chair Luke and Members of the Committee:

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 "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 therefore are already regulated.

Thank you for the opportunity to provide comments.



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

**Date:** 02/25/2020  
**Time:** 12:30 PM  
**Location:** 308  
**Committee:** House Finance

**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 and concerns 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. In addition, any tobacco product(s) or ESDs found in a student's possession is a violation of Chapter 19, and shall be seized by school administration and forfeited to law enforcement in accordance with Section 712-1258, Hawaii Revised Statutes (HRS).

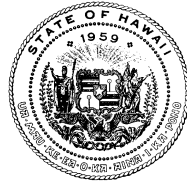
Nicotine products, including ESDs, are considered an acutely toxic hazardous waste under the state's regulations. The regular and timely pick-up and disposal of ESDs are essential in ensuring schools do not harbor and store hazardous waste on their school campus.

This bill may inadvertently oppose the actions of the Department's highest priority which is the safety and well-being of students. As such, the Department is working in partnership with the Hawaii Department of Health (DOH) to educate youth to make positive decisions about their health. In raising awareness about the risks and dangers of tobacco products and ESDs, the Department's efforts focus on the following:

- Providing health education to develop 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](http://www.hawaiipublicschools.org).



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony in SUPPORT of H.B. 2457, H.D. 2  
RELATING TO THE YOUTH VAPING EPIDEMIC**

REPRESENTATIVE SYLVIA LUKE, CHAIR  
HOUSE COMMITTEE ON FINANCE

Hearing Date: February 25, 2020

Room Number: 308

1 **Fiscal Implications:** The Department of Health (DOH) defers to the Department of Education  
2 (DOE) for implementation of confiscation, the Department of Taxation (DOTAX) for fiscal  
3 implications of implementation, and to the Department of the Attorney General (AG) for fiscal  
4 implications for enforcement.

5 **Department Testimony:** The DOH supports House Bill 2457, House Draft 2 (H.B. 2457,  
6 H.D. 2) which makes it unlawful to sell, offer to sell, or possess with the intent to sell or offer to  
7 sell any flavored tobacco product, including menthol in the State, and establishes legal  
8 responsibilities and fines for retailers, and prohibits the mislabeling of e-liquid products  
9 containing nicotine. The DOH offers amendments to Section 3(b) on the confiscation of  
10 electronic smoking devices (ESDs) by the DOE.

11 The DOH requests the support of the Finance Committee to prevent more youth in  
12 Hawaii from initiating ESD use and becoming dependent on nicotine. Since the 2018 U.S. Food  
13 and Drug Administration (FDA) and Surgeon General declaration of the youth e-cigarette  
14 epidemic, use among young people continues to rise. By 2019, 27.5% of high school students  
15 said they vaped compared to 20.8% in 2018.<sup>1</sup> These figures represent a doubling of proportions  
16 between 2017 and 2019 for high schoolers (11.7% to 27.5%) and tripling effect for middle

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<sup>1</sup> Wang TW, Gentzke AS, Creamer MR, et al. Tobacco Product Use and Associated Factors Among Middle and High School Students — United States, 2019. MMWR Surveill Summ 2019;68(No. SS-12):1–22. DOI: <http://dx.doi.org/10.15585/mmwr.ss6812a1>



1 schoolers (from 3.3% to 10.5%).<sup>2</sup> In total numbers, 4.1 million high school youths and 1.2  
2 million middle school youths said they currently use e-cigarettes.<sup>3</sup> Hawaii youth in 2017 had  
3 amongst the highest ESD rates in the nation, with 25.5% high school, and 15.7% middle school  
4 students reporting regular use.<sup>4</sup> Adult regular use of e-cigarettes in Hawaii in comparison is  
5 4.7%.<sup>5</sup>

6 Flavors are one of the main reasons that youth use tobacco products, especially  
7 e-cigarettes. According to the 2013-2014 Population Assessment of Tobacco and Health  
8 (PATH) study, 81% of 12 to 17-year-old teens who had ever used a tobacco product-initiated  
9 tobacco use with a flavored product. Additionally, 80% of current users had used a flavored  
10 product in the last month.<sup>6</sup> In 2019, the large majority of youth ESD users reported use of  
11 flavors with fruit, menthol or mint, candy, desserts, or other sweets being the most commonly  
12 used.<sup>7,8</sup> According to the same research, mint and menthol went from being among the least  
13 popular to among the most popular flavors for high school students over the past four years.<sup>9</sup>  
14 Data from another 2019 study revealed that the most popular flavor among 10th and 12th grade  
15 Juul users was mint.<sup>10</sup> These data illustrate that trends among youth users of flavored e-cigarette  
16 products change quickly and therefore must be swiftly addressed.

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<sup>2</sup> Cullen KA, Gentzke AS, Sawdey MD, et al. e-Cigarette Use Among Youth in the United States, 2019. *JAMA*. 2019;322(21):2095–2103. doi:10.1001/jama.2019.18387

<sup>3</sup> Wang TW, Gentzke AS, Creamer MR, et al. Tobacco Product Use and Associated Factors Among Middle and High School Students — United States, 2019. *MMWR Surveill Summ* 2019;68(No. SS-12):1–22. DOI: <http://dx.doi.org/10.15585/mmwr.ss6812a1>

<sup>4</sup> Department of Health, [Hawaii Health Data Warehouse, Indicator-Based Information System](#), 2017 Hawaii Youth Risk Behavior Survey.

<sup>5</sup> Department of Health, Hawaii Health Data Warehouse, Indicator-Based Information System, 2017 Hawaii Behavior Risk Factors Surveillance Study.

<sup>6</sup> Ambrose, B. K., Day, H. R., Rostron, B., Conway, K. P., Borek, N., Hyland, A., & Villanti, A. C. (2015). Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. *JAMA*, 314(17), 1871–1873. <https://doi.org/10.1001/jama.2015.13802>

<sup>7</sup> Campaign for Tobacco-Free Kids, Statement of Matthew L. Myers, President, “JAMA Studies Show Youth E-Cigarette Epidemic is Getting Worse and Kids Shifted to Mint/ Menthol After Other Flavors Were Restricted”, November 5, 2019, retrieved from [https://www.tobaccofreekids.org/press-releases/2019\\_11\\_05\\_jama](https://www.tobaccofreekids.org/press-releases/2019_11_05_jama)

<sup>8</sup> Cullen KA, Gentzke AS, Sawdey MD, et al. e-Cigarette Use Among Youth in the United States, 2019. *JAMA*. 2019;322(21):2095–2103. doi:10.1001/jama.2019.18387

<sup>9</sup> Cullen KA, Gentzke AS, Sawdey MD, et al. e-Cigarette Use Among Youth in the United States, 2019. *JAMA*. 2019;322(21):2095–2103. doi:10.1001/jama.2019.18387

<sup>10</sup> Leventhal AM, Miech R, Barrington-Trimis J, Johnston LD, O’Malley PM, Patrick ME. Flavors of e-Cigarettes Used by Youths in the United States. *JAMA*. 2019;322(21):2132–2134. doi:10.1001/jama.2019.17968

1           The passage of this measure would stem the availability and access to flavored tobacco  
2 products that facilitate youth initiation, which exposes the developing brain and body to the  
3 harmful and addictive effects of nicotine. For teenagers, nicotine primes the brain for addiction  
4 to other substances, and repeated exposure alters the brain circuitry for learning, memory, and  
5 self-control.<sup>11</sup> The FDA Commissioner stated, “No child should be using any tobacco or  
6 nicotine-containing product. We need to do everything possible to reverse the alarming trend of  
7 rising youth use of novel products like e-cigarettes and help kids who may already be  
8 addicted.”<sup>12</sup> The continuously evolving novel and flavored tobacco products have outpaced  
9 existing policies that have protected Hawaii’s children and youth.

10           The DOH supports the reconsideration of penalties for young people. Research shows  
11 that penalizing youth for possession, use, or purchase, are not only ineffective but may have the  
12 unintended consequence of stigmatizing youth and exacerbating socioeconomic, racial, gender  
13 and other disparities.<sup>13</sup> There is insufficient evidence associating harsh or remedial  
14 consequences for youth violations and associations with student self-reported use of smoking.<sup>14</sup>

15           This measure requires the schools to “coordinate with the DOH for the proper disposal of  
16 electronic cigarettes.” Waste nicotine products, including electronic cigarettes, are considered  
17 acutely toxic hazardous waste under the state’s regulations and schools would be considered the  
18 “generator” of the hazardous waste when disposing of electronic cigarettes confiscated from  
19 students. Electronic cigarettes are also hazardous because of the lithium batteries they contain.  
20 The DOH does not provide, or manage, any waste disposal services; rather, it regulates the  
21 disposition of solid and hazardous waste. Existing regulations for hazardous waste disposal  
22 (chapters 11-260.1 to 11-279.1, Hawaii Administrative Rules) require hazardous waste to be sent  
23 to a permitted hazardous waste treatment, storage, or disposal facility (TSDF), unless the  
24 generator is a Very Small Quantity Generator (VSQG). There are no commercial TSDFs in the

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<sup>11</sup> NIDA. (2020, January 7). Tobacco, Nicotine, and E-Cigarettes. Retrieved from

<https://www.drugabuse.gov/publications/research-reports/tobacco-nicotine-e-cigarettes> on 2020, February 23

<sup>12</sup> Press Announcement; Statement from FDA Commissioner Scot Gottlieb, MD, on the agency’s continued efforts to address growing epidemic of youth e-cigarette use, November 2, 2018.

<sup>13</sup> ChangeLab Solutions. PUP in Smoke: Why youth tobacco possession and use penalties are ineffective and inequitable. Fact Sheet retrieved January 31, 2020 from <https://www.changelabsolutions.org/product/pup-smoke>

<sup>14</sup> The impact of school tobacco policies on student smoking in Washington State, United States and Victoria, Australia. - PubMed—NCBI. (n.d.). Retrieved February 7, 2020, from <https://www.ncbi.nlm.nih.gov/pubmed/20616998>

1 state, and the waste will need to be transported to the U.S. mainland by a specialized hazardous  
2 waste transportation contractor. If the school is a VSQG, its hazardous waste can be managed at  
3 a permitted municipal solid waste facility. Public schools do not typically generate large  
4 quantities of hazardous waste nor acute hazardous waste.

5 The DOH offers amendments that would remove any provisions shifting the  
6 responsibility away from the tobacco industry and onto the youth whom they target. The DOH  
7 and DOE are coordinating on youth ESD use and are in consultation on solid and hazardous  
8 waste issues. Amendments are offered for Section 3 that align with existing state regulations and  
9 supports the working relationship between the state agencies.

10 Thank you for the opportunity to testify.

11 **Offered Amendments:**

12 Section 3, page 6, lines 8-10 strike the following:

13 "**§302A- Confiscation of electronic smoking devices.**

14 (a) A teacher or educator at a public school shall confiscate  
15 an electronic smoking device that is found in the possession of  
16 a student who is under the age of twenty-one.

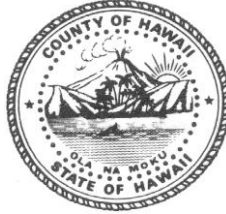
17 ~~(b) Each public school shall coordinate with the~~  
18 ~~department of health for the proper disposal of electronic~~  
19 ~~smoking devices confiscated pursuant to subsection (a).~~

20 Section 3, page 6, lines 8-10, add the following:

21 (b) "Each public school shall dispose of confiscated  
22 electronic cigarettes in compliance with all applicable solid  
23 waste and hazardous waste regulations, including chapters 11-  
24 260.1 to 11-273.1, Hawaii Administrative Rules."

**MITCHELL D. ROTH**  
PROSECUTING ATTORNEY

**DALE A. ROSS**  
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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 FINANCE**

Representative John M. Mizuno, Chair  
Representative Bertrand Kobayashi, Vice Chair

Tuesday, February 25, 2020, 12:30 p.m.  
State Capitol, Conference Room 308

Honorable Chairs Mizuno and Woodson, Honorable Vice Chairs Kobayashi, Hashem and Quinlan and Members of the Committee on Health & Committee on Lower & Higher 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.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL  
MAYOR

SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
CLYDE K. HO  
DEPUTY CHIEFS

OUR REFERENCE MK-SA

February 25, 2020

The Honorable Sylvia Luke, Chair  
and Members  
Committee on Finance  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 308  
Honolulu, Hawaii 96813

Dear Chair Luke 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 e-liquid products. 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 Section 3, which amends Hawaii Revised Statutes, Chapter 302A, Confiscation of electronic smoking devices, "(a) A teacher or education at a public school shall confiscate an electronic smoking device that is found in the possession of a student who is under the age of twenty-one." The HPD also strongly supports the addition of "(b) Each public school shall coordinate with the department of health for the proper disposal of electronic smoking devices confiscated pursuant to subsection (a)."

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,

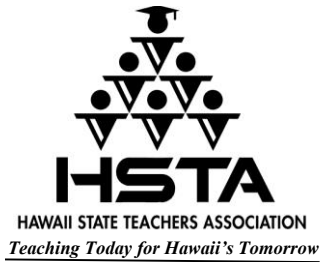
A handwritten signature in cursive script that reads "Susan Ballard".

Susan Ballard  
Chief of Police

A handwritten signature in cursive script that reads "Mikel Kunishima".

Mikel Kunishima, Captain  
Community Affairs Division

*Serving and Protecting With Aloha*



Corey Rosenlee  
President  
Osa Tui, Jr.  
Vice President  
Logan Okita  
Secretary-Treasurer  
Wilbert Holck  
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON  
FINANCE

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

TUESDAY, FEBRUARY 25, 2020

COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Luke and Members of the Committee:

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.**

**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.** 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.**



## American Heart Association testimony for HB 2457, HD2 "Relating To The Youth Vaping Epidemic"

### Chairman of the Board

Glen Kaneshige

### President

Kahealani Rivera, MD

### Board Members

Rick Bruno, MD, FACEP

Jackie De Luz

Brandt Farias

Jason Fujita

Mimi Harris

Brandon Kurisu

Michael Lui, MD

Arnold Martines

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Andrew Rosen

Timothy Slottow

Jennifer Walker

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Office: (808) 377-6630

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The American Heart Association **supports Section 4 of** HB 2457, HD2 which would enact a ban on sales of flavored tobacco products! The Association however **OPPOSES Section 5** of the bill which proposes to impose penalties for those underage who purchase or possess tobacco products. The Association takes no position on other sections of the bill.

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

The evidence supporting a flavor ban is clear. As we discuss below, flavored tobacco products are highly attractive to youth and have led to increased initiation and use among children and adolescents. The number of flavored products on the market has also increased substantially with the tobacco industry marketing thousands of fruit, candy, and mint flavored products that appeal to children. Allowing these products to remain on the market puts a new generation at risk of a dangerous addiction. Some of the flavors designed to make e-cigarettes more attractive to children have been shown to harm lung tissue, heart muscle cells, the lining cells of blood vessels, and the cells we need for blood clotting after injury.

While we understand that some adult tobacco users report using flavored products to transition or switch from combustible cigarettes, there is little evidence supporting their use as a cessation tool. The idea that vaping is a better way to quit cigarettes than reliable methods using FDA-approved nicotine replacement products isn't backed up by the weight of science.

Of the small number of studies about this, most show no advantage for e-cigarettes over the temporary use of FDA-approved products such as gum, lozenges and patches. The latter products have been proven helpful as part of an overall program for quitting, which should also include counselling and can include medications to reduce cravings.

One study frequently cited by industry and its supporter did show e-cigarettes to be effective in stopping smoking. However, as is often the case with science, that part of the study's results don't tell the whole story. The study, published in the New England Journal of Medicine, was conducted in England. That's significant because the e-cigarettes in England are far different from those in the U.S. English products have much lower levels of nicotine (as regulated by the government), and physicians there actually encourage their use to quit smoking.

Two reports from Public Health England are often referenced for stating "E-cigarettes are less harmful than combustible cigarettes." But those studies did not compare e-cigarette use to zero-nicotine exposure. And, those reports rely on small studies or reviews sponsored by organizations supported by Big Tobacco.



Some U.S. smokers have used e-cigarettes to quit, but a growing body of studies shows that approach doesn't work for many people. They cut back, but they still smoke while vaping and they remain addicted. That's called "dual use" in public health literature. The dangers of cigarettes remain, with the added dangers of e-cigarette use. The American Heart Association advises anyone quitting smoking to get off nicotine products altogether, using FDA-approved tools proven to be effective. We also don't want anyone to ever start any nicotine-containing product.

That's why we encourage legislators to make protecting children its top priority when considering legislative options for flavored tobacco. A government study found that 81 percent of kids who have ever used tobacco products started with a flavored product, including 81 percent who have tried e-cigarettes and 65 percent who have ever tried cigars.

AHA feels that a blanket flavoring ban is needed because a wide array of flavors appeal to youth and young adults, which increases the risk of initiation and continued tobacco use. In particular, studies show that menthol cigarettes increase initiation, especially among youth. Menthol is found in most cigarettes, even those not marketed specifically as menthol cigarettes. Menthol's cooling and analgesic properties reduce the harshness of cigarette smoke and irritation from nicotine. Evidence indicates that menthol enhances the addictiveness of cigarettes, both by increasing the likelihood of nicotine addiction in youth who experiment with smoking and by making adult smoker cessation more difficult.

Menthol cigarettes are used at disproportionately higher rates by racial and ethnic minority smokers, including Native Hawaiians and Filipinos, and Asian Americans. Also, approximately 71 percent of all young LGBT smokers use menthol cigarettes. At least half of all teen smokers use menthol tobacco products. Use of menthol products is also prevalent among non-minority youth and those making less than \$10,000 per year.

A convincing body of evidence has shown that tobacco-related health disparities are exacerbated by targeted marketing in minority areas and the consumption of menthol tobacco products. Internal tobacco industry documents show that tobacco companies have a long history of using flavors, including menthol, to reduce the harshness of their products to make them more appealing to new users, almost all of whom are under age 18. The FDA's Tobacco Products Scientific Advisory Committee noted that "Menthol cannot be considered merely a flavoring additive to tobacco. Its pharmacological actions reduce the harshness of smoke and the irritation from nicotine." The Committee concluded:

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

The number of flavored tobacco products on the market increased substantially after flavored cigarettes were banned. After the 2009 federal ban on flavored cigarettes (excluding menthol cigarettes) took effect, the tobacco industry

started producing different types of flavored tobacco products that were not subject to the prohibition. This led to the rise in the number of youth using flavored cigars, and especially in Hawaii, e-cigarettes. Both the tobacco industry and youth adjusted to the cigarette flavor ban by moving to other tobacco products where flavors were still allowed. If the Hawaii State Legislature were to pass a flavoring ban, but limit it to certain types of products or flavorings, we are likely to see the same thing happen again.

**In regards to Section 5 the American Heart Association strongly opposes youth possession and penalties (PUP) tobacco laws.** The rise in PUP laws is linked to Big Tobacco's response to the Synar amendment which required states to enact and enforce laws prohibiting distribution and sale of tobacco products to minors. As states imposed restrictions on tobacco retail sales, the tobacco industry and retail merchants associations pressured lawmakers to penalize buyers and users as well as vendors.

Advocates for PUP laws hoped that the laws would play a central role in a multi-pronged approach to reducing youth initiation and smoking rates, but studies show little evidence of a deterrent effect over time.

Big Tobacco targeted youth for decades, seeking to create new generations of customers addicted to its products. Instead of holding industry and retailers accountable, PUP laws shift responsibility to their victims – young consumers who are purchasing and using a deadly and highly addictive product.

Psychologists have found that punishment is not an optimal strategy for behavior change – a finding that is even more relevant when the behavior in question is addictive. PUP laws are unlikely to reduce youth initiation and smoking prevalence at the population level. Some researchers suggest that they are counterproductive, actually increasing smoking rates among youth who seek to engage in behavior deemed deviant or behavior associated with adulthood.

PUP laws are inequitable because they disproportionately affect youth of color. Youth of color – as well as LGBT youth, youth with disabilities, and boys – are more likely to smoke because these populations have been targeted via advertising and retailer placement by the tobacco industry.

Enforcement of PUP laws also disproportionately affects youth from low-income communities. High smoking rates are correlated with low income, and there are more tobacco retailers and advertisements in less affluent areas. Consequently, low-income youth are more likely to smoke and to be affected by PUP laws. A child with a job, a single parent, or 2 parents who work outside the home may struggle to complete community service or pay fines. A child who is unable to complete community service or pay fines may be subject to escalating penalties that are increasingly difficult to resolve. Further, the resulting stress takes a toll on health and increases the likelihood of risky behaviors or involvement with juvenile justice, mental health, substance use, or other systems.

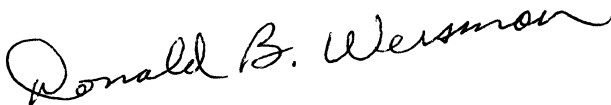
PUP laws stigmatize youth who smoke, yet smoking is an addictive behavior promoted by a billion-dollar industry that directly and deliberately targets them. Stigma is not an effective public health intervention, and it may keep kids from seeking cessation treatment

or education. Problematic behaviors such as smoking may be more likely to continue in the face of punishment (as opposed to cessation interventions) because punishment provides an incentive to hide the behavior and protect those engaged in it.

The Association instead recommends a focus on policies that have been proven effective in reducing youth tobacco use including increasing taxes, allocating state funding to meet the CDC's recommended level of tobacco prevention, control and cessation funding for the state, limiting sales to youth through effective enforcement of retailers for underage sales, restricting online sales, and prohibiting flavored tobacco products.

Thank you for considering our recommendations which we feel will have a substantial effect in reducing tobacco use among Hawaii's youths.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive style with a prominent initial "D".

Donald B. Weisman

Hawaii Government Relations/Communications Director



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

#### Executive Officers

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**Lauren Zirbel**, HFIA, *Executive Director*  
**John Schlif**, Rainbow Sales and Marketing, *Advisor*  
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**Paul Kosasa**, ABC Stores, *Advisor*  
**Derek Kurisu**, KTA Superstores, *Advisor*  
**Beau Oshiro**, C&S Wholesale Grocers, *Advisor*  
**Toby Taniguchi**, KTA Superstores, *Advisor*

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TO:  
Committee on Finance  
Rep. Sylvia Luke, Chair  
Rep. Ty J.K. Cullen, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: February 25, 2020  
TIME: 12:30pm  
PLACE: Conference Room 308

RE: HB2457 HD2 Relating to the Youth Vaping Epidemic

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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University of Hawaii at Manoa,  
College of Tropical Agriculture  
and Human Resources

Garret Sugai  
Kaiser Permanente

Catherine Taschner, JD  
McCorriston Miller Mukai  
MacKinnon LLP

Date: February 24, 2020

To: Representative Sylvia Luke Chair  
Representative Ty J.K. Cullen, Vice Chair  
Members of the Finance Committee

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

Hrg: February 25, 2020 at 12:30 pm at Conference Room 308

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The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute<sup>i</sup> 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, is investing in the popular vaping company Juul, which has 76% of the e-cigarette market share and is worth \$16 billion.

With 81% of youth starting with a flavored product<sup>ii</sup>, 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](http://nickjr.com) and the Cartoon Network's website [cartoonnetwork.com](http://cartoonnetwork.com).<sup>iii</sup> 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<sup>iv</sup> 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<sup>v</sup>. 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. Tobacco and nicotine are addictive substances, and are difficult to quit. Fines and other similar penalties that criminalize children are ineffective and often counter-productive at stopping youth from using tobacco products. Offering youth, the option of education courses, cessation services, or community service provide useful and productive alternatives to penalties. In conjunction with strong tobacco control policies, these options may be more conducive to the goal of reducing youth tobacco use. Some proven policies recommended by the Centers for Disease Control and Prevention include: 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.

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

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

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<sup>i</sup> 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.

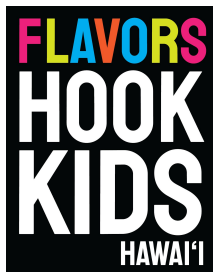
The Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

<sup>ii</sup> 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

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

<sup>iv</sup> 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.

<sup>v</sup> 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<sup>1,2</sup>; Jessica L. Barrington-Trimis, PhD<sup>3</sup>; Thomas A. Wills, PhD<sup>4</sup>; et al  
JAMA Pediatr. 2017;171(8):788-797. doi:10.1001/jamapediatrics.2017.1488



To: Representative Sylvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair  
Members of the House Finance Committee

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

Hearing: Tuesday, February 25, 2020 at 12:30pm in Room 308

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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."<sup>1</sup> Furthermore, we have recently seen a drastic increase in the number of youth who use tobacco products. From 2017 to

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



2018 rates have increased among high schoolers from 11.7% to 20.8% and in middle schoolers from 3.3% to 4.4%.<sup>2</sup> 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.<sup>3</sup>

**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."<sup>4</sup>

As of 2017, researchers identified more than 15,500 unique e-cigarette flavors available online.<sup>5</sup> 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."<sup>6</sup> 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

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<sup>2</sup>CDC, "Tobacco Use is Rising" February 2019 Report.

<sup>3</sup> 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.

<sup>4</sup>Tobacco 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>

<sup>5</sup>Zhu, 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.

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

source, an increase from 68.9 percent in 2014.<sup>7</sup>

**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.<sup>8</sup> 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.<sup>9</sup> Another national survey found that 97% of current youth e-cigarette users have used a flavored e-cigarette in the past month.<sup>10</sup> 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.”<sup>11</sup>

The Surgeon General has concluded that, “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”<sup>12</sup> 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.”<sup>13</sup> 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.<sup>14</sup>

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<sup>7</sup>Marynak, 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>.

<sup>8</sup>FDA, “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](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).

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

<sup>10</sup>FDA, “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>.

<sup>11</sup>FDA, “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>.

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

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

<sup>14</sup>TPSAC, *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](mailto: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 Oiwi  
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

**Rep. Sylvia Luke, Chair**  
**Rep. Ty J.K. Cullen, Vice Chair**  
**House Committee on Finance**

February 25, 2020, 12:30pm, Conference Room 308

**Testimony in Support, With Amendments for House Bill 2457, House Draft 2, Relating to the Youth Vaping Epidemic**

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education and advocacy. The work of the American Lung Association in Hawaii and across the nation is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

**The American Lung Association in Hawaii fully supports the intent of this legislation and fully support the sales restriction of all flavored tobacco products, including menthol. We do have concerns with provisions supporting punishment for youth possessing or purchasing tobacco products.**

Youth purchase, use, or possession (PUP) laws are not an effective approach to reducing youth tobacco use and inappropriately shift the blame for underage tobacco use from the tobacco industry and retailers, to young people. Penalizing youth is not an effective strategy for reducing youth smoking; and some experts argue that PUP laws could detract from more effective enforcement measures and tobacco control efforts.<sup>1</sup>

The need for Hawaii to protect youth from tobacco is more urgent than ever, with youth e-cigarette use reaching epidemic levels due to a 78 percent increase in high school e-cigarette use from 2017 to 2018, according to the Centers for Disease Control and Prevention (CDC). This equals one million additional kids beginning to use e-cigarettes, placing their developing bodies at risk from the chemicals in e-cigarettes, as well as a lifetime of deadly addiction.

Many youth smokers are addicted, making it difficult for them to quit, and some research suggests that penalizing youth could deter them from seeking support for cessation<sup>2</sup>. Promoting interventions that provide cessation resources for youth interested in quitting could be a more beneficial alternative.

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<sup>1</sup> Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," Tobacco Control, 12(Suppl 1):i6-i13, 2003; Jason, LA, et al., "Youth Tobacco Sales-to-Minors and Possession-Use-Purchase Laws: A Public Health Controversy," J Drug Education, 35(4):275-290, 2005.

<sup>2</sup> 2 Hrywna, M, et al., "Content Analysis and Key Informant Interviews to Examine Community Response to the Purchase, Possession, and/or Use of Tobacco by Minors," J Comm Health, 29(3):209-216, 2004; Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," Tobacco Control, 12(Suppl 1):i6-i13, 2003; Loukas, A, et al., "Examining the Perspectives of Texas Minors Cited for Possession of Tobacco," Health Promotion Practice, 7(2):197-205, 2006.

Research has shown that menthol flavors are particularly enticing to teens and adults 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.

The use of electronic smoking devices by youth in Hawaii is nearly double the national average, and urgent action is required by state legislators in 2020 to address it. The American Lung Association in Hawaii urges legislators to continue to support and advocate for policies to protect youth from tobacco use that ban flavored tobacco products, including menthol, but that do not punish youth that have become victims of the tobacco industry and predatory retailers.



Pedro Haro  
Executive Director  
American Lung Association in Hawaii  
pedro.haro@lung.org



Tuesday, February 25, 2020  
State Capitol, Conference Room 308

**To:** Representative Slyvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair  
Committee on Finance

**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 to ban the sales of flavored tobacco products in Hawai'i.**

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. For the past few years, we have seen an increasing number of teenagers and young children 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.



**HB-2457-HD-2**

Submitted on: 2/24/2020 12:17:15 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Crystal Robello	Blue Zones Project-Hawaii	Support	Yes

Comments:



**Kaho'omiki**  
Hawai'i Council on Physical Activity & Nutrition

February 23, 2020

To: Chair Luke  
Vice Chair Cullen  
House Committee on Finance

Re: **Strong Support for HB2457 HD2**

Aloha Chair Luke, Vice Chair Cullen, members of the House Committee on Finance:

Thank you for your dedication to community health and this opportunity to provide testimony in **strong support** for **HB2457 HD2**.

Kaho'omiki, the Hawai'i Council on Physical Activity and Nutrition, is a local non-profit that supports and encourages lifelong healthy lifestyles and closely works with organizations across the state to better the lives of all people—keiki to kūpuna.

It is clear that ESD use by youth is on an upward trend, and overwhelming data from local and national sources, including the Centers for Disease Control and Prevention (CDC), cite 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.”<sup>1</sup> Locally, 27% of middle school students and 42% of public high school students acknowledge trying electronic smoking devices in 2017.<sup>2</sup> It's also clear that e-cigarette companies are using to hook kids.

This bill establishes a safe harbor program for person under the age of 21 to dispose of electronic smoking devices and support Department of Education employees in the proper confiscation of such devices. Additionally, this bill would end the sale of flavored tobacco products and prohibit the mislabeling of e-liquid products containing nicotine.

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

Sincerely,

Colby Takeda, MBA, MPH  
President

<sup>1</sup> 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.

<sup>2</sup> 2017 Hawai'i Youth Risk Behavior Survey



February 23, 2020

To: The Honorable Sylvia Luke, Chair  
The Honorable Ty T.J. Cullen, Vice Chair  
Members of the House Committee on Finance

Re: **Strong Support for HB2457 HD2**

Hrg: February 25, 2020 at 12:30 PM at Capitol Room 308

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

HPHA strongly supports HB2457 HD2 which would end the sale of flavored tobacco products, including flavored e-liquids.

Hawaii 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. There are numerous health impacts from e-cigarettes. 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 Hawaii that look and taste like our favorite childhood flavors (Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Rolls, and Halawa Guava).

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

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

Respectfully submitted,

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

Holly Kessler  
Executive Director  
Hawaii Public Health Association



**Testimony to the House Committee on Finance  
Tuesday, February 25, 2020; 12:30 p.m.  
State Capitol, Conference Room 308**

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

Chair Luke, Vice Chair Cullen, 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@hawaiipca.net](mailto:eabe@hawaiipca.net).



## Testimony in Support of RE: Relating to Youth Vaping Epidemic

Hawaii Dental Hygienists' Association

Feb 23, 2020

Dear Chair Luke, Vice Chair Cullen and Respected Members of the Committee on Finance:

The Hawaii Dental Hygienists' Association (HDHA) strongly **supports House Bill 2457 HD2** which proposes to amend Chapter 302A, HRS by prohibiting the sale or distribution of flavored tobacco products.

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

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

As the largest association representing Hawaii's licensed dental hygienists', HDHA strongly **supports HB 2457 HD2** to ban the sale of flavored tobacco products in Hawaii. Dental hygienists strive daily to educate patients on ways to improve their oral health, which includes discussing the harmful effects of smoking and tobacco related products. We look forward to working with lawmakers toward our common goal of increased health and decreased dental disease in our great State.

Thank you for your time and consideration.



## **HB2457 HD2 Ban Flavored E-Cigarettes and Impose Fines**

COMMITTEE ON FINANCE:

- Rep Sylvia Luke Chair; Rep. Ty Cullen, Vice Chair
- Tuesday, Feb. 25th, 2020: 12:30 pm:
- Conference Room 308

### **Hawaii Substance Abuse Coalition Recommends and Supports HB2457 HD2:**

*GOOD MORNING 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 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: 2/22/2020 10:03:44 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Ching, MD, MPH	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.



**HB-2457-HD-2**

Submitted on: 2/22/2020 3:57:41 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
amy agbayani	Filipina Advocacy Network FAN	Support	No

Comments:

This bill is necessary for the health of youth so they do not get addicted.

amy agbayani



**LATE**

## 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

**HB-2457-HD-2**

Submitted on: 2/23/2020 9:29:50 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenna Morrison	Kauai High Student Council	Support	No

Comments:

My name is Jenna Morrison, I attend Kaua'i High in 9th grade and I approve of this bill. Toccabo smoke is really bad for the lungs so it should really not be allowed for anyone especially because you can get addicted and die.

**HB-2457-HD-2**

Submitted on: 2/23/2020 9:57:48 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sierra cun-lara	kauai high school student council	Support	No

Comments:

Hello my name is Sierra, and I am a member of the Kauai High Student Council. I agree greatly with this ban. I think it is a very reasonable response for people under the age of 21 to complete a tobacco education program if caught or for them to preform community service. Overall, as a student and teenager I belive this ban should be put into act.

**HB-2457-HD-2**

Submitted on: 2/23/2020 8:04:26 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeresen Dikilato	Kauai High School Student Council	Support	No

Comments:

This bill will become a huge step for the health of our youth today concerning the uses of vapes and vape-related products. That is why I support the ban on the sale of tobacco flavored products as well as the added penalties for violating this bill. Some of my friends and even kids who are eleven are becoming addicted and relying on these products to make them feel better. This habit will lead to the abuse of actual tobacco products and other harmful substances. If we can stop youth now and youth in the future it will greatly benefit our health.

**HB-2457-HD-2**

Submitted on: 2/24/2020 7:08:57 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jayden Lee	Kauai High Student Council	Support	No

Comments:

They should ban vaping products.

# 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 and menthol 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.**





**FILIPINO BUSINESS WOMEN'S ASSOCIATION (FBWA)**  
**1159 Manuwa Drive, Honolulu, Hawaii 96818**

***Empowering Filipino Women in Leadership is our Core Value***

February 24, 2020

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 Business Women's Association **supports HB2457, Relating to the Youth Vaping Epidemic.**

As mothers, grandmothers, aunts, 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.**

Very sincerely,

Fe Edita M. Velasco  
President



**HAWAI'I COMMUNITY FOUNDATION**  
*Amplify the Power of Giving*

To: The Honorable Sylvia Luke, Chair  
The Honorable Ty Cullen, Vice Chair  
And Members of the House Committee on Finance

From: Micah Kāne, Chief Executive Officer & President  
Hawai'i Community Foundation

Re: **HB2457 HD2, Relating to the Youth Vaping Epidemiv**

Date: Tuesday, February 25, 2020

Time: 12:30 P.M.

Place: Conference Room 308, State Capitol

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 **strongly supports 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. 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.<sup>1</sup> Among students 12-17 years old who ever used a tobacco product, 81% started with a flavored product.<sup>2</sup> Marketing of flavors to our keiki is being used to create a new generation of nicotine dependents, with long-term adverse health consequences to our state.

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<sup>1</sup> 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.

<sup>2</sup> 2013-2014 Population Assessment of Tobacco and Health (PATH Study), National Institutes of Health and U.S. Food and Drug Administration.

HB2457 HD2 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.

Nicotine is a highly addictive substance. Youth who are addicted to nicotine need help quitting through supportive counseling and other approved methods. Research shows that fines and other penalties for persons under age 21 who possess, use or purchase tobacco products, including electronic smoking devices (ESDs), are ineffective to deter smoking behaviors among our keiki.<sup>3</sup>

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<sup>3</sup> *ChangeLab Solutions Fact Sheet.* <https://www.changelabsolutions.org/product/pup-smoke>



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**DAMIEN MEMORIAL SCHOOL**

### House Committee on Finance

Time: 12:30 p.m.

Date: February 25, 2020

Where: Conference Room 308

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

Chair Luke, Vice Chair Cullen and members Eli, Gates, Hashimoto, Holt, Kitagawa, Kobayashi, Matayoshi, Nakamura, Nishimoto, Todd, Wildberger, Yamashita, and McDermott.

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!



American Cancer Society  
Cancer Action Network  
2370 Nu`uanu Avenue  
Honolulu, Hawai`i 96817  
808.432.9149  
[www.acscan.org](http://www.acscan.org)

House Committee on Finance  
Representative Sylvia Luke, Chair  
Representative Ty Cullen, Vice Chair

**SB 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, HD1, 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 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. We do note the Department does have rules under Hawaii Administrative Rules Title 8, Chapter 19, to address smoking and tobacco products.

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 all monetary fines for under-age use and possession for these reasons.

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



Kona Visayan Club  
PO Box 4864  
Kailua-Kona, HI 96745  
[www.facebook.com/konavisayanclub](http://www.facebook.com/konavisayanclub)

### **TESTIMONY IN STRONG SUPPORT OF HB2457, Relating to the Youth Vaping Epidemic Committee on Finance**

To: Representative Sylvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair  
Members of the Committee on Finance

From: Jane Clement, President  
Kona Visayan Club

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The Kona Visayan Club, a domestic non-profit Filipino organization on Hawaii Island, is in **strong support of HB2457, Relating to the Youth Vaping Epidemic.**

Teen vaping is rising at an alarming rate. In December 2019, the U.S. surgeon general raised an alarm regarding the rise in e-cigarette use among the nation's youth. According to the 2019 National Youth Tobacco Survey, over 5 million youth are currently using e-cigarettes with nearly 1 million youth using the product daily.

This substantial increase in teenage vaping is especially concerning to our Filipino community. 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. But vaping among Filipino youth is even higher than it is among the general student population.

Attractive marketing and flavored e-cigarettes coupled with increasing social pressures are luring our teens into smoking and nicotine addiction and are contributing 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 twice the rate of their other Asian-American peers.

Thank you for this opportunity to support **HB2457, Relating to the Youth Vaping Epidemic** on behalf of our community. Your consideration for its passage is greatly appreciated.

Sincerely,

Jane Clement  
President, Kona Visayan Club

Tuesday, February 25, 2020 at 12:30 PM  
Conference Room 308

**House Committee on Finance**

To: Representative Sylvia Luke, Chair  
Representative Ty Cullen, 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**

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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 Moloka'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.

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

**HB-2457-HD-2**

Submitted on: 2/24/2020 6:58:00 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
BELLA HUGHES	Shaka Tea	Support	No

Comments:

**February 23, 2020**

**The Honorable Chris Lee, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary  
Hawaii State Capitol  
Honolulu, HI 96813**

**Dear Chair Lee, Vice Chair San Buenaventura, and Members:**

**My name is Isabella “Bella” Hughes, and I am in strong support of HB2457, HD1, 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](mailto:bella@shaktea.com)

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 Asselbaye

Daniel Leung

Michael Broderick

May Okihiro

Joy Barua

Diane Tabangay

Susie Chun Oakland

Tina Tamai

Jennifer Dang

Jordan Smith

Stacy Evensen





## Hawaii Kai Lions Club

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To: The Honorable Representative John Mizuno  
And members of the Committee on Health

The Hawaii Kai Lions Club is in **full support of HB 2457** which bans the sale of flavored tobacco products; persons under 21 years of age may dispose of electronic cigarettes in their possession; authorizes public school teachers to confiscate electronic cigarettes; increases fines for the purchase or possession of tobacco products and electronic smoking devices by persons under 21 years of age. It will serve as a strong deterrent to dissuade our keiki from the harmful effects that these flavored e-cigarettes will have on them and their future.

As the President of the Hawaii Kai Lions Club, our mission is to provide for the betterment of our communities and particularly our vulnerable populations. Our youth, the target population, represents our future. As community servant leaders we are obligated to ensure that all our residents--our keiki and kupuna--can live their lives without the detrimental effects of this devastating vaping trend. We need to learn from our past and help our keiki avoid illnesses and deaths caused by nicotine use. Flavored tobacco products undo the work that has been done to curb cigarette-related health issues and medical costs. We need to address this issue as soon as possible to avoid past consequences. Only by enacting effective laws to systematically reshape this unwanted habit will we be able to successfully combat this serious health challenge.

**In closing, we urge you and your Committee Members to pass HB2457 as the delicate futures of our youth depend on your bold actions today!**

Ellsworth Fujii  
President, Hawaii Kai Lions Club



# HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

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

February 21, 2020

To: Senator Sylvia Luke, Chair  
And members of the Committee on Finance

## **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:

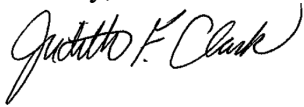
- 26% of Hawai'i high school students are using e-cigarettes
- 94% online purchases of e-cigarettes have been successful amongst teens

- 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



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



Pono Hawai'i Initiative

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

Tuesday, February 25, 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. There is no reason that Hawai'i cannot be next.

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

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

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:51:04 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Loren	West Hawaii Community Health Center	Support	No

Comments:

1) 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.

2) 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.

**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

HOUSE COMMITTEE ON FINANCE

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

Aloha Committee on Finance Members,

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.

We 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

**HB-2457-HD-2**

Submitted on: 2/22/2020 10:52:18 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

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

Comments:

Strongly Support HB2457 HD2

1. 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
2. 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.
3. Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

[www.WeAreOne.cc](http://www.WeAreOne.cc)



February 24, 2020

To: The Honorable Rep Sylvia Luke, Chair  
The Honorable Rep Ty J.K. Cullen, Vice Chair

From: Cory Smith, VOLCANO eCigs  
CEO and Owner

RE HB 2457, HD2 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes is the largest independent retailer & wholesaler of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 15 locations statewide and employ over 80 full-time workers to support sales of our products not only here in Hawaii, but to most USA states as well as over 30 International countries. We stand in opposition to HB 2457, HD2 for the following:

- Most recently, the FDA has issued updated guidance on vapor products which limit a flavor restriction to prefilled pods such as the Juul device which has been proven in the recent CDC Youth Tobacco Risk Survey to be the #1 brand choice for youth usage. This is a measured approach to an issue The FDA purposefully left the “open tank” market off their guidance for flavor restrictions because they want to keep the adult users and industry participants insulated from a blanket ban that would send adults back to cigarettes and put 15,000 small businesses out of business & 100,000 people out of work nationally.
- HB 2457, HD2 will deny current combustible tobacco smokers vital products needed to help them quit smoking. Furthermore, a flavor ban would no doubt force the closure of over 50+ businesses in Hawaii and immediate loss in employment as well as retail leases and supporting businesses. It’s the small independent vape shops which play a vital role in helping adults make a successful transition off tobacco cigarettes, not convenience stores.
- To date there is no manufacturer that sells as successful line of unflavored eliquid to legal adult users 21+. These products rely heavily on their ability to offer flavor diversity to adults to increase their success in secession rates from tobacco cigarettes.
- A flavor ban would force a black market “Do it yourself” experimental market due to the massive adult population who currently use these products in Hawaii. Currently, all products being distributed by Hawaii vape shops are third party batch tested and registered with the FDA with assigned TP numbers. The factories manufacturing the products that currently sit on the shelves are quality controlled. The black-market conditions which would arise from the passing of this bill would inflict a huge quality void in the market and expose the adult population to greater risks. The unintended consequences of this bill outweigh the hypothetical gain.
- Flavored alcohol products remain in plentiful abundance at every retail outlet even with high rates of youth usage, associated death and disease, in addition to all the addiction and abuse of those items as well. The vapor category is being held to a different standard in regards to flavors on the retail market. Its potential to be a risk reduction tool is proven to assist adults in a path off of using





the known killer of tobacco cigarettes and should be supported instead of denied the single largest public health with of our lifetime.



- Vapor products and e-liquids contain NO tobacco, often times contain NO nicotine, and ultimately emit NO smoke when vaporized; yet HB 2457, HD2 deceptively refers to vapor products as “Electronic Smoking Devices” to mislead the public and creates a false perception of the nature of these products. This misclassification establishes the idea that vapor products are the same as tobacco products and thus, should be viewed, controlled, and perceived the same way as traditional tobacco products. This is a complete disregard of the fact that vapor products are fundamentally different from tobacco products in every way.

- HB 2457, HD2 states in its justification that the bill and its regulations are needed to curb youth usage. However, it fails to mention the latest available CDC report that shows youth use of all tobacco products, including e-cigarettes are at the lowest levels ever. Furthermore, a study done the following year at the University of Michigan found that the majority of youth who have reported using e-cigarettes are not using e-liquids that contain nicotine - further suggesting that youth who do use e-cigarettes are doing so to replace the use of traditional tobacco.  
o <https://www.cdc.gov/media/releases/2017/p0615-youth-tobacco.html>



- The most Recent CDC report has shown e-cigarettes have supplanted all other traditional nicotine replacement therapies and are now the most commonly used product by consumers to quit using traditional tobacco cigarettes

- [http://www.journalnow.com/business/business\\_news/local/cdc-report-shows-moresmokers-try-to-quit-with-e/article\\_a33383f3-5300-5178-9f14-28b52884c45c.html](http://www.journalnow.com/business/business_news/local/cdc-report-shows-moresmokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html)

- A recent study published by the New England Journal of Medicine concluded that ECigarettes are twice as effective for smoking cessation than traditional nicotine replacement therapy products which are not taxed or controlled the same way this bill proposes to tax and control E-Cigarettes. The state should be creating easier access for these products, not tighter regulations that steers vapers back towards tobacco cigarettes

- <https://www.nejm.org/doi/full/10.1056/NEJMoa1808779>

- A recent study by the National Academy of Sciences, Engineering, and Medicine stated: "there is conclusive evidence that completely substituting e-cigarettes for combustible tobacco cigarettes reduces users' exposure to numerous toxicants and carcinogens present in combustible tobacco cigarettes." The findings add to the already weighty body of evidence showing vaping to be far less hazardous than smoking.

- <http://www.washingtonexaminer.com/landmark-e-cigarette-report-explodes-myththat-vaping-is-as-toxic-as-smoking/article/2646804>

- [http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-ecigarettes.aspx?utm\\_source=Hootsuite&utm\\_medium=Dashboard&utm\\_campaign=SentviaHootsuite](http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-ecigarettes.aspx?utm_source=Hootsuite&utm_medium=Dashboard&utm_campaign=SentviaHootsuite)

- HB 2457, HD2 States in its justification that the use of licensing and permit fees will help "protect consumers, such as requiring retailers of e-liquids to obtain a retail tobacco permit". We fail to see how requiring retailers to obtain a permit will translate to 'protecting the public'. Rather, it will simply burden the 50+ small businesses operating in the vapor products industry with unnecessary fees and bureaucratic hurdles.

- Vapor Products are not the same as tobacco products, and thus, should not be regulated in the same fashion. Vapor products have not been demonstrated to have the same detrimental effects of combustible tobacco products and have otherwise been shown in recent studies to be as much as 95% less toxic than traditional Cigarettes. Creating extraneous regulations that aim to limit access only serves to protect deadly tobacco markets.

- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457102/ECigarettes\\_an\\_evidence\\_update\\_A\\_report\\_commissioned\\_by\\_Public\\_Health\\_England\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457102/ECigarettes_an_evidence_update_A_report_commissioned_by_Public_Health_England_FINAL.pdf)

- HB 2457, HD2's justification states that without taxing vapor products, "smokers may be tempted to purchase less expensive products such as e-liquid". This is false. Virtually all e-cigarette starter kits and bottles of e-liquid are already higher priced in comparison to tobacco cigarettes. An average reusable electronic cigarette starter kit ranges in price from \$30 to upwards of \$300 depending on the device. Furthermore, a 15ml bottle of e-liquid (the smallest bottle size currently offered) is currently retailed at \$12.99 at all of our locations, which is nearly 33% more costly than a standard pack of cigarettes, yet it provides nearly the same amount of puffs.

- Most troubling is the fact that by subjecting vapor products to this proposed tax, the additional costs to consumers will likely result in the state seeing less tax revenue, and even worse, former smokers



returning to tobacco use. The tax will result in current vapor users purchasing from online vendors who would not be subject to state taxes. Local manufacturers, wholesalers and retailers would be put at a massive competitive disadvantage and most retail customers would send their money out-of-state effectively lowering the tax revenue already being generated by sales of vapor products here in the state. We would be unable to compete in other out-of-state and international markets with competitors who are not subjected to the same tax, which would put our local operations in severe jeopardy meaning an immediate loss of jobs and existing revenues. This bill would also effectively reduce access to a modified risk product that has been a public health win and would simply prop up and protect the proven deadly tobacco market.

It is our belief that this continuing unjustified classification and requirements are not in the best interests of the State of Hawaii. Thank you for your time and consideration. If you have any questions, please feel free to contact me directly.

Sincerely,

Cory N. Smith  
CEO & Owner  
VOLCANO eCigs  
197 Sand Island Access Rd. #213  
Honolulu, HI 96819  
[cory@volcanoecigs.com](mailto:cory@volcanoecigs.com)



Testimony of Kimo Haynes,  
President of the Hawaii Petroleum Marketers Association

**OPPOSING HOUSE BILL 2457, HOUSE DRAFT 2,  
RELATING TO THE YOUTH VAPING EPIDEMIC**

House Committee on Finance  
The Honorable Sylvia Luke, Chair  
The Honorable Ty Cullen, Vice Chair

Tuesday, February 25, 2020 at 12:30 p.m.  
Hawaii State Capitol, Conference Room 308

Chair Luke, Vice Chair Cullen, and members of the Committee,

I am Kimo Haynes, president of the Hawaii Petroleum Marketers Association (“HPMA”). HPMA is a non-profit trade association comprised of members who directly market liquid motor fuel products across the Hawaiian Islands. Our membership includes individuals and companies who operate as independent marketers, jobbers or distributors of petroleum products and who buy liquid motor fuel products at the wholesale level and sell or distribute products to retail customers, other wholesalers, and other bulk consumers.

House Bill 2457, House Draft 2, bans the sale of flavored tobacco products, beginning 1/1/2021; 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.

While HPMA strongly supports strict enforcement of laws that prohibit the sale and distribution of tobacco products to underage persons, **we respectfully oppose provisions in HB 2457, HD 2 that prohibit the sale, distribution and marketing of all flavored tobacco products to persons of legal age.**

HPMA respectfully asks that the bill be amended by adopting language found in HB 2347, HD 1 to exempt menthol and mentholated tobacco products from the ban.

Testimony opposing HB 2457, HD 2, Relating to the Youth Vaping Epidemic  
House Committee on Finance  
Hawaii State Capitol, Room 308  
Tuesday, February 25, 2020 at 12:30 p.m.  
Page 2

Additionally, we are concerned that granting individual counties the ability to pass ordinances that are stricter than State law will result in varying restrictions from county to county and will make compliance for retailers difficult. We recommend having a uniform statewide law and suggest deleting the following section on page 8:

**§712 -      Sale or advertising of tobacco products; remote retail sales; flavored; nicotine-free.**

~~[(5) Notwithstanding any other law to the contrary, any county may adopt a rule or ordinance that places greater restrictions on the access to flavored tobacco products than provide for in this section. In the case of a conflict between the restrictions in this section and any county rule or ordinance regarding access to flavored tobacco products, the more stringent restrictions shall prevail.]~~

Thank you for allowing HPMA the opportunity to submit written testimony on this bill.

February 24, 2020

TO: Chair Sylvia Luke  
Vice Chair Ty J.K. Cullen  
Members of the House Committee on Finance

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

RE: **HB 2457 HD2** - Relating to the Youth Vaping Epidemic  
Hearing Date: February 25, 2020  
Time: 12:30 pm

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

CAA **opposes HB 2457 HD2** to the extent that it seeks to ban the sale of flavored tobacco products including 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.

**HB-2457-HD-2**

Submitted on: 2/24/2020 4:01:44 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Zehner	Hawaii Smokers Alliance	Oppose	No

Comments:

We are strongly opposed to this bill for the following reasons:

1. The bill is profoundly dishonest since those constituents over the age of 21 would be punished by it.
2. The bill is highly offense to the civil rights and liberties of a massive voting block that smokes and vapes. You as a lawmaker would NOT be fairly representing them by passing this bill.
- 3. The bill is a revenue loser. It will incentivize people that visit Hawaii to buy their menthol and other flavored products before they come to Hawaii**, seriously harming local small businesses.
4. It will also foster a black market via smuggling, the mail, the internet, and other sources.

Sincerely, Hawaii Smokers Alliance

[www.hawaiismokersalliance.net](http://www.hawaiismokersalliance.net)



February 24, 2020

To whom it may concern:

My name is Riley Legaspi and I'm the Compliance Director for BLVK Unicorn. Outside of my normal, 9-5, full-time position managing compliance for the company, I was a smoker and have been since I was a teenager. It wasn't until the age of 19 that I tried my first electronic cigarette and a pina colada flavor. For the next 7 years I used flavored e-liquids of all flavor categories to not only taper off of cigarettes, but to completely replace my habit and eventually quit nicotine altogether.

I write this testimonial, not only as a representative of the company I work for, but also as an ex-smoker that used the very products the government wishes to ban. Electronic cigarettes and flavored e-liquids may not be legally allowed to claim health efficacy, but someone that used these products for its purpose definitely did.

I, along with the entire BLVK Unicorn company stand with Hawaiian vape shop owners and the thousands of legal adults that use electronic cigarette products in opposing HB-2457. These products, when properly regulated, can save the lives of millions. Please do not over-regulate these products as prohibition historically backfires and ends up doing more harm than good.

Sincerely,

A handwritten signature in black ink that reads "Riley Legaspi". The signature is written in a cursive, flowing style.

Riley Legaspi  
Compliance Director



**HB-2457-HD-2**

Submitted on: 2/23/2020 11:47:31 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Azuma	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

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:10:58 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steven Han	Volcano E-Cigs	Oppose	No

Comments:

I oppose of this bill. I started vaping to save myself from cigarette addiction as a teenager and I can confidently say that it has saved my life.

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:08:01 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Holly Reiplinger	Individual	Oppose	No

Comments:

I am adult and I oppose this bill. Vaping has allowed me to quit cigarettes and live a healthier life. It is affording me the road to quit all together. It does not make sense to only ban flavored eliquid, but not menthol or tobacco. This will not stop the youth from smoking, it will however be worse as they will go online and follow instructions to make their own juice which will be way worse. Many more people have been harmed by cigarettes yet you don't ban them, why? It seems the tobacco industry is suffering by the popularity of vaping so they are making a fuss. Please do not pass this bill!

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:43:19 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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: 2/24/2020 3:01:06 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristian Ibane-luis	Individual	Oppose	Yes

Comments:

I don't think the state of hawaii gets the whole point of vaping and why us adults continue to vape, I use to be a 4 pack a day smoker wasting over hundreds and hundreds of dollars a week and i got tired of wasting money, getting my nicotine fix while getting sick, and getting frustrated and headaches from cigarettes, I have stepped into the world of vaping and it became a healthier alternative, I could breathe, taste, smell, and even run 5 miles without getting winded, it saved me thousands and thousands of dollars with over 10,000 different types of flavors and deals the vape shops have come up with. After getting into vaping I have become part of a vapeteam, a vape family, and over the years I have become a vape enthusiast with having knowledge with different types of mods, parts, batteries, vaping safety, atomizers, juices, mixes, wicks, etc., I loved vaping because within the last 3 years I have vaped I have never gotten sick, I have never gotten headaches, I have never gotten a single cold, flu, migraine, or even a sower throat, vaping has saved my life and saved me thousands of dollars, but what i am a shamed of is the state of hawaii doesnt realize that it is our FREEDOM to vape, it is THE PEOPLES CONSTITUTIONAL RIGHT AND FREEDOM NOT THE GOVERNMENT TO TELL US WHAT WE CAN AND CANT DO for the state of hawaii to try and take away something that has saved my life I am ashamed because I have heard citizens and MILITARY members say this I HAVE RAISED MY RIGHT HAND TO WE THE PEOPLE, NOT WE THE GOVERNEMT, where am I going with this well IN ALL ASPECTS OF ALL AND ANY GOVERNMENT AGENCY OR ESTABLISHMENT YOU ALL HAVE TOOK AN OATH TO UPHOLD AND SUPPORT THE CONSITUTION OF THE UNITED STATES OF AMERICA WHICH THE CONSITUTION MAKES THIS COUNTRY FREE AND TO KEEP ITS PEOPLE, (NOT THE GOVERNEMNT) ITS PEOPLE FREE TO DO WHAT THEY ARE FREE TO DO, Vaping has never been a crime nor has it been compromised, but if you guys wanna stop the youth from vaping dont blame the shops blame the adults buying for them, dont blame the shops blame the adults buying the vaping product for these kids, dont take away my freedom, my liberty, and keep me away from my justice and right to vape all because the state of hawaii cannot crack down on the people buying for these kids. But I am deeply ashamed to call this state "apart of a free country." We already lost soo much rights soo much freedom and lost all justice and liberty over the years that I remember when it was OUR FREEDOM AND RIGHT TO BARE ARMS, it was OUR FREEDOM AND RIGHT TO OWN LAND, it was OUR RIGHT TO HAVE A FREEDOM OF SPEECH AND RELIGION, and to include I remember when HPD use to teach kids in all schools gun safety and handling back in the 60s (I heard this from a

man whom I met awhile ago) but thanks to the state signing away soo much bills and laws that it feels we dont have these rights or freedom anymore its like 90% of this free state has been taken away and 10% is telling its people what they can and cant do. But not anymore because to NOW TRY AND TAKE AWAY THE FREEDOM AND THE RIGHT OF THE CITIZENS OF HAWAII TO FREELY VAPE WHOS APART OF "THIS FREE COUNTRY" I am deeply ashamed that YOU ALL HAVE TAKEN AN OATH TO THE US CONSITUTION "TO UP HOLD AND SUPPORT THE CONSITUTION" TO ONLY GO AGAINST THE FREEDOM OF THE PEOPLE. Its not the government who makes the people its the people who make the government. Where else am i going with this well IF WE VAPE WE ALSO VOTE, IF WE VAPE WE ALSO PAY TAXES, IF WE THE PEOPLE OF HAWAII VAPE WE ARE THE PEOPLE WHO MAKE HAWAII NOT THE GOVERNMENT. But you guys shouldnt blame the vapesshops all the vape shops ever did was follow all laws, concepts, and rightful manners set out by the state of hawaii to keep vaping alive, the shops been enforcing all the laws to keep vaping away from the youth, but what you should blame it on is the adults buying it for kids not the shops or the distributors.

“If freedom of speech is taken away, then dumb and silent we may be led, like sheep to the slaughter.” - George Washington

“Liberty cannot be preserved without a general knowledge among the people.” - John Adams

I hope therefore that for our own Sakes, as a Part of the **people**, and for the sake of our posterity, we shall act heartily and unanimously in recommending this Constitution, wherever our Influence may extend, and turn our future Thoughts and Endeavours to the Means of having it well administered. - Benjamin Franklin

**HB-2457-HD-2**

Submitted on: 2/23/2020 5:10:48 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimo Cruz	Individual	Oppose	Yes

Comments:

I oppose this asinine bill. We have a right to freedom of choice.



**HB-2457-HD-2**

Submitted on: 2/24/2020 2:08:01 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
christian tyler	Individual	Oppose	Yes

Comments:

i more than oppose this bill. i feel that the only reason its even being proposed is because big tobacco are losing there costumers to a safer alternative to smoking. and whos to say me as an adult doesnt like candy flavors. i feel that by banning all flavors except tobacco will drive people back to there cigarrets. it is deffinetly a political con. futher more why are there stilll fruity flavored tobacco products a.k.a swisher straberry cigarrelos, and berry chewing tobacco??? i feel that enforcing this ban violates are freedom of choice as a society and as a community as a whole. there is never a shure fire way to keep addictive things out of the hands of minors. i started smoking at 12 years old and theres no ban on cigarettes. if this bill passes we are no longer we the people we are we the government.

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:10:03 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David McCann	Individual	Oppose	Yes

Comments:

No Ban! No tax hikes!

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:36:03 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy Kim	Individual	Oppose	Yes

Comments:

I very strongly oppose this bill. It will hurt retailers alot and is very mean to adult smokers/vapers.

Please don't let this bill leave committee.

Mahalo, Kathy Kim

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:12:42 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Weflen	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:12:35 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shane Domingo	Individual	Oppose	No

Comments:

Im an adult and I enjoy flavors as your right to vape because it helps me stay away from nasty smell and it helps me stay away from cigarettes. It also doesnt stain my clothes with a cigarette smell as my fingers. People who are underage should be held accountable because it is against the law for underage smokers to be buying and using these products. Banning flavors would create a black market with no quality control and close local businesses thus creating more underage users to be more addicted and more harmful as they are not regulated by the fda. Flavors help me and many others stay off combustible tobacco.

**HB-2457-HD-2**

Submitted on: 2/24/2020 4:31:46 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Austin Fedric	Individual	Oppose	No

Comments:

Vaping already is enforced 21 plus. The ban on flavors will do absolutely nothing but limit legal users the ability to vape in peace. You must target those vaping underage a different way as you will be heavily harming local businesses and your community by enforcing this ban

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:17:02 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shane Himalaya	Individual	Oppose	No

Comments:

Hi,

I believe that we should be able to choose the option to purchase flavored tobacco products or not. I do not believe that the government should be banning the people's right to choose between different products. That would basically be the same as banning flavored drinks and telling people that they can only drink water, since it is the base of almost cleverly drink. For better or worse we as a people should have the freedom to choose, that is after all one of the reasons that our Greta nation was founded for. I thank you for your time and ask that you do away with this bill for good.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:23:20 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rodney Delgado	tva vapor	Oppose	No

Comments:

I would like to let them know that flavors help adults quit smoking. Let them know that I stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now.



**HB-2457-HD-2**

Submitted on: 2/24/2020 1:13:39 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rex Benigno	808 Smokes	Oppose	No

Comments:

My name is Rex Benigno. I oppose to HB2457. Reason why is, by banning flavored tobacco flavors it will only create a black market where teens will be able to easily get ahold of eliquid flavors. Thank you.

**HB-2457-HD-2**

Submitted on: 2/24/2020 4:15:53 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessie Torres	Individual	Oppose	No

Comments:

Banning flavored vape juices will only make this a sought after black market item. I feel as though banning it for all citizens despite their age is not right. I'm 23 and if I chose to vape it should be up to me. Vaping helps me calm down, keeps my anxiety down, doesn't necessarily make it okay but all the same it should be up to the individual of age. I don't agree with this and I'm sure you'll find many citizens against this. Your taking out prominent tax making business as well. Banning flavored juices will cause people to try and make they're own juices which could be way more harmful than buying from a legal certified business that have had their ingredients checked and approved. Do not ban flavored vape products.

**HB-2457-HD-2**

Submitted on: 2/24/2020 4:48:10 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Destiny	Individual	Oppose	No

Comments:

I am an adult and I enjoy flavors as my right to vape. Banning flavors would create a black market with no quality control and close local businesses. Flavors help me stay away from combustible tobacco.

**HB-2457-HD-2**

Submitted on: 2/24/2020 4:32:54 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bob Bainum	Individual	Oppose	No

Comments:

This bill will show no Aloha to our tourists, businesses, and friends that like these products. The very existance of house bill 2457 is a sad day for Hawaii. :(

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:25:45 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alyna Kou	Individual	Oppose	No

Comments:

Good afternoon. My name is Alyna Kou and I oppose HB2457 HD2, specifically the ban of flavored tobacco products. As an individual who has successfully quit cigarette smoking through the use of vaping, I believe that a flavor ban would eventually lead a lot of people back to cigarettes.

With a flavor ban, seen with the disposable flavored pods ban, the only "flavors" left are menthol and tobacco, the same "flavors" of traditional cigarettes. It's not a far stretch to say that becoming accustomed to these flavors would make the transition to cigarettes easier.

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:24:47 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stefan Molnar	Individual	Oppose	No

Comments:

I am an American, I am a Caper and I Vote. I was addicted to smoking for 15 years. It was purely an addiction and I disliked it. I wanted to quit but I could not. I tried patches, pills, gum, lounges , cold turkey, first generation e- cigs, snuff, chewing tobacco, all multiple times and could NOT quit. Only when the second generation of e-cigs became popular, and available, was I able to quit smoking. My first device was Volcano e-cigs device, designed in Hawaii. I started out at 24mg Nicotine, I am currently at 3 mg nicotine. Eventually I will quit e-cigs and nicotine together. Only with Vaping have I been able to get this far in conquering my Nicotine addiction. I Vape an American made, Organic, Woman created and run company. Any vape ban, restriction, or tax WILL be detrimental to my health, and my recovery. Not to mention the other hundreds of thousands of Americans that are trying to better their lives like me. Also it will DESTROY American jobs and dreams. I order 99% of all my devices and e- juice off the internet as I work a full time job and have a family. That limits me from shopping at stores. It's not Just me, There are tons of Americans just like me. I urge you to listen to we the people and trash this authoritarian government grab. One must ALREADY be 21 to smoke or Vape! And Thus you are only Hurting and destroying Adult American voters. Please feel free to contact me if you have any questions.

**HB-2457-HD-2**

Submitted on: 2/24/2020 4:19:20 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Oshiro	Individual	Oppose	No

Comments:

This bill should be allowed to pass if it will take flavored products away from adults by prohibiting all sales.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:21:57 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

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

Comments:

"This is your last chance. After this, there is no turning back. You take the *blue* pill—the story ends, you wake up in your bed and believe whatever you want to believe. You take the *red* pill—you stay in Wonderland, and I show you how deep the rabbit hole goes. Remember: all I'm offering is the truth. Nothing more." <theatrical quote>

Blue pill = E-cigs are outlawed. Tobacco cigarettes, cigars and chews are back in full force with no "effective" healthier choice to go to. Killing and Sickening our population with Vengeance. Our Documented History of Tobacco has all the evidence you need.

Red pill = Tobacco cigarettes, cigars and chews are outlawed and E-cigs are embraced. There are no more "gateway to tobacco" only a gateway to better health.

Flavors might attract use. just like flavors in the food we eat, the drinks we drink. But the Nicotine is what hooks the addiction. A step in the right direction would be cap the Nicotine so that addiction is highly diminished.

A traditional e-cig store sells mostly .3 <POINT 3> percent nicotine by volume and is driven to help the consumer ween down to 0 nicotine and then total abstinence.

Convenience stores sell Juuls which is either 3 percent or 5 percent nicotine by volume. And there is no path to ween down.

I am 100 percent all for keeping e-cigs out of underage. There are many other ways of doing it while keeping access to adults trying to quit tobacco. Tobacco use is at a all time low and plummeting. Cancer has just dropped down in a big way. Lets keep the positive direction going.



**HB-2457-HD-2**

Submitted on: 2/24/2020 2:25:24 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisette Haver	Individual	Oppose	No

Comments:

While I agree that ending ALL tobacco use by individuals who are underage, I strongly disagree with this flavour ban bill. Firstly this bill will do NOTHING to stop youth vaping, and actually will only cause MORE cases of lung injury as individuals would be forced to make their own flavoured e-juices at home, and THAT is where the danger is. Unregulated, home-made e-liquids have solely been the cause of all lung damage cases. This bill to ban flavored e-juices does NOTHING to address how to keep our keiki tobacco free. Banning flavours is just ridiculous, and only punishes adults like myself who began to vape in order to quit cigarettes. Please let us keep our vape flavours!

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:27:28 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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 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 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 reduce 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. 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** 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 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: 2/22/2020 2:24:57 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Treece MD	Individual	Oppose	No

Comments:

We already know that tobacco companies will go to absurd lengths to create addicts so that they have a guaranteed market for their cancer-causing product. We already know that vaping is associated with severe health consequences, including sudden death from pulmonary edema. Why, then, are we allowing tobacco companies (and please, let's have some respect for our own intelligence and not pretend that folks like Juul are not part of tobacco corporations) to push a product tailor-made to appeal to children? As a pediatrician, I am horrified that it has taken as long as it has to address this problem. I implore you on behalf of my patients: please make HB2457 into law.

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:06:55 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dustin Andrews	Individual	Oppose	No

Comments:

I'm not a child. HB2457 is total bullshit.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:48:50 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jake J. Watkins	Individual	Oppose	No

Comments:

If the plan of this bill is to make enemies of everyone who vapes, you're off to a good start.



**HB-2457-HD-2**

Submitted on: 2/24/2020 1:49:34 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Quinnton Bolosan	Individual	Oppose	No

Comments:

I stand in opposition of HB2457 as it creates a dangerous black market for vaping liquids instead of the quality controlled market we have now. Having flavor options helps with quitting smoking by providing better tasting and healthier alternative to traditional tobacco products, having only tobacco flavored juice will discourage people from putting down their usual cigarettes and making the change to vape. vape has been a great alternative to smoking for me personally and have recently quit smoking thanks to VAPE!

**HB-2457-HD-2**

Submitted on: 2/23/2020 6:32:04 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tim Lemke	Individual	Oppose	No

Comments:

***I'm a NON-SMOKER and a NON-VAPER and I OPPOSE HB2457.***

The assault on civil liberties in Hawaii is sickening!

You guys won't deal with Hawaii's biggest problems, instead you spend all day thinking of new ways to deprive your constituents of their freedoms. I can't even get a damn bag for the stuff I bought at the store. Then you tell me what kind of drink straw I can have.

This bill has nothing to do with kids, it has to do with a small group of bigots taking things from adults that happen to have different lifestyles than themselves.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:28:22 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amanda Heredia	Individual	Oppose	No

Comments:

Hello,

My name is Amanda Heredia and I work for The Neighborhood E-liquid. I have been working in the Vape Industry for almost 5 years now. When I first started working in the industry, I solely thought it was a fun industry to be in. As I became educated on what E-liquids are and what they do to help save lives, I became even more in love with this industry.

I grew up with parents who smoked almost 3 packs of cigarettes a day, and I hated it. I would steal their cigarettes out of the freezer with my siblings and toss them into the trash. It was such a heavy addiction for them, that they would be outside smoking a lot more than inside with all of us. They are wonderful parents, but thanks to vaping, they are both extremely healthy today and can breathe normally. Without quitting smoking, my dad wouldnt have been able to lose the 150lbs that he has, because he was never able to breathe well while he smoked. The same for my step mom, she's lost over 60lbs and is in the healthiest shape of her life after quitting smoking. My step mom watched her own mother die from cancer because of the unhealthy habits of smoking cigarettes, at an extremely young age of 45.

2 of my oldest brothers, my uncles, aunts, some cousins and many friends are also vaping today and without flavored E-liquids, they would relapse back into cigarettes. Flavors really do save lives. I absolutely, 100% DO NOT, support this flavor ban. Please take this into consideration when making your decision.

It's very heart breaking to me hearing about all of the flavor bans across the nation because the options for a healthier life is being taken away. Please don't ban flavors. By doing this, you will only be killing my family, as well as other loved ones as they will only revert back to smoking cigarettes.

Thanks,

Amanda Heredia

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:08:12 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
austin	Individual	Oppose	No

Comments:

Flavors help adults quit smoking and I stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now. Flavors give people the opportunity to give adults another chance at a healthier alternative to traditional tobacco products. Littering of cigarettes will also get worse making Hawaii's environment worse than what it is now. I OPPOSE THIS BILL.

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:04:06 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Aquino	Individual	Oppose	No

Comments:

Flavored liquids are helpful in allowing tobacco users to make a healthier choice. When i went to vaping, i tried the menthol flavors. It was helpful, but i was still smokng cigarettes. Only when i tried flavors, did i find it more enjoyable, and made it easier for me to quite smoking cigarettes. I also wanted to say that it doesnt make sence to ban flavors. I, as an adult like flavor options, and feel that if it is banned, that you potentially open the door to black market places, and back alley dealers to sell product that may be more harmful then the products that are sold in a shop that have been regulated. Something to think about before you decide to ban flavors.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:43:05 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Evynn Johnson	Individual	Oppose	No

Comments:

To whomever it may concern,

I am sharing my story about vaping because it has saved my life. In graduate school I was smoking upwards of a pack of cigarettes per day (way more carcinogens, actually has tobacco, etc). I switched to vaping in 2 days and have been using a vape for the last 7 years. My lung functioning has gotten so much better, my teeth are whiter, I get sick way less often, and it doesn't smell bad. Banning flavored vapes makes about the same sense as banning flavored vodka because kids are making illegal vodka that has flavors. Banning the flavors will make it much more dangerous as already proven that people will make it on the "black market" which is where the kids are getting it anyway and almost every single death or illness was because of a kid/person purchasing off the street and not from a store directly. It seems very counterintuitive to ban flavored vapes from willing, consenting adults purchasing them legally only for the adults then to have to go to the black market to make the vapes flavored, etc. If a kid wants to get their hands on vapes, alcohol, cigarettes, etc, they will get them regardless. If we make the flavored vapes that are legally purchased and monitored illegal-- people will work around it and make it on the black market and therefore more people will be purchasing the flavored vapes on the street and it is much less safe. Please do not vote to ban something former smokers rely on that has worked just because you can't stop your own children from obtaining a vape. Let adults make the choice and impose stronger penalties on those found selling on the black market.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:04:01 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Justyn T	Individual	Oppose	No

Comments:

Flavors help adults quit smoking and I stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now. Littering or cigarettes will also get worse making Hawaii's environment worse than what it is now. I OPPOSE THIS BILL.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:51:53 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Harry South	Individual	Oppose	No

Comments:

Vaping helps a lot of adults switch to an alternative to smoking that is not only safer for them, but also the environment around them. Taking away our ability to have flavors will force a majority of those people back to smoking cigarettes, an activity that is unbelievably carcinogenic not only to the smoker, but to the smokers vicinity as well. Please don't allow Big Tobacco to win, and once again fill our neighborhoods with disgusting smells of burning tobacco and cancerous clouds of smoke filled with carcinogens galore.



**HB-2457-HD-2**

Submitted on: 2/24/2020 1:55:24 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sweetheart mori	Individual	Oppose	No

Comments:

Dear Sirs,

I am opposing the ban of any flavored e- liquid. Before you ban this, you need to ban tobacco cigarettes first. Cigarettes are a lot more dangerous then vaping. Get rid of cigarettes first !! You people are ridiculous. Everyone of age has their right to buy cigarettes, don't ban vaping because you can't tackle banning cigarettes. I oppose the banning of flavor e- liquid or any vaping products. Ban tobacco first. Tobacco products smell and is far worse.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:02:04 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tammy Taber	Individual	Oppose	No

Comments:

I oppose this bill. As an adult and as an American Citizen I feel that it is my right to use vaping devices and related products. It feels like an infringement on my rights to ban vape fluid flavors.

I had been a long time smoker of combustible cigarettes until a few years ago when I discovered and began utilizing the vaping process. Because of the many flavors of vapor fluids available I was able to discontinue my use of combustible cigarettes completely. I have tried the non flavored vape fluids and find them unsatisfactory, I believe that if I did not have access to the flavored vaping fluids I would return to smoking combustible cigarettes because there would no longer be a more desirable option.

**HB-2457-HD-2**

Submitted on: 2/22/2020 3:49:32 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeff Stevens	Individual	Oppose	No

Comments:

Respect my right to like the flavors I want.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:19:22 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Emily	Individual	Oppose	No

Comments:

Hello,

My name is Emily and I was able to quit smoking through vaping. I was able to lower my nicotine strength every couple months. I believe that a ban will breed a black market filled with Vitamin E Acetate. This is an adult product, intended for ADULTS.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:59:09 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrew	Individual	Oppose	No

Comments:

I believe that flavors help adults quit smoking. Not all adults want to vape tobacco flavors. Not only kids enjoy flavors. If flavors were to get banned, it would become a huge black market and would be even easier for kids to get their hands on and the quality of the product would suffer.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:58:59 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Linne	Individual	Oppose	No

Comments:

While I understand the need to curb teen vaping, banning the sale of these products to adults impinges on our freedoms. Go after the people that buy vaping product for teens, go after the stores that sale to people under 21, create more educational campaigns. But do not take away my rights.

**HB-2457-HD-2**

Submitted on: 2/22/2020 10:11:29 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael S. Nakasone	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/22/2020 9:54:04 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sabrina Spencer	Individual	Oppose	No

Comments:



**HB-2457-HD-2**

Submitted on: 2/22/2020 11:33:39 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sean Higa	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/22/2020 12:05:03 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Watanabe	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/22/2020 12:53:47 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Riley	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/22/2020 9:38:37 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
April Pacheco	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/22/2020 2:30:54 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Erin Alicia Wiggins	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/23/2020 3:38:28 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicholas Winters	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/23/2020 3:15:59 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ke Nguyen	Individual	Oppose	No

Comments:

I thought this was a free country.

**HB-2457-HD-2**

Submitted on: 2/23/2020 4:32:41 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Chang	Individual	Oppose	No

Comments:

Bill 2457 should be changed to only impact those under 21.



**HB-2457-HD-2**

Submitted on: 2/23/2020 2:21:44 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Wells	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/23/2020 9:20:02 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Larson	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/23/2020 2:37:27 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clayton Silva	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/23/2020 11:35:46 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Dietrich	Individual	Oppose	No

Comments:

Adults should be EXEMPT from this bill since the intent is to prevent underage use.

**HB-2457-HD-2**

Submitted on: 2/23/2020 10:41:19 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Santiago	Individual	Oppose	No

Comments:

This is a real kick in the teeth for smokers that what the **flavors they love** and who **also love to vote!!!**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:02:08 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tammy Young	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:01:31 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
P Kuromoto	Individual	Oppose	No

Comments:

Vaping saves lives and flavors are crucial to that success. Most adult vapers use non tobacco flavors. Being is at least 95% less harmful than smoking. Teen smoking is at the lowest level in modern history. Vaping does not create smokers, it reduces smokers.

Calling should be supported, not banned.

**HB-2457-HD-2**

Submitted on: 2/23/2020 8:24:17 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Park	Individual	Oppose	No

Comments:



**HB-2457-HD-2**

Submitted on: 2/22/2020 3:17:49 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
austin carvalho	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:16:56 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ASHLEY MATTOS	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 7:41:35 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenny Chan	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 4:28:35 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Robinson	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/23/2020 5:48:01 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alex Abe	Individual	Oppose	No

Comments:

I'm Alex and I strongly oppose this ban.

**HB-2457-HD-2**

Submitted on: 2/23/2020 6:10:07 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Owens	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:34:37 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ryan Oswald	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/23/2020 7:26:26 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dallas Nelson	Individual	Oppose	No

Comments:



**HB-2457-HD-2**

Submitted on: 2/24/2020 9:13:14 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Anton	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:56:48 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dustin Hirayama	Individual	Oppose	No

Comments:

I oppose HB2457 as e-liquid flavors are what help the vast majority of adult smokers to get off of cigarettes. Many vape customers would continue to vape and would be subjected to purchasing unregulated products off of the black market instead of the quality-controlled market we have now.

I don't think this is the course of action we should take; I think a flavor ban would create a very dangerous environment for people looking to stop smoking cigarettes.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:57:15 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teddy Kim	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:50:23 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Choe	Individual	Oppose	No

Comments:

Flavors help adults quit smoking cigarettes. Also, an outright ban would probably just lead to a black market of flavors made in not sterile conditions with unregulated ingredients.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:08:51 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
justin	Individual	Oppose	No

Comments:

Flavors help adults quit smoking and I stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now. Littering of cigarettes will also get worse making Hawaii's environment worse than what it is now. I OPPOSE THIS BILL.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:11:55 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darcia Zavala	Individual	Oppose	No

Comments:

Flavored E-Liquid helps adults quit smoking. In addition I oppose this bill because it would create a black market for flavored e-liquid instead of the quality controlled market we have for it now.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:11:30 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benjamin Padua	Individual	Oppose	No

Comments:

First and foremost, the vaping of flavored e-liquids is a choice that adults should reserve the right to continue doing considering that it is an effective way of nicotine satiation. Secondly, the banning of flavored e-liquids could effectively shut down designated vape shops where adults are able to legally obtain their liquids. Without a designated place for adults to LEGALLY obtain flavored e-liquids, the black market for vape products will grow considerably, and will definitely result in lower quality vape products which may be tainted with other chemicals and additives, including Vitamin E acetate, which has been proven by the FDA and CDC to have been found in black market vaping products. For these reasons, I strongly oppose this bill.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:11:59 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tina	Individual	Oppose	No

Comments:

This will hurt business for sure. Tourists will find out and buy their flavored tobacco and vape outside hawaii. People will sneak it in from the mainland. Local businesses will suffer.

-Tina Moore



**HB-2457-HD-2**

Submitted on: 2/24/2020 1:12:43 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Stevenson	Individual	Oppose	No

Comments:

I strongly oppose Hb2457. Flavors are not the problem. The problem is that reinforcing local vape shops to sell vapor products. Do not allow convenient store/gas stations etc to sell any vapor products. Let all vapor products be only sold at vape shops. As the T21 federal law already covers no tobacco product should be sold to anyone under the age of 21. Make all vapor shops a 21+ to enter that retailer. Have regular visits by authorities to monitor operations. Dont take away flavors that many many ADULTS use as apart of their cessation devices. I strongly oppose this bill HB2457

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:16:44 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
michele	Individual	Oppose	No

Comments:

I Stand in OPPOSITION of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now!!

To whom it may concern,

I am opposing the current bill that will destroy the vaping industry here in Hawaii and put hundreds of people out of employment/business. Our goal for public health is to have people quit smoking traditional tobacco cigarette which is the #1 cause for cancer here in America.

Yet we demonize this new technology which has helped millions of Americans make the switch and drastically improving their health. If this bill is about protecting children, vape shops here include stores in the mainland have strict guidelines and rules they follow that does not allow anyone under 21 to purchase any type of vaping devices or juice.

The questions we should be asking is HOW are these teens getting their hands on these devices? Where are their parents? Who's giving them money to try and purchase these devices? It's obviously not the vape shops who are allowing this to happen in fear of heavy fines. We do not advertise on TV or newspaper and try to attract young children.

We are ADULTS and we enjoy flavors as much as anyone else. What is the point of making a switch AWAY from tobacco, just to vape tobacco flavored e-liquids? That is the NUMBER 1 reason why so many adults make the switch, "I can stop killing myself smoking cigarettes while enjoying banana, strawberry, grape, etc!"

I implore you to take your time and review these bills that could possibly destroy something that in my opinion, a "PUBLIC HEALTH MIRACLE".

Vinh Tran,

Resident of Honolulu, Hawaii.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:21:28 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Johnathan	Individual	Oppose	No

Comments:

Flavors help adults quit smoking and i stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now. Littering of cigarettes will also get worse making Hawaii's environment worse than what it is now. I oppose this bill.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:35:05 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Albert cambra	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:43:41 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anthony Gonsalves, IV	Individual	Oppose	No

Comments:

I oppose this bill because vaping has helped me stop smoking it really has and if this bill gets pushed threw I'll more likely go back to cigarettes and I haven't bought a pack of cigs for about 2 years now. Its so stupid when some of the parents are the ones that buy the vape products for there kids but when caught blame someone else. I have heard stories from friends about parents or grandparents try to buy for underagers right in front of the vape workers. So this bill is just going to make people find ways to get more flavored vape to the point it's illegal and the government will just be wasting more money on trying to stop vaping then actually helping schools or thing we really need here.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:42:59 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy D Nelson	Individual	Oppose	No

Comments:

I am an adult and I enjoy flavors as my right to vape. Banning flavors would create a black market with no quality control and close local businesses. Flavors help you stay off combustible tobacco. I had smoked cigs for 57 years & had tried every available way to quit smoking & still couldn't get off cigs. Now, thanks to vaping I am off a product that had numerous negative chemical in it.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:23:32 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
zach pollard	Individual	Oppose	No

Comments:

Despite the controversy surrounding the concept of flavors being appealing to minors, it is thanks to the various flavors that those who have attempted to quit cigarettes are able to be successful in their endeavors to lead a more healthy lifestyle. As an employee at a vape shop (Volcano Ecigs), we take it upon ourselves to uphold the law against the sale of products containing nicotine to minors. We always display signs/posters in all our shops to make sure that everyone knows that we take this issue seriously. No matter what age someone would be, we still do a 100% ID check for every transaction, even for our products that do not contain nicotine but may be considered vape paraphernalia. Regardless of the fact that this ID check may hinder our sales if someone does not have their form of identification on them, we still stand by this policy and do our best to uphold it. We also ID those of legal age along with anyone else who accompanies them, and if they happen to be minors, then we notify them of what the laws are.



**HB-2457-HD-2**

Submitted on: 2/24/2020 1:23:34 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Earvinjay fernandez	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:05:28 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Branden Arakawa	Individual	Oppose	No

Comments:

Vaping flavored products has helped me quit smoking combustible cigarettes. Also owning a vape shop has provided a source of income for me to provide for my family along with my employee. We have helped many adults quit smoking cigarettes with flavored products. Banning flavors will create an unregulated black market.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:36:19 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allison Telford	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:38:03 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tielr Ortogero	Individual	Oppose	No

Comments:

As a vaper of 10+ years now, flavored liquids are a necessity for those aiming to quit smoking. Issuing a flavor ban can (and will) create a very dangerous black market for flavored vape liquids, much like it did with the THC cartridges. From my experience in the vaping community, this is a very dangerous and very likely outcome for adults who have pulled away from the tobacco and/or menthol flavorings. The passing of this bill will make it exponentially harder for adults who have already made the switch to vaping to continue doing so, thus potentially causing more to go back to smoking tobacco cigarettes and thus also bringing back the cigarette butt litter problem we had before vaping came into the market.

All-in-all, passing this bill will only bring back the problems we had before vaping came into market. All the issues that come with vaping are preventable and avoidable with the proper selling methods. Cigarettes on the other hand, are not as easily preventable issues and also come with many more health risks than vaping has ever posed.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:39:45 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sandra Lopes	Individual	Oppose	No

Comments:

**Oppose** this bill and tell your personal vaping story. Tell them you're an adult and you enjoy flavors as your right to vape. Banning flavors would create a black market with no quality control and close local businesses. Flavors help you stay off combustible tobacco.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:35:29 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marie Bashaw	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:40:26 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cyrus Koria	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:45:17 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julie Oda	Individual	Oppose	No

Comments:

Flavors help adults quit smoking. With the flavor ban, this would only then open up the public and the youth into the black market, instead of having this quality control market. Black market vs quality control.



**HB-2457-HD-2**

Submitted on: 2/24/2020 1:46:23 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
VALENTINO MIRANDA-KEPA	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:46:27 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Riley Mahuiki	Individual	Oppose	No

Comments:

Aloha,

My name is Riley Mahuiki and I am writing today to oppose HB 2457 which would ban the sale of flavored e-cig juices.

I quit smoking cigarettes in 2018 and have used e-cigs to help curve the cravings. As an adult, of legal smoking age, I believe that it is in my right to chose a flavor to vape. The fact that this is used to ban kids from vaping is insane. For starters they're not even legally allowed to buy them, so them obtaining it isn't vape companies or the fact that there are flavors fault. To put that in comparison, it would be like kids getting alcohol; they're not legally allowed to buy it but it still happens. However, it's easier to vape in broad daylight than drink for obvious reasons.

There is also that fact that there are many local businesses that sell and are based around vapes. A whole part of their market will disappear and most likely create less people buying from their stores and go else where. Local businesses will be closed. The possibility for black market flavors is also high, with no quality control and care for the safety of their customers.

Vaping helps me stay off of combustable tobacco and reduces the waste.

Mahalo,

Riley Mahuiki

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:52:35 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kody-Raphael Sproat	Individual	Oppose	No

Comments:

Aloha,

my name is Kody Sproat and I have been vaping since 2008. I have no health issues that cause concern and I abide by all laws that apply to me when I am in public places. This has been a better alternative to smoking cigarettes for multiple of reasons, one of them not smelling like an ashtray. For the youth getting vape products... I understand how concerning it is for adults to see kids gaping and know I do not approve.. however that doesn't mean you should take vaping away for EVERYONE.. just like any product that requires you to be over 21 I believe that anyone can get liquor, drugs, tobacco just as easy.. so you might have ell bam two of those latter items. I will not, give up my right and luxury to vape. Mahalo.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:58:03 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melinda Kirby	Individual	Oppose	No

Comments:

I'm oppsed to HB2457 which bans flavored eliquid. I personally tried to quit smoking cigarettes for 16 years and vaping with flavored eliquid was the only thing that worked for me. Thanks to blueberry flavored eliquid I've been off the cigarettes for almost 8 years. I went from having chronic asthma and 3 inhalers daily to maybe using my inhalor once a year. I feel amazing now! Please do not ban this life saving technology from helping other smokers like me that will power just isn't enough for.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:11:02 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anthony J Guzik	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:59:05 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Harrell	Individual	Oppose	No

Comments:

I stopped smoking thanks to flavored vape juices. I will either return to cigarettes, buy black market/internet flavored juices, or make my own. I don't understand how vape juices can be considered a tobacco product as nicotine can be derived from many sources other than the tobacco plant. This is an unnecessary over-regulation that will have many unintended consequences on top of promoting cigarettes and putting local businesses out of business. I am an adult with just as much right to purchase flavored juices as others have to purchase alcohol, flavored alcohol, cigarette and cigars as well as their flavored counterparts.

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:35:08 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ian Mitsuda	Individual	Oppose	No

Comments:

As an adult in the state of Hawaii, I enjoy my right to vape and use flavored eliquid. Banning flavors will not stop youth who want to vape.

They will still find ways to get those flavors just instead of getting them from a controlled clean environment within health regulations, they will get it from someone who made it in their basement with who knows what. Most of the kids suffering illness allegedly caused by vaping obtained black market THC cartridges, meaning they didn't buy it from an actual vape shop.

Not to mention how many businesses, people's livelihood, you will just end. Vape shops are very strict on their age restrictions, all vape shops will ask for ID before selling to anyone. Most people who managed to quit smoking through vaping didn't do so through tobacco flavored eliquid. They were able to quit that addiction through flavors they enjoyed.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:09:09 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph	Individual	Oppose	No

Comments:

Youth today still use regular traditional tobacco products but for some crazy reason, they are not the main target? There are no flavored cigarettes but youth still smoke Marlboro, how come tobacco is not being banned? Knowing tobacco kills 480,000 people a year and the concern is still flavored e-cigarette products that have helped thousands avoid the death road they would have been taking by still smoking traditional tobacco. I myself am almost completely off nicotine and for me, that is a win all the way due to vaping! Youth are not allowed to purchase but somehow steadily the percentage rises of youth vaping? The law has been changed to purchase age of 21 and still, somehow that did not help?! Priorities are not set straight and if the youth percentage keeps rising and all the reputable shops I know card to purchase, then there is a much larger issue at hand to accountability for the one purchasing and getting into the hands of those, not by law allowed to use! I never want youth to pick up any bad habit led on by past mistakes but taking away from those who are of legal age is not the answer. Ten years ago I was 15 years old and nobody seemed to care that we were hooked on combustible tobacco to the extent of today's outrage. Publicly, officials try to make themselves look good but do some actual research, go ask the first-hand user how vaping has changed there life. Youth need to be properly educated as well as many adults that still don't understand the difference between a THC cartridge and an actual e-cigarette! I strongly oppose this bill and wish our money and time would be spent on real issues facing Hawaii such as homelessness, proper education, and better roadways! I do however agree with teachers being able to confiscate the products but do MORE than just that. Get the parents involved, figure out the real problem and work from there. Please consider greatly the people you will directly affect! Mahalo from a Hawaii resident, Father, and EX-Smoker!



**HB-2457-HD-2**

Submitted on: 2/24/2020 2:07:58 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Adrian Moreno	Individual	Oppose	No

Comments:

I stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now. I believe that the bill will cause problems such as forcing people to go back to cigarettes, I have witness people quit cigarettes do to vaping. not only will the bill ban flavors but it will cost people there JOBS in general.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:06:35 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
bryson	Individual	Oppose	No

Comments:

I oppose this bill. I have quit smoking cigarettes because of flavored eliquid and I haven't smoked a cigarette in 4 yrs. I believe if this passes it would create more problems because people will try to make their own flavored e liquids and use things that aren't regulated and safe.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:04:59 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
steven savanhmixay	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:18:44 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chad Wheeling	Individual	Oppose	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:07:08 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mel Anthony Vicente	Individual	Oppose	No

Comments:

I STRONGLY OPPOSE THIS BILL! Flavored e-juice helped me and will help others that want to quit smoking cigarettes. I havent had a cigarrete in 7 years! It will set many people back and turn to the deadly cigarretes once again which is the major killer here NOT flavored e-juice.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:04:04 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
24hourvapes	Individual	Oppose	No

Comments:

Hi, I'm Francis and i own 2 Vape shops in Hawaii, in the past years I've seen so many adults quit smoking cigarettes from flavored eliquids. If this ban happens everyone will be losing there jobs and it would create a dangerous black market liquids instead of quality controlled market we have now.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:56:25 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
reece gerard	Individual	Oppose	No

Comments:

i feel that this bill would defeat the idea and meaning of vaping. Its not only a alternative means of smoking, but also a means to helping people who wish to be healthy by quitting all together. It would also defeat the purpose to try to quit using something that tastes like the substance your trying to get off of. i feel that the state is focusing on the wrong subject to crack down on and should focus more on the repercussions purchasing for minors.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:48:13 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kianna Nomura	Individual	Oppose	No

Comments:

I am 25 and I have been vaping flavored ejuice for approximately 3 years now. I have had no issues with vaping or any accidents happening as a result of vaping. Ejuice stores now have pamphlets describing vape safety. It is my right to buy flavored eliquid. Banning flavored liquids will just create a space on the black market to sell them resulting in the illness we have seen in the past. If flavored eliquids are banned, I will just have to go back to smoking cigarettes which I really don't want to do, but I won't have a choice. Please consider this issue carefully.



**HB-2457-HD-2**

Submitted on: 2/24/2020 1:48:54 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
francis luu	Individual	Oppose	No

Comments:

Hello, I oppose this bill because flavored eliquids helped me quit cigarettes and i feel great, i can't go back the cigarettes

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:51:54 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Craig Takashima	Individual	Oppose	No

Comments:

Hello, I, am an adult, I have just made it to my 60th birthday, when I switched from tobacco to vaping, back in Feb of 2012, I immediately felt the effects of not having a tobacco cigarette, it was the best thing that ever happened to me. I don't have the smokers cough anymore, I have more energy, I don't have a smelly car or house or clothes, I am free of any tobacco, except for my vaping products, please, I do not want to go back to that, vaping has changed my life for the better, and eventually will quit.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:32:45 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Johnston	Individual	Oppose	No

Comments:

Aloha,

I am in opposition to HB2457 HD2. I do not agree with banning the sale of flavored tobacco products to solve underage use. The age law already prohibits the use, possession and sale of all tobacco products to underage persons. To solve the problem of underage use, possession and sale the current age law only need to be adequately enforced. Banning any products from sales only gives rise to black markets. The black markets operate outside laws so no laws ever pertain to them. Safety is a large issue when black market sales are involved. Sub standard products that aren't bound by any safety regulations or laws will be the outcome of an flavor ban in the state of Hawaii. Why should legal age, voters be punished by a ban that will hurt and not solve any underage issues?

I again implore our legislators to come up with a solution rather than a ban. The current age law sufficiently prevents underage use, possession and sales. In my mind what lacks is the enforcement of the age law for tobacco products. Store that sell any tobacco products should be regularly checked for compliance of the law. Stores found not operating with in the law should be given a three strikes penalty. If a store is found to have broken the underage tobacco law three time it should not be allowed to make sales of tobacco products. Fines for breaking the tobacco sales laws should be increased. Banning legal products from legal tax payers who vote is never the answer or solution to any problems. I don't want my freedoms to purchase legal products taken away because our legislators can't come up with a valid solution to a problem!

Mahalo for you time,

Michelle Johnston

Kailua-Kona, Hawaii

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:32:08 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kyle Oyama	Individual	Oppose	No

Comments:

Stop banning stuff! It's unconstitutional. First the red flag laws which are theft by the state and unconstitutional, now this? Stop with the state tyranny!

There is NO PROOF that vaping causes any ill effects on the human body. We don't need a ban on flavors, we need better parenting. This site squarely on the parents. If you hate President Donald Trump, don't take it out on everyone else. Vaping helped me to quit tobacco smoking. What are you trying to do? Make me and other people like me go back to tobacco?

The Democrat ideology along with the rest of the left ideologies needs to be banned before all of my rights are taken away!

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:59:31 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Quentin Holy	Individual	Oppose	No

Comments:

To whom it may concern:

In reference to the banning of e-liquid and vaping products i feel that it is very critical to point out who's fault it is that minors obtain these products.

Adults are the only ones who can legally purchase these products from vendors. Vendors are required to verify age before selling any product considered recreational for adults.

It's unfair that all law abiding adults in the state of Hawai'i must suffer because a smaller population of individuals are not responsible.

In closing, i ask that the proper authority please reconsider this decision to ban vaping products. I understand the safety of minors is the main issue here, but if you were asked to ban cigarettes and liquor because somehow it secretly ended up in the possession of a minor; would that be seen as fair to every U.S. citizen? Extra security measures need to be taken when selling the vape products and that it my final opinion on this matter.

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:02:16 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kenneth E McKenzie	Individual	Oppose	No

Comments:

**Oppose** this bill and tell your personal vaping story. Tell them you're an adult and you enjoy flavors as your right to vape. Banning flavors would create a black market with no quality control and close local businesses. Flavors help you stay off combustible tobacco. I'm 76 years old, tried to stop smoking for a long time, then I tried vaping. I have not had a smoke for over 5 years. Then I tried vaping and now don't smoke, but still use the vaping. Banning flavors is not the answer. It would also put a lot of folks out of business and make us non-smokers bein smoking again. I buy this product from Hawaii volcano there in Honolulu, Hawaii for the past 5 to 6 years now. I think that this bill is wrong

Thanks, Kenneth E McKenzie, 2717 Meadow Place, Lawrence, Kansas. 66047

**HB-2457-HD-2**

Submitted on: 2/24/2020 7:37:42 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paige Sakai	Individual	Support	Yes

Comments:

On behalf of the youth, the vaping epidemic has gotten worse. With my own experience, kids don't care about the effects but the instant gratification that in that moment, they feel good. Many people who have tried or done it I would have never guessed for them to do it. Starting from such a young age, it will ruin the future generations for what has already broke us. What's more important? The future or right now and in the moment?

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:12:58 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
tom	Individual	Support	Yes

Comments:

My name is Tom Lindsay, I am a father of 14 and a retired corrections officer on Kaua'i. On behalf of my family, we fully support this bill banning the marketing and sales of tobacco products with flavors enticing children. Besides the physical harm to the human body, it also interferes with the developing mind of our youth that undermines the ability to make wise choices. Nicotine is one of the most addictive substances available and known as a gateway drug that can lead to more dangerous substances. Nicotine addiction messes up the reward system, it takes away the ability of parental control and the parent's ability to provide lessons in making safe choices.

Over the years I have had 3 children who have gotten in trouble with using tobacco in school, and have come to realize all 3 were addicted to the nicotine in vapes. I have one son in treatment who is working on making the healthy change but the energy and time required for his treatment are taken away from the other children who may need my attention. My most recent story is my 16-year-old daughter, vaping cost her an opportunity to graduate from a highly sought after private school. She was released from the school after being caught in possession of a vape device so she returned home. We chose to homeschool her and have her obtain a GED and pursue her college degree, but she is still a minor learning a hard lesson. She is working on her addiction but had admitted to me that she started vaping because she liked the honeydew flavor.

The candy flavors and marketing tools that the industry uses are the bait and the toxic chemicals is the bullet. We need to stop these predatory practices by the tobacco industry. My 'ohana and I ask that the Hawai'i State Legislature prohibit the sales of flavored tobacco products that are addicting to a new generation of smokers. And instead of punishing and criminalizing youth for experimentation, we need to provide them with tools and education about nicotine addiction and guide them towards wise and healthy values.

Mahalo,

Tom Lindsay





**HB-2457-HD-2**

Submitted on: 2/23/2020 7:51:57 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jan Shishido	Individual	Support	No

Comments:

- 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.
- 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.

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# EMMA WHITNEY

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## 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: 2/23/2020 11:48:15 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Weiner	Individual	Support	No

Comments:

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

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 3<sup>rd</sup> and 4<sup>th</sup> 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: 2/22/2020 11:02:44 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gloria Borland	Individual	Support	No

Comments:

I support this necessary legislation.



Representative Sylvia Luke (Chair)

Committee on Finance

Melissa Yamaguchi

Date: February 23, 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.

**HB-2457-HD-2**

Submitted on: 2/22/2020 8:51:16 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
hema	Individual	Support	No

Comments:

I support because i believe this could help stop teens in hawaii from vaping and help them focus on school because we are the future of this state and culture. We need to be able to carry it on.

**HB-2457-HD-2**

Submitted on: 2/22/2020 11:16:44 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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.

Testimony Presented Before the  
House Committee on Finance  
Hearing Date: Tuesday, February 25, 2020

HB 2457 - Relating to Vaping

Chair Luke, Vice Chair Cullen, 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: 2/24/2020 12:20:53 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mikkel	Individual	Comments	No

Comments:

I am part of a 7th grade class that doesn't support the use of vaps and or other tobacco related products and hopes that you will soon pass a law prohibiting the use of targeted ads on kids cartoons or shows that show tobacco products. kids,teens,and adults should know the risks of using electric smoking devices.

Date: February 22, 2020

To: The Honorable Sylvia Luke, Chair  
The Honorable Ty J.K. Cullen, Vice Chair  
Members of the House Committee on Finance

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

Hrg: February 25, 2020 at 12:30 PM in Capitol Room 308

Aloha House Committee on Finance,

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**. More than 80% of kids who use e-cigs report having started with a flavored product and 97% of youth who use e-cigs vape flavored products, including mint and menthol. Menthol is a chemical found naturally in mint 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 using unflavored products. And, more than 80% of kids who use flavored e-cigs say *they wouldn't vape if flavors were unavailable*.

The tobacco industry has targeted our youth with compelling ads and sweet flavored vape products to addict a new generation to nicotine.

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-liquids and e-cigs 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 liquids for safe disposal.

I oppose penalizing youth.

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 tobacco/vape industry is responsible for inciting 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 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: 2/22/2020 12:07:58 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Holly t	Individual	Support	No

Comments:

My name is Holly Taguma, I am a student from Kauai High School. I am in stong support for HB2457. The youth vaping epidemic is on the rise and we need to help stop this. One way we can is by preventing the sale of flavors that could intrest the youth. Much of what the youth vape are flavored tobacco so if we stop the sale we can help end the vaping epidemic among the youth. To conclude I am in strong support for HB2457 thank you for reading my testimony.



**HB-2457-HD-2**

Submitted on: 2/22/2020 6:40:58 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kodie	Individual	Support	No

Comments:

testimony take two

Hi, my name is Kodie. I'm a freshman at Kapaa High School on Kauai and i am in Strong support of HB 2457. I know from experience that flavored tobacco products are targeting the keiki of Hawaii. I was one of them. The first time i picked up a vape i was in the sixth grade, eleven years old. Not because it looked cool or pretty, but because on the bottle of liquid it said "skittles flavored. 3 ml. of nicotine" Skittles was my all time favorite candy. And 3 ml. of nicotine didn't seem harmful to me, but it was. I got addicted. Very addicted, to the point where i was vaping multiple times a day and refilling my pod at least twice a week. I didn't realize i was becoming addicted. And then i got caught. When i got caught i got arrested, suspended, and had to go to court. If it wasn't for that day, I wouldn't be here right now fighting for our youth. I was so easily influenced by the product, and it really hurt me in ways i didn't think possible. I don't wanna see the life span of our keiki being shorted over a problem that can be fixed. Thank you for your time.

**HB-2457-HD-2**

Submitted on: 2/22/2020 10:50:00 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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 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.

Sincerely,

Bryan Mih, MD, MPH, FAAP

Pediatrician

**HB-2457-HD-2**

Submitted on: 2/22/2020 2:05:10 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael deYcaza	Individual	Support	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/22/2020 2:15:46 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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. 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: 2/23/2020 10:29:04 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
C. Azelski	Individual	Support	No

Comments:

The human brain doesn't reach adulthood until 25 years of age. The chemical exposure, addictive properties and candy-like presentation cause our young people to not have a chance against these products as well as be especially harmed by them. As a result Hawai'i is experiencing a youth vaping epidemic. Please support this effort.

As a mother of a pre-teen I am definitely aware of the use of vaping products and other tobacco products among young people. My child and I often discuss the harmful affects tobacco products have on the body, especially of adolescents. It has been brought to my attention that many older siblings, parents, and uncles and aunties buy these devices and provide them to underage youth.

I attend the University of Hawaii at Manoa though the campus is supposed to be tobacco free people do not abide by the law. Many assume they are not doing any harm to the general public because they are not lighting up a cigarette, however, they are unaware of the harmful effects all tobacco products cause to themselves and others around them. Our campus hosts many events for children, and we even have a daycare on site. With that being said we should all be setting positive examples and maintaining a healthy environment for the keiki of our future. The flavors in vaping are what attract the attention of the underage population.

**HB-2457-HD-2**

Submitted on: 2/23/2020 10:37:04 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara J. Service	Individual	Support	No

Comments:

Please do everything you can to keep flavored tobacco products out of the hands of children.

Mahalo!

Barbara J. Service MSW (retired Child Welfare)

Senior Advocate



**HB-2457-HD-2**

Submitted on: 2/23/2020 10:40:08 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
JoAnn A. Yukimura	Individual	Support	No

Comments:

February 23, 2020

Chair Luke and Members of the Finance Committee:

I strongly support HB 2457. With more than 80% of youth starting their tobacco addiction with flavored tobacco products, HB 2457 is a strongly preventive measure that will save many young people from a lifetime of addiction, while relieving our health care system of a tremendous future cost burden.

HB 2457 will promote the public health and wellbeing in so many ways. Please pass the Bill out of your committee.

Many thanks.

Sincerely,

JoAnn A. Yukimura

As a student in intermediate I have witnessed others being peer pressured and bullied in regard to tobacco products, I have also fallen victim to these issues. When I was in elementary school several girls had e-cigarettes, they asked me to try the flavor, and when I said no they began to tease me. One girl stated that she vaped frequently. Soon after the incident, one of the girls got caught vaping at school. The most shocking part is that many students have admitted the vape pen was a gift from family members. After reading multiple articles on vaping I soon realized there was nicotine in the pens and that is why people become addicted.

In intermediate many students vape, they constantly boast about the different flavors each person has tried. It becomes a popularity contest between seventh graders and eighth graders. Several eighth graders were caught vaping in the school bathrooms, when school administrators disciplined them, they began to bully students who previously declined vaping. I too was threatened. My school never told my parents I was bullied; however, school administrators held an assembly to try and figure out where students were getting vape pens from. They also explained to us what E-cigarettes could do to our health. Later, forms were sent home expressing that all tobacco products to include E-Cigarettes are illegal to have on campus, and illegal for those under 21 years of age.

I dislike the idea of vapes having flavors, it seems to be the main reason youth are so interested in vaping. Many do not know that once they start vaping it becomes addicting and is hard to stop. I also dislike all tobacco products and hope they diminish soon to avoid further youth becoming addicted. Please end the sell of all flavored tobacco products.

**HB-2457-HD-2**

Submitted on: 2/24/2020 7:01:40 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jester Galiza	Individual	Support	No

Comments:

Chair Luke, Vice-Chair Cullen, and members of the Committee on Finance:

My name is Jester Galiza, a current second-year medical student at the University of Hawai'i John A. Burns School of Medicine (JABSOM) and former Hawai'i DOE teacher. I am in **STRONG SUPPORT** of HB2457 because as a former teacher and future physician, I am invested in the health and welfare of our keiki.

As a teacher, I saw firsthand how quickly the vaping epidemic plagued our school and community. I've explicitly heard students say that they like vaping because it tastes good. The variety of flavors somehow convinces our youth that e-cigarettes can't possibly be as bad as regular cigarettes, making it easier for our youth to start smoking and become addicted. Now, as a future physician in Hawai'i, I am deeply concerned about what will happen to the health of our keiki and general population if we don't take action. At this rate, by the time my fellow future physicians and I go into practice, we will have to deal with a new generation of COPD and tobacco-related injuries and diseases on top of the other health concerns that Hawai'i already has to face. This is not the landscape in which I want to be working, especially because we can prevent this reality from happening.

Thank you for the opportunity to testify my **STRONG SUPPORT** for HB2457. I hope you consider joining me and countless others in protecting our keiki.

Respectfully,

Jeser Galiza, M.Ed.

Medical Student, UH-JABSOM



**HB-2457-HD-2**

Submitted on: 2/24/2020 7:23:09 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacob Lester	Individual	Support	No

Comments:

My name is Jacob Lester and I support HB2457. I am testifying as an individual. I support this bill, because vaping is an epidemic for youth that is spreading rapidly and the flavors are a big factor that draw kids in. Vaping companies use childish flavors to draw the youth in since you wouldn't know any better than it is something sweet that they would enjoy. So the banning of these flavors would help our society because less youth would be attracted to vaping pods.

**HB-2457-HD-2**

Submitted on: 2/24/2020 7:39:36 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Vasant Patwardhan	Individual	Support	No

Comments:

Chair Luke, Vice-Chair Cullen, and members of the Committee on Finance:

My name is Vasant Patwardhan, a current medical student at the University of Hawai'i John A. Burns School of Medicine (JABSOM), and I am in STRONG SUPPORT of HB2457.

As a future physician in Hawai'i, I am deeply concerned about the vaping epidemic and the consequences it poses to the health of our keiki and general population. At this rate, by the time my fellow future physicians and I go into practice, we will have to deal with a new generation of COPD and tobacco-related injuries and diseases on top of the other health concerns that Hawai'i already has to face. This is not the landscape in which I want to be working, especially because we can prevent this from happening.

Thank you for the opportunity to testify my STRONG SUPPORT for HB2457. Please join me and countless others in protecting our keiki.

Respectfully,

Vasant Patwardhan

Medical Student, UH-JABSOM

**HB-2457-HD-2**

Submitted on: 2/24/2020 7:48:54 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dayna Mersberg	Individual	Support	No

Comments:

Aloha,

As a school nurse here in Hawaii, I support HB2457. I have attended Hawaii Public Health Institute's seminar "Clearing the Cloud: Hawaii's Youth Vaping Epidemic" and am alarmed at the rates in which our youth are vaping, and know that in the short time since attending the seminar, the numbers have increased. I work at the elementary level, and have had students at my school in trouble due to vaping. While some may have thought education was unnecessary at this age level, we have taken steps to educate our students by bringing in Kevin Ramirez (HPHI) to speak to them at an assembly.

As a parent I have had numerous conversations with my children - my son in particular because he is in middle school (others are adults) and at a very vulnerable stage in his life. I am so glad I talk to him about the dangers of vaping because he has recently shared with me that several of his friends have started vaping, and he suspects one of his classmates is the source of product. I strongly feel that these otherwise smart boys would not be tempted to vape if it were not for the availability of the product and the tempting flavors. These boys are athletes and I know that they will one day regret their decision to vape if they continue on this track. It saddens and disappoints me, and I know their parents would be as well if they knew. Vaping flavored products intices the students and could potentially lead them to vape marijuana. This is what has happened to a few classmates of my son.

Please remove these products that are addicting our keiki!

Mahalo

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:06:44 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
mary santa maria	Individual	Support	No

Comments:

I urge the Finance committee to pass the HB2457 bill to ban the sale of flavored tobacco products. Flavors hook those under 21 to become the next tobacco using generation. The tobacco industry targets these children. In my work as a Public Health Educator and advocate I have come across providers who want to know how to help young people as young as 10 years old, with nicotine addiction.. This is directly related to flavored electronic cigarette juice and it has to stop.

Please make it more difficult for the tobacco industry to target our youth by passing this bill.

Gratefully

Mary Santa Maria

Makawao, Hi. 96768



**HB-2457-HD-2**

Submitted on: 2/24/2020 8:11:00 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie L Tanner	Individual	Support	No

Comments:

**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: 2/24/2020 8:36:53 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
illyana	Individual	Support	No

Comments:

I am a 6th grade student at hana school.What i think about vaping is that people who vape think that its cool,but hounestly its not and the people making vapes are trying to target young kids by making flavors that attract them.

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:37:31 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joanna Sansone	Individual	Support	No

Comments:

I am a 6th grade student at Hana school and I feel like people should not get punished that bad for vaping but the companies should.They are targeting young kids for vapes and vaping is horrible for you.Nobody should ever do it.

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:38:33 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Megan Tabata	Individual	Support	No

Comments:

I am a young professional in the healthcare industry who went to Mid-Pacific Institute then University of Hawaii at Manoa. I have first-hand seen my peers ruin opportunities because of their addiction to flavored tobacco. The fact that they don't even consider the health risks due to being blinded by the flavors is terrifying. We MUST prioritize the health of Hawaii's youth by banning flavored tobacco.

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:38:47 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kala'e	Individual	Support	No

Comments:

I am a 6th Grade student at Hana High and Elementary school.I am here to testify about teens and vaping.I feel that the State of Hawaii needs on pass laws that if their are kids that are addicted to vaping and their parents aren't concerned about the kids or the kids vape without their parents knowing, instead of them getting in trouble because there addicted they should get help.I would not want to be a kid that gets in trouble because they're addicted to things they aren't even supposed to have.

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:41:23 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
brennan clark	Individual	Support	No

Comments:

*kid's aer dyng from vaping atleast 1000 kid's havn so faer. Change the laws, dont ler kids vape.*

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:41:58 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Braizlin	Individual	Support	No

Comments:

I am a 6th grade student at Hana School. I support not vapeing because it's bad for you and sometimes people end up in the hospital because of vapeing. This is my opinion on vapeing. I think people should STOP.



**HB-2457-HD-2**

Submitted on: 2/24/2020 8:42:17 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Talia	Individual	Support	No

Comments:

*I am a 6th grade student at Hana school. And I feel like that is not ok to vape and it is not ok to. Just keep on producing the product because it could kill and I just want to tell you do not vape.*

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:43:59 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nalu	Individual	Support	No

Comments:

I am a 6th grade student at Hana School. I think that there should be laws against how vape companies target kids with flavors that kids love and are interested in.

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:44:11 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nawahi	Individual	Support	No

Comments:

I am a 6th grade student at Hana School. I think vapeing is bad if you do then you want to be cool but your actually not and you are gonna die young.. :)

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:45:13 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
skye	Individual	Support	No

Comments:

I am a 6th grade student at Hana School and i feel that kids that vape at a young age shouldn't be punished because older people are doing it around them and because they dont know what happens when you do it all the time.They just thinks its just candy or something.

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:46:20 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aimee Grace	Individual	Support	No

Comments:

My name is Dr. Aimee M. Grace, and I am a pediatrician and public health advocate. I currently serve as Director of the Office of Strategic Health Initiatives at the University of Hawaii and I lead the UHealthy Hawaii initiative to leverage the UH System to improve health and health care in Hawaii and the Pacific. **I am writing in my personal capacity to strongly support HB2457 to ban the sale of flavored tobacco products.**

Countless youth are drawn to flavored e-cigarette products, resulting in a nationwide epidemic that is deeply affecting youth in Hawaii. The last thing we need is for a new generation of youth to be addicted to nicotine. Serious poor health effects result from the use of e-cigarettes, including from the use of vaping products with marijuana.

We **must ban flavored tobacco products** to curb the attraction of youth to e-cigarettes. I encourage **strong support** for the passage of HB2457 to ban the sale of flavored tobacco products. Mahalo!

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:47:30 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Molly Mamaril	Individual	Support	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:54:13 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joanna Reinhardt	Individual	Support	No

Comments:

Chair Luke, Vice-Chair Cullen, and members of the Committee on Finance:

My name is Joanna Reinhardt, a current medical student at the University of Hawai'i John A. Burns School of Medicine (JABSOM), and I am in **STRONG SUPPORT of HB2457**. I am also a parent of 3 children, ages 9, 13 and 16.

As a parent of a teenager, I have seen the infiltration of "vaping" culture into the lives of our youth. Vaping is everywhere and kids really don't understand the potential health effects. The products are advertised as fun and colorful and so many of the youth are using them that it has become the norm. The products with nicotine are often less expensive and so kids buy them because why spend \$20 on the "nicotine-free" product if you can get the other one for \$0.99? They don't believe that nicotine is addictive and are full of the invincibility of youth. We need to protect our kids against the industry that is eager to take advantage of them.

As a parent and a future physician in Hawai'i, I am deeply concerned about the vaping epidemic and the consequences it poses to the health of our keiki and general population. At this rate, by the time my fellow future physicians and I go into practice, we will have to deal with a new generation of COPD and tobacco-related injuries and diseases on top of the other health concerns that Hawai'i already has to face. This is not the landscape in which I want to be working, especially because we can prevent this from happening.

Thank you for the opportunity to testify my STRONG SUPPORT for HB2457. Please join me and countless others in protecting our keiki.

Respectfully,

Joanna Reinhardt

Medical Student, UH-JABSOM

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:57:30 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
meleana	Individual	Support	No

Comments:

Dont let vaping ruin our lives its bad enough to have kids smoking let alone vaping.



**HB-2457-HD-2**

Submitted on: 2/24/2020 8:57:31 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brianna Rose Kearney	Individual	Support	No

Comments:

I am a teacher at Hana School. I am so thankful that vaping was not in existence when I was in school. I can see why it would be hard to not experiment with at their age. With no need to light anything with fire, and barely any need to sneak around because of how inconspicuous it is. It is extremely heartbreaking to see children experimenting with these highly addictive substances that are targeted directly at them. We live in a very special community that is already highly at risk for many issues, and we support each other in many ways, but we cannot handle this issue

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:59:11 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janaiah kaupe	Individual	Support	No

Comments:

***Aloha i am a 7th grade student that thinks tabacco/vaping company's should not be allowed to target children because of causes with death and being led sick or into the hospital . tabacco can cause your lungs to collapse or can cause popcorn lungs . vaping can lead to having vapor smoke in your lungs and can also cause yellow/rotten teeth along with tabacco .***

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:59:51 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
koalii shamblin	Individual	Support	No

Comments:

My name koalii im a 7th grader from hana school from Maui, Hawaii. Tobacco is bad for everyone and it can give you cancer and can hurt a lot of kids if people are trying to hurt and kill other people and children when they dont want to be hurt.

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:07:24 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
dusty	Individual	Support	No

Comments:

I am a 7th grade student. Vaping or smoking in any way makes your lungs look like a raizen and it could have some bad consequences like lung cancer and when it comes to vaps and the nicatin inside is really bad for kids. Flavors attract them more.

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:09:26 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jake lowery	Individual	Support	No

Comments:

I am a 7th grade student and i think tobaco should not be targetting children. Fun flavors attract kids like me. Elementary kids really like cotten candy flavor. Adults don't. Even menthol flavor is fun for teens. All of these flavors and advertising should not be available to kids, but they are. Please help us stop this problem.

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:10:12 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
J-Lah Sinenci	Individual	Support	No

Comments:

i am a 7th grade student and i think vaping companies are targeting kids mostly. They target kids by using candy flavored nicotine.

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:50:15 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

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

Comments:

**2/24/2020**

**Dear Members of the Finance 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.**

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

**I am strongly 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 pushed like candy bars. 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 do not work at reducing youth tobacco use and can even be counterproductive. As an unintended consequence, punitive laws can stigmatize tobacco use and deter addicted youth from seeking help to quit smoking.**

**However, this bill unfairly places the burden of enforcement on public school teachers who are already stretched to the limit and overworked. Instead, focus on other policies to regulate the industry, such as banning vaping liquid flavors and raising taxes on tobacco or nicotine-containing products, which are proven to be more effective.**

**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: 2/24/2020 9:52:23 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jaxon Huang	Individual	Support	No

Comments:

My name is Jaxon Huang, a current medical student at the University of Hawai'i John A. Burns School of Medicine (JABSOM), and I am in strong support of HB2457.

As a future physician in Hawai'i, I am deeply concerned about the vaping epidemic and the consequences it poses to the health of our teens and general population. At this rate, by the time my fellow future physicians and I go into practice, we will have to deal with a new generation of COPD and tobacco-related injuries and diseases on top of the other health concerns that Hawai'i already has to face. This is not the landscape in which I want to be working, especially because we can prevent this from happening.

Thank you for the opportunity to testify my STRONG SUPPORT for HB2457. Please join me and countless others in protecting our keiki.

Respectfully,

Jaxon Huang

Medical Student, UH-JABSOM

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:55:30 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lauren Dae Claypoole	Individual	Support	No

Comments:

Chair Luke, Vice-Chair Cullen, and members of the Committee on Finance:

My name is Lauren Claypoole, a current medical student at the University of Hawai'i John A. Burns School of Medicine (JABSOM), and I am in STRONG SUPPORT of HB2457.

As a future physician in Hawai'i, I am deeply concerned about the vaping epidemic and the consequences it poses to the health of our keiki and general population. At this rate, by the time my fellow future physicians and I go into practice, we will have to deal with a new generation of COPD and tobacco-related injuries and diseases on top of the other health concerns that Hawai'i already has to face. This is not the landscape in which I want to be working, especially because we can prevent this from happening.

Thank you for the opportunity to testify my STRONG SUPPORT for HB2457. Please join me and countless others in protecting our keiki.

Respectfully,

Lauren Claypoole

Medical Student, UH-JABSOM

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:03:42 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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: 2/24/2020 10:06:12 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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: 2/24/2020 10:07:37 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shaunnie tolentino-kaiwi	Individual	Support	No

Comments:

My name is Shaunnie im a 8th grader here at Hana High and Elementary school. I am writing this to testify on my behalf saying that the tabaco company should not be targeting us young youths. I have seen the product that they are making and it looks like what every child would like to have. It looks like a juice box, candy and jackets that make them hide it. These types of things should not be happening. It is dangerous for us kids and if you care for young children and their future, you need to put a stop to this kinds of companies. Flovoring is what is drawing us young kids to vape. Stop it once and for all.

Mahalo,

Shaunnie

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:08:41 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
hoaka	Individual	Support	No

Comments:

Hi i am a 8th grade student from hana school and this is my testimony is that we should stop these smokers because were killing too many people in the world, why dont people relise that everyone dont have to smoke, is it because its a trend and everone body wants to get on this trend and Tobacco use is a cause or risk factor for many diseases; especially those affecting the heart, liver, and lugs, as well as many cancer. Help protect kids like me.

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:10:00 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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: 2/24/2020 10:16:13 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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 and cereals to appeal to a younger audience.

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. 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: 2/24/2020 10:21:56 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kaimana	Individual	Support	No

Comments:

hi i am an 8th grader from hana hi and i have seen what vaping can do to kids. vaping is a plauge that we need to destroy before its to late. us kids dont know better but the big tobacco companies do. they are poisoning the keiki of hawaii nei just so they can fill their pockets. this dirty system needs to be destroyed for the sake of the children of hawaii.

To: Committee on Health and Committee on Lower and Higher Education

Rep. John M. Mizuno and Rep. Justin H. Woodson, Chairs

Rep. Bertrand Kobayashi, Rep. Mark J. Hashem, Rep. Sean Quinlan, Vice Chairs

Subject: H.B. 2457, RELATING TO THE YOUTH VAPING EPIDEMIC

Hearing: Tuesday, February 25, 2020, 12:30 p.m.

Conference Room 308, State Capitol

Aloha, I am Kiana Madeira, a student at University of Hawaii at Manoa and constituent from O'ahu, raised on the Wai'anae coast. I am testifying in favor of H.B. 2457, relating to the youth vaping epidemic.

When vaping first came out everyone became interested in this epidemic and had fallen into this new trend. When I was a minor many of my friends had begun smoking these devices, more importantly my own brother. I've watched my younger brother smoke this device while he was in highschool, he recently graduated and has been attached to this product even more. The main reason he began smoking the vape was due to the many flavors being offered, which majority included menthol. Over the past couple years there have been many reports on vaping and how it's affecting people's health and lives. By banning the distribution of all flavored tobacco products (such as Jolly Rancher or Sour Patch Kids) to children underage it'll help decrease the chances of upcoming youth to try this product.

This bill will benefit many individuals' health and lives. I strongly urge the committee to pass H.B. 2457. I appreciate this opportunity to testify, Thank you for your time.

Kiana Madeira, Oahu resident, UHM

House District: 44

Senate District: 21

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:30:32 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kiana	Individual	Support	No

Comments:

Im an eighth grade student and i believe that any child or young adult under the age of 21 shouldnt own any type of tobacco because our brains and bodies are still developing so we dont need all this poison to be littering our bodies. It is also a bad example for the younger kids who need to grow aswell. 18 is still to young.

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:35:37 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
shakaya	Individual	Support	No

Comments:

I believe that middle schoolers and high schoolers should not be exposed to flavored tobacco products because of nicotine as a addictive chemical. Our brains are still devoloping and it's not something to help us with anxiety or cope with things.I believe that if middle schoolers and highschoolers keep on doing it, imagine the elementray kids vaping and being dependent on it. Some people I know are dependent on drugs and vaping is one of them. Think about kids and think about what's going through their lungs as they inhale smoke. Think about the kids.

-Shakaya Davis

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:43:39 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kamohoalii	Individual	Support	No

Comments:

im a 8th grade student that my school a=or most of the kids vipe so we should stop

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:45:53 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cyrus Howe	Individual	Support	No

Comments:

February 24, 2020

To Whom it May Concern,

I am in STRONG SUPPORT of bill:  
HB2457 HD1  
Relating to Flavored Tobacco Products

HOWEVER, I have concerns over including youth penalties.

- 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.
- 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.

Hawaii has one of the highest rates of middle schoolers and high schoolers use of vaping products IN THE NATION! Flavored products are targeted to our youth.

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

Hawaii has one of the highest costs of living...this wasted money on vaping and all tobacco products could be used by these consumers to support a much healthier lifestyle...why even give this temptation?

I have two children...there are enough stresses and social pressures already in their world. Please, we need to take control of this vaping issue now!

I feel strongly that children should not be manipulated my marketing and then have to pay the price (penalties..and bad health!) for giving into the temptation set forth by the companies marketing these products.

Sincerely,

Mary Nees



Representative Sylvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair  
Members of the Finance Committee

Coalition for a Tobacco Free Hawaii

Monday, February 24, 2020

Strong Support for H.B. 2457, Relating to Electronic Smoking Products

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. 2228, 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.

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

Although the long-term health effects of vaping are still vague and have yet to be studied in detail, 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.

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:53:20 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kainalu	Individual	Support	No

Comments:

iam an 8th grader from hana high and elementary school.I want to tell you to shut down tobacco companys so that we could live in peace

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:53:33 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shani Gacayan	Individual	Support	No

Comments:

I STRONGLY SUPPORT HB2457,

I am a mother of 4 young children, my oldest is 12 years old and the amount of exposure he as a young man has to vaping products and candy flavored ejuice is ABSOLUTELY ABSURD! Our keiki are using and being exposed to these devices and ejuice more and more every day as they have easy access to these flavors and are wanting to try them because it's the "cool" thing to do and tastes good so are being peer pressured to try them. Our high school students are highly addicted and are trying them because they say they have all different kinds of fruity and candy flavors that they want to try and now have become addicted! Our keiki are our future, PLEASE help keep our keiki healthy and STOP ALL CANDY flavored ejuice including Menthol! They do not know how harmful these products and ejuice are to their health for short and long term effects. PROTECT THEM NOW! With much desperation in keeping our keiki and all people of Hawaii healthy, Shani Kai Gacayan

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:58:55 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

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 strong support of this bill- HB2457 - for the safety of the youth and the future generation.**

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:06:24 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kawelo	Individual	Support	No

Comments:

I am an 8th grade student from Hana High and Elementry and I am against youth vaping because its contains many issues with the body at all ages but youth vaping can be the worst bc it can cause cancer,popcorn lungs, and may other diseases at a young age and sometimes causes serious injuries and/or death. So i feel that youth vaping should be baned forever.

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:06:36 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
hennessy	Individual	Support	No

Comments:

I am an 8th grade student at Hana High and Elementary school and i am against youth vaping because there are many negative affects of it like popcorn lung and other sicknesses that harm children. Youth vaping should be stopped so the youth can live a healthy and happy life.



HOUSE OF REPRESENTATIVES  
COMMITTEE ON FINANCE  
Rep. Sylvia Luke, Chair

DATE: Thursday, February 25, 2020  
TIME: 12:30 P.M  
PLACE: Conference Room 308

**SUPPORT** the bill, **HB 2457 HD2**

My name is Rieko Nieto, a social work student, the behavioral mental specialization at the University of Hawaii at Manoa. I am writing strong 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.<sup>1</sup> 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 research shows that 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 lead to other types of drug addiction in the future. <sup>2</sup>

E-cigarettes use a different form of nicotine in cigarettes or patches, called nicotine salts. These nicotine salts activate the same reward pathways in the brain that other drugs of abuse, 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. Especially early age of using E-cigarettes affects their brain development, which continues to the age of 25.

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 the nicotine addiction among the youth in Hawaii.

Thank you for this opportunity to testify.

Sincerely,

Rieko Nieto

<sup>1</sup> 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.

<sup>2</sup>Lynch, 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: 2/24/2020 11:20:17 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Deslyn	Individual	Support	No

Comments:

Im a 8th grade student from Hana school and im against youth vaping because it is not meant for kids and it could ruin there future.

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:21:40 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
shanya	Individual	Support	No

Comments:

I am an 8th grade student from Hana High and Elementary School and i am aganist vaping because it can ruin your future self and damage your body.

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:24:40 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maxine	Individual	Support	No

Comments:

Hello, my name is Max, i'm an 8th grade student at Hana High and Elementary school, and I am against the use of flavored vapes and regular vapes. But to be quite honest, I got thrown into this by my teacher and i'd rather be eating chips at home, so you're lucky to be getting this testimony. I really dont wanna be here, but here i am. Anyways, flavored vapes that are pinpointed towards students are bad, oh no, call the FBI. Not like there's a virus in China thats spreading rapidly. Bad people are selling flavored vapes to kids, wanting to make a living, or being arrogant trying to get more profit. Thats a bad bad. Vapes are very dangerous, and if humans didnt figure out until now, im kinda dissappointed in the human race. Kiddos are gonna grow up with messed up lungs, and if they vape, they'll grow up to be met by the Grim Reaper, if you get my point- yada yada. If your day has been bad, and you're not one of those grumpy dudes, I hope this makes you laugh. Back to the point, flavored vapes in our class are normal with a couple people. And it kinda makes me scared, because I dont want them hurt. Theyre my bullies, but i really dont want to see them hurt. So please, ban them. -Max.

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:24:57 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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: 2/24/2020 11:29:58 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
anastasia	Individual	Support	No

Comments:

Hello, my name is Anastasia. I'm an th grade student at Hana High and Elementary School. I'm here to share my opinions on vape flavoring being marketed to children. It's bad.

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:36:56 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alysha Cosier	Individual	Support	No

Comments:

My name is Alysha Cosier and I am a pharmacy student. I am testifying in support of bill SB2457. 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 emphasize my strong support for bill SB2457.

Thank you for the opportunity to testify.



**HB-2457-HD-2**

Submitted on: 2/24/2020 11:39:06 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Iwana	Individual	Support	No

Comments:

To: Honorable House Committee Members

I strongly support the passage of this bill to ban the sale of flavored tobacco products and prohibit mislabeling of e-liquid products containing nicotine. Also, it is important to requires the Department of Education to establish program by which persons under 21 years of age may dispose of electronic smoking devices in their possession, without retribution.

Our youth are the leaders of tomorrow and do not need to be mislead in using products which may harm their health. I am a past president of the Hawaii Kai Lions Club, an organization that supports health and wellness programs, both for youth and seniors. Please pass this very important bill to protect our youth.

Aloha,  
David Iwana

Chair Luke, Vice-Chair Cullen, and members of the Committee on Finance:

My name is Megan Horita, a current first year medical student at the University of Hawai'i John A. Burns School of Medicine (JABSOM), and I am in STRONG SUPPORT of HB2457.

As a future physician, I am deeply concerned about the vaping epidemic and consequences it poses to the health of our keiki and the general population. At my time at JABSOM, I have had the opportunity to teach 4<sup>th</sup> graders about the dangers of smoking and vaping. At every presentation, these students ask me if vaping is dangerous and tell me stories about smelling clouds of smoke that smell like cotton candy by the playground. These keiki are only 10 years old. They don't know about the effects of vaping; they only smell the sweet smoke and assume that it can't be bad for them. We are trying to educate them as much as we can, but we can't reach everyone. By the time I go into practice, we will have a new generation of COPD and tobacco-related injuries in addition to the other health concerns that Hawai'i has to face. I hope that through this testimony we can protect our keiki and general population.

Thank you for the opportunity to testify my STRONG SUPPORT for HB2457. Please join me and countless others in protecting our keiki.

Respectfully,  
Megan Horita  
Medical Student, UH-JABSOM

Chair Luke, Vice-Chair Cullen, and members of the Committee on Finance:

My name is Rylie Wada and I'm a current first-year medical student at the University of Hawai'i John A. Burns School of Medicine (JABSOM). I am in STRONG SUPPORT of HB2457.

As a medical student, I have the opportunity to educate elementary students about the dangers of tobacco, and time after time, I have 4<sup>th</sup> graders telling me stories of being personally affected and exposed to this vaping epidemic. The colorful marketing and fruit and candy flavored appeal play a manipulative role in attracting the younger generation, emitting a false sense of safety, creating uncertainty, and ultimately perpetuating the vaping epidemic. As a future physician in Hawai'i, I have increasing concern about the vaping epidemic and the consequences it poses, especially to the health and bright futures of our keiki. The results of the epidemic will likely fall on our generation of physicians, adding a new wave of COPD and tobacco-related injuries and diseases on top of the other health concerns, disparities, and physician shortage Hawai'i already faces. We can alter the course of this epidemic and preserve Hawai'i's health with prevention that starts now.

Thank you for the opportunity to testify my STRONG SUPPORT for HB2457. Please join me and countless others in protecting Hawai'i's keiki.

Respectfully,  
Rylie Wada  
Medical Student, UH-JABSOM

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:48:18 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
bernard fajota	Individual	Support	No

Comments:

- Private Industry need to be accountable for the targeting of Hawaii's youth instead of targeting youth who are not educated about the health risk associated with vaping and the extensive efforts by industry to target the children who are potentially influenced by wrapped marketing which does not reveal the true risk and detrimental effects of nicotine addiction.
- left without additional oversight and policies which restricting this sinister efforts of Vaping Industry marketers, they now are targeting our younger children as young as 3rd and 4th graders who have no idea of potential risk and addictive nature of these vaping products. Unfortunately, these products are portrayed to be for enjoyment and marketed as something to bring pleasure and joy.
- 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.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:06:17 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kayla Murata	Individual	Support	No

Comments:

Chair Luke, Vice-Chair Cullen, and members of the Committee on Finance:

My name is Kayla Murata, and I am a current fourth-year medical student at the University of Hawai'i John A. Burns School of Medicine (JABSOM), and I am in STRONG SUPPORT of HB2457.

As a future family physician in Hawai'i, I am concerned about the vaping epidemic and the consequences it poses to my patients and the general population.

The other day I saw an 18-year old male who came in with a fever. I noticed he was holding an e-cig (electronic cigarette) in his hand. He told me how he loved the peach flavor. As I encouraged him to consider quitting and counseled him on its health detriments, he told me that he has always heard that e-cigs were "bad" but that I was the first person to actually sit down to counsel him on why he should quit. Although I was able to provide brief intervention for this teenager, positive encounters like this are limited and will be difficult to sustain without the banning of all flavored tobacco-products and liquids.

During a visit to an intermediate school on Oahu, a colleague and I spoke to students interested in a career in health field and taught them how to use stethoscopes. We taught them how to listen to lung fields and began a discussion about vaping. Students asked if doctors can tell on physical exam that they vape and how long will it take for their lungs to be "normal" after not vaping. These questions represent just a mere snapshot of the thoughts that are going through the heads of all our keiki across the state. While the curiosity of a child and adolescent is a hallmark of normal development, I am concerned about the ease of accessibility of flavored tobacco-products and liquids. The need to advocate for these vulnerable youth against preventable e-cigarette health effects and subsequent risky behaviors is paramount.

Thank you for the opportunity to testify my STRONG SUPPORT for HB2457. Please join me and my physician colleagues and health care professionals in protecting our keiki.

Aloha,

Kayla A. Murata, MS-4  
Medical Student, UH-JABSOM

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:09:43 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

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

Comments:

***I'm an eighth grade student at Hana High and Elementary School and I think that tobacco selling companies targeting young teens should be banned from selling anything more no matter the how bad it will affect the company it'll change the mindset of younger ones. Even if these tobacco companies don't stop sellinbg tobacco it will still help slow down the number of young teens doing these drugs; and the selling of tobacco will decrease the amount of people being killed from this unhealthy drug.***

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:12:28 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis Barger	Individual	Support	No

Comments:

**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 and worked for the American Lung Association on Maui to help people break the addiction to tobacco. I have been helping people to reduce 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 already experiencing a 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

**RE: Strong Support for HB2457: Relating to Ban Fruit- and Candy-Flavored Tobacco Products and e-Liquids.**

Chair Luke, Vice-Chair Cullen, and members of the Committee on Finance:

Thank you for the opportunity to testify in **strong support for HB2457, Relating to ban fruit- and candy-flavored tobacco products and e-liquids**. My name is Christina Tse and I am a second-year medical student at the University of Hawai'i - John A. Burns School of Medicine (JABSOM). I am in strong support for this bill because as a medical student and a community member of Hawaii I have seen the negative impact flavored tobacco products has in our community.

As a future physician in Hawai'i, I am deeply concerned about the vaping epidemic and the consequences it poses to the health of our keiki and general population. At this rate, by the time my fellow future physicians and I go into practice, we will have to deal with a new generation of COPD and tobacco-related injuries and diseases on top of the other health concerns that Hawai'i already has to face. This is not the landscape in which I want to be working, especially because we can prevent this from happening.

Tobacco companies have a history of targeting and appealing to the younger generation in order to maximize long-term profit. Flavored tobacco products have a special appeal to children, adolescence, and young adults who are a vulnerable population—susceptible to risk-taking behavior and peer pressure. Tobacco use, especially long-term addiction and use, can lead to bronchiectasis, emphysema, bronchitis, lung cancer, and other negative health effect affecting our neighbors, friends, and families who smoke. In addition, we know e-cigarettes can kill with the first reported death in August of 2019. The CDC coined the term, E-cigarette or Vaping Use-Associated Lung Injury (EVALI). Additives in e-cigarette that differ from other tobacco products may be attributed to death and lung injury, especially e-cigarettes obtained from informal sources. Those of low socioeconomic background and children are especially susceptible to purchasing from informal sources, leading to a higher risk of EVALI.

Personally, I have seen family members struggling with long-term tobacco use, and have tried flavored tobacco that has increased the frequency of their tobacco use. In addition, I volunteer with Tar Wars, which educates elementary students (fourth and fifth graders) on the dangers with using tobacco products. I find this work to be exceptionally useful in educating students but also educating myself of their knowledge. Many students at that young age know of and use tobacco, juule products, and flavored tobacco. Even more astonishing and very disappointing is that some of these children are already using tobacco due to peer pressure by older children and false advertising. Advertisement, video games, and other media to create a “cool” persona in those who smoke, thus, persuade children to smoke and in order to adopt this persona. This is a problem faced by all communities in our state. In providing Tar Wars talks, I each teacher I encounter always thanked me for the talk and note issue with tobacco in their current class or other classes. HB2457 can help to address this growing problem in our community that can affect the health of our keiki.

Again, thank you for the opportunity to provide my testimony to this bill as well as your consideration in **strongly supporting HB2457**. Please join me and countless others in protecting our keiki.

Respectfully,  
Christina Tse  
MD Candidate, Class of 2022  
University of Hawai'i - John A. Burns School of Medicine.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:19:55 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ocean Lanakila Kanuha	Individual	Support	No

Comments:

Hi, I my name is Ocean Lanikila Kanuha and I am a 7th grader at Hana School in Hawaii. I don't think tobacco products should be targeted to kids because they can die. Flavors attract kids more than adults. This is not ok.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:21:51 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nedabiah hoopai-feliciano	Individual	Support	No

Comments:

I'm a 7th grader and I think the tabaco company should not target us children because if us kids start vaping or smoking cigerettes there gonna get addited to it and can't stop doing it also they will be doing it until they die.They will be dead because they were smoking sooo much of cierettes and vapes. Also, because they would be a bad examples for other children and other fucture generationthat is coming into the would.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:25:08 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
nanea morton	Individual	Support	No

Comments:

hi my name is nanea morton, and i am a middle school student. i do not approve of the fact that tobacco companies are targeting young kids in their advertising. i think this because tobacco can be in possession of a kid my age and younger, and i don't think that's ok.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:25:19 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sanoë andaya-visser	Individual	Support	No

Comments:

im a 7th grade student and kids should not be targeted with drugs & vapes. Kids have a long life to live and should be able to live that life

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:27:11 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ho'ola'i fillazar	Individual	Support	No

Comments:

im a 7th grade student and i dont think the tabaco company should target us childeren becuse if us kids start vaping or smoking cigarettes there gonna get addicted and cant stop and there gonna keep on doing it until they die and the reason there gonna be dead is because of all those things they ur smoking like the vapes and the ciggerets.And vapes have all kinds of thing in there liquid like hair spray,gasoline,clorox,laundry diturgent.And all that bad stuff can make ur lungs callaps.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:28:15 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
namahana	Individual	Support	No

Comments:

im a middle school student and i do not support tobacco companies targeting kids



**HB-2457-HD-2**

Submitted on: 2/24/2020 12:28:47 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Beverly Victorine-Dyment	Individual	Support	No

Comments:

To Whom it may concern,

I am a Special Educational Assistant at the Hana High and Elementary School. I have been here working at the school for over 16 years. I have seen the difference in the amount of students vaping at our school and it saddens me that there is more and more younger students starting to vape. It doesn't help that manufacturers are making flavors that draw these children to wanting to even vape more. Some flavors that are candy smelling and tasting. Even menthol attracts kids. We as teachers and parents need to show this young generation that there is more in life to do than just Vaping. Teaching them that following or peer pressure is not the right thing to do. That you do have the right and do not need to be afraid to say no. To stand up to other peers or friends that think vaping makes you look like your older or mature but in fact it just makes you getting closer to death. So please help us stop the Vaping with them, our younger generation. To help them see the risk in vaping that one day can cause them to become very ill or even lose their lives. Please help our young generations to have a chance to have better futures for themselves.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:33:39 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stratton McClure	Individual	Support	No

Comments:

I am a 7th grade student at Hana School. I think that tobacco should not be targetting kids. Flavors attract kids. Tobacco companies flavor products so they can attract more people including children.

**HB-2457-HD-2**

Submitted on: 2/24/2020 12:44:28 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristin Mills	Individual	Support	No

Comments:

Hawaii has among the highest rates of middle school and high school e-cigarette (ESD) use in the nation and it has been declared vaping a youth epidemic by the U.S. Surgeon General.

As a parent and health educator for the State Health Department, this is extremely concerning as there are numerous health impacts from e-cigarettes. Nicotine addiction affects kids' ability to focus and learn at school, it affects their emotions, it affects their relationships, and it affects their self-confidence. The list goes on. Further, once teens become addicted to nicotine, it's very difficult to quit. Teens are also particularly vulnerable to nicotine, which permanently impacts their still developing brain.

It's no coincidence that the rise in youth e-cigarette use has coincided with an explosion of sweet e-liquid flavors used to hook kids. Tobacco companies are making and marketing deadly and addictive products right here in Hawaii that look and taste like our favorite childhood flavors (Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Rolls, and Halawa Guava). They make these flavors to "hook" their next customers... Our youth! And it's not OK. Data has shown that 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes. 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 Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

We need to protect our keiki. The scientific evidence is clear, flavored tobacco products have the greatest appeal to youth and we must end the sale of these products.

We also 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.

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.

**HB-2457-HD-2**

Submitted on: 2/24/2020 1:02:44 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melonee	Individual	Support	No

Comments:

im a 7th grade student and i think that vaping is bad.....

**HB-2457-HD-2**

Submitted on: 2/24/2020 2:26:55 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cheryl Reeser	Individual	Support	No

Comments:

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:10:53 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diana Wan	Individual	Support	No

Comments:

I am a teacher at Washington Middle School and take action to ensure that flavored tobacco products are banned. It is ethically wrong to target children to purchase and become addicted to tobacco products by packaging them in appealing flavors. Addictions to such products cause health problems and can even lead to death. It is our responsibility to protect our most vulnerable populations and to prioritize the health of our keiki and community over the profiting of companies and the people who run these companies.

**HB-2457-HD-2**

Submitted on: 2/24/2020 3:14:07 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teresita	Individual	Support	No

Comments:

Mosy os us are responsible adults that vape; government should not punish all of us because of those that buy vaping devices for minors. What about under-age drinking? Government does not have a ban that restricts all adults from buying alcohol: responsible adults have the right to make these private, personal choices that government should not interfere with.



Testimony to House Committee on Finance  
Tuesday, February 25, 2020; 12:30 p.m.  
State Capitol, Conference Room 308

Dear Chair Luke, Vice-Chair Cullen, and Committee Members,

My name is Ramic Santiago and I **strongly support** HB 2457 HD2: RELATING TO THE YOUTH VAPING EPIDEMIC.

There are too many children under 18 that are choosing to vape in Hawaii. According to the Center for Disease Control and Prevention Hawai'i ranks second in children ranging from 6th to 12th grade who choose to vape (1). According to Kaiser Health News numbers reported in 2018 translate to 3 million high school students nationally who vape. These staggering numbers continue to rise with advancements in vaping technology. Vaping devices can come in a variety of sizes and others like the JUUL product which is the size of a small USB port and can be used almost undetectable. Nicotine levels are manipulated and highly concentrated like the JUUL that can contain as much nicotine as 20 packs of cigarettes.

Nicotine is extremely unhealthy for youth because it can be extremely harmful to the developmental process in the youths brain and nicotine causes changes in the brains synapses which are built faster than the adults brain (1). Most e cigs contain nicotine and nicotine use in adolescence may further the risk for future addiction to drugs (1). There are many carcinogenic chemicals used in the production of e-cigs including cancer-causing compounds and heavy metals such as nickel, tin, and lead (1).

Many vaping products come with or are used with flavor additives such as candy flavorings. These flavorings are targeted at making nicotine products familiar to youth and make the vaping product more palatable to taste than traditional burning tobacco products which are restricted by the 2009 Family Smoking Prevention and Tobacco Control Act which banned fruit and candy flavorings in cigarettes but did not include smokeless tobacco products like chew and e-cigs.

As of January 2020 the Trump administration has enacted a ban on the flavoring of e-cigarettes which use pre filled cartridges but does not include tank based systems where users fill their own nicotine and flavor mixturing(2). Furthermore, mentol pre-filled vaping devices are excluded from the ban (2) . According to the National Institute on Drug Abuse 66% of teens vape only flavoring (2). Banning pre-filled e-cig products will have little effect when teens can still get ahold of products that contain flavored vaping products like fillable tank systems.

Hawaii needs to further the Trump administration's efforts to reduce the increasing number of underage children who use vaping products. Hawaii needs to ban all flavored vaping products in the state to fight the epidemic of underage teen vaping.

Sincerely,

Ramic P.H. Santiago, B.S.  
1614 Emerson Street # 5  
Honolulu, Hawaii 96813

Resources

1. Center for Disease Control and Prevention(2019). Smoking and Tobacco Use
2. MarketWatch.(2020). Federal Government Bans Popular E-cigg Flavors to the Curb.
3. NIH National Institute on Drug Abuse.(2015). Teens and E-cigs.

Testimony to House Committee on Finance  
Tuesday, February 25, 2020; 12:30 p.m.  
State Capitol, Conference Room 308

Dear Chair Luke, Vice-Chair Cullen, and Committee Members,

I strongly support HB 2457 HD2: RELATING TO THE YOUTH VAPING EPIDEMIC.

Tobacco killed my husband last March from smoking. He ended up dying from COPD and had lung cancer. He suffered greatly before he passed away and died an early death.

We have 6 grandchildren that I don't want to have the same fate as their grandfather. Our keiki are a vulnerable group and must be protected. Don't make it easy for electronic smoking devices to get into the hands of our kids from accessibility online and for being cheap to buy.

Please pass HB 2457 HD2 to save our children for the future.

Sincerely,

Jennifer Hausler  
Pearl City, 96782

Date: February 25, 2020  
To: The Honorable Silvia Luke, Chair  
Ty Cullen, Vice Chair  
Members of the Committee on Finance

From: Ruthie Diaz, BSW  
rddiaz@hawaii.edu  
Honolulu, 96813

Re: Strong Support for HB 2457 HD2: RELATING TO THE YOUTH VAPING EPIDEMIC.

Hearing: Tuesday, February 25, 2020 at 12:30 pm at Conference Room 308

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Thank you for the opportunity to submit testimony in STRONG SUPPORT of HB 2457 HD2: RELATING TO THE YOUTH VAPING EPIDEMIC.

I am a non-traditional student at the University of Hawai'i, Mānoa, and completing the master's degree at the Myron B. Thompson School of Social Work. As a full-time student, social work practicum student, and a part-time employee, I have opportunities to engage with the communities at the University of Hawai'i as well as the Oahu community working with individuals and families. Most importantly, I am a mother of two children, ages five and an 11. I care deeply for my children as well as all the youth of Hawai'i, and prevention is key to many health risks.

Although there are various stories that I have encountered with electronic nicotine delivery systems ENDS and vape products, the one I can recall involves my four-year-old son. I live in a condominium with a wraparound lanai that welcomes cool trade wind breezes on most days. Because of this, my lanai doors are always wide open. My home is a smoke-free building, which should eliminate such behaviors and provide clean air for my family. However, addictive behaviors will often lead to the disregarding of such rules. Neighboring units smoking on their lanai lead to clouds of smoke to travel down to my family's unit. My four-year-old smelled the strawberry flavors and savored it. Luckily, he spoke out loud and mentioned that it smells like candy. I knew what it was, and I had no choice but to report it to our building management and close my lanai door. I realized that the smell of such flavors was very enticing to my four-year-old, and had I not stopped him, he would have continued to inhale the vape products contaminating our fresh air. This was a teaching moment for my older child about the health risk and the inconvenience it causes other people and families, but not necessarily to a four-year-old. This experience allowed me to see how dangerously enticing these ENDS flavors to even the youngest children. It made me aware of how normalized use or even continued exposure to ENDS and vape products may lead to experimentation and subsequent addiction.

Bill HB2457 HD2, if enacted, it will prevent many health problems that are related to electronic nicotine delivery systems (ENDS) and vape products. The increasing youth vaping epidemic, particularly in Hawai'i, is due to the lack of regulation pertaining to ENDS, enticement to youth using candy-flavored vape products as well as communities and social behaviors among youth normalizing the use of these items.

The opposition's argument that the use of ENDS and vape products is successful as a smoking cessation product

has not been proven true, nor is it FDA approved. A study conducted in 2016 by Garcia-Arcos *et al.*, concluded that mice who were exposed to aerosolized nicotine-free and nicotine-containing e-cigarette fluid "triggered effects normally associated with the development of COPD including cytokine expression, airway hyper-reactivity, and lung tissue destruction" (Garcia-Arcos et al., 2016). The medically proven and documented health risks and addictive behaviors of ENDS and vaping outweighs the unsubstantiated arguments of successful cessation for existing smokers.

The continuous use and exposures of the harmful products to minors may cause addiction, lead to dual use of combustible cigarettes and vape products, and damage to the developing adolescent brain. The banning of flavored tobacco products is an imperative next step in tobacco control if HB2457 HD2 becomes law.

Garcia-Arcos, I., Geraghty, P., Baumlin, N., Campos, M., Dabo, A. J., Jundi, B., ... Foronjy, R. (2016). Chronic electronic cigarette exposure in mice induces features of COPD in a nicotine-dependent manner. *Thorax*, 71(12), 1119–1129. doi: 10.1136/thoraxjnl-2015-208039

Testimony to House Committee on Finance  
Tuesday, February 25, 2020; 12:30 p.m.  
State Capitol, Conference Room 308

Dear Chair Luke, Vice-Chair Cullen, and Committee Members,

My name is Cassandra Castillo and I am in support of I strongly support HB 2457 HD2: RELATING TO THE YOUTH VAPING EPIDEMIC. I am in my last semester of my master's program at Myron B. Thompson's School of Social Work and I have experienced first-hand the dangers of e-cigarettes. My first year of the program, my internship was at an elementary school. One of the challenges that we faced were children in the fourth grade getting their hands-on e-cigarettes and trying it because they thought it was "cool". Children are encouraged through social media, commercials, the radio station, and other outlets that e-cigarettes are the fun thing to do. They are persuaded by these fun flavors like cotton candy, strawberry, pink lemonade, and more. Children are encouraged that e-cigarettes are not dangerous and safe to use.

As a future social worker, we need to educate our future generations of just how dangerous e-cigarettes can be and the long-term effects that could happen by picking up this habit. I do not want to see my 8-month-old nephew grow up thinking that e-cigarettes are cool. I urge the committee to pass HB 2457 HD2 for the future of our children's tomorrow. Thank you for this opportunity to testify.

Cassandra Castillo  
Ewa Beach, 96706

Testimony to House Committee on Finance  
Tuesday, February 25, 2020; 12:30 p.m.  
State Capitol, Conference Room 308

Dear Chair Luke, Vice-Chair Cullen, and Committee Members,

I strongly support HB 2457 HD2: RELATING TO THE YOUTH VAPING EPIDEMIC. I am a registered dental hygienist, and every day I see patients who are tobacco/e-cigarette users. In recent years, we have been seeing patients who do not have a history of decay, but have started developing cavities. When asked about changes habits or diet, many of the patients report the use of e-cigarettes, in particular, flavored e-cigarettes, which contain sugar. Many times, this is the only change, and these patients are experiencing decay due to the frequency of use. This is just one of the many problems caused by e-cigarettes.

I am an aunt to seven nieces and nephews, and I do not want to see them become the next generation of tobacco users, because they are able to easily get their hands on something that seems harmless and tastes like candy.

Marissa Powers, RDH  
Honolulu, Hawaii, 96815

Testimony to House Committee on Finance  
Tuesday, February 25, 2020; 12:30 p.m.  
State Capitol, Conference Room 308

Dear Chair Luke, Vice-Chair Cullen, and Committee Members,

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

My name is Uri Martos, and I am writing to express my support for HB 2457 HD2: RELATING TO THE YOUTH VAPING EPIDEMIC to help stop our keiki from using tobacco products.

I work right next to Wilcox elementary school and the Boys & Girls Club on Kauai. Everyday I am seeing more and more of Kauai's kids using e-cigarettes/vapes and it worries me terribly. These flavored tobacco products are targeting our children and hooking them on dangerous nicotine often for life. I'm afraid that Hawaii already has a high incidence of lung cancer and being a breast cancer survivor, I know firsthand the pain of dealing with this disease. I don't ever want our keiki to have to go through the hardship of having cancer or any other tobacco related illness. By simply eliminating these flavored tobacco products we will be able to save hundreds of our youth in Hawaii from becoming lifelong tobacco addicts.

I urge you to support HB 2457 HD2: RELATING TO THE YOUTH VAPING EPIDEMIC.  
Thank you for the consideration of my testimony.

Mahalo,  
Uri Martos  
Lihue, Kauai 96766

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:18:07 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
adam	Individual	Support	No

Comments:

I have worked as a business development director for six years for Volcano eCigs. Upon ending my career with Volcano i was diagnosed with a disease called achalasia which there is no cure for. I'm not sure as to where I contracted the disease as there is no known source but I suspect that it was from my years of vaping electronics cigarettes. I feel that it is a drug and it shouldn't be something as satisfying as having flavors. Working out is tough, eating vegetables isnt amazing so I believe the delivery of nicotine shouldn't be as satisfying as having flavors. Getting rid of flavors would make it not as cool to the younger generation but more importantly it would be a not-as-amazing alternative when someone gets off of cigarettes. I believe that electronics cigarettes are good when compared to regular Cigarettes, but having the flavors and the attraction it draws I believe actually keeps people addicted to nicotine. whereas having something not as attractive with limited flavors would make it more of a good steppingstone for someone to move off of traditional cigarettes and would act more as a phase to remove all nicotine products than the replacement it has become to most people. The idea is to get people off of all nicotine products and having flavors doesn't help that.



**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:25:57 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anthony Orozco	Individual	Oppose	No

Comments:

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:31:16 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Denny Diez	Individual	Oppose	No

Comments:

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:33:34 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Craig Krening	Individual	Oppose	No

Comments:

Flavored vapes help people quit. Don't ban 'em.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:24:42 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Tam	Individual	Support	No

Comments:

I write in support of HB2457 HD2.

We in the healthcare profession have seen the wonderful health benefits of our state's strong tobacco prevention and control measures. However, if unaddressed, the current vaping epidemic among our youngsters will eradicate years of progress that led Hawaii to one of the 2 lowest rates of smoking in the US.

We should be appalled by the tobacco/vaping industry's aggressive and unethical tactics to addict teenagers using flavors to lure, and very high concentrations of nicotine to hook. If a virus or an opioid addiction afflicted 25-50% of our young people, we'd be demanding action. The tobacco/vaping industry is in every way an unregulated, unfettered vector of addiction and, as we learned from recent "EVALI" cases, of disease and death. Electronic Cigarette and Vaping Product-Associated Lung Injury is just the first tip of a very large iceberg of nicotine addiction.

The nicotine content in a single "Puff Bar" (newer than "Juul") exceeds the nicotine in 2 whole packs of cigarettes! It is possible for a youngster to inhale all 200 puffs in a Puff Bar within an hour. Imagine the extraordinary levels of nicotine hitting our youngsters' brains, lungs, cardiovascular systems during the important growth spurt of adolescence. There will be consequences. We already know that nicotine use does lead to higher rates of addiction to cigarettes. Children who would not have smoked regular cigarettes had they not used e-cigs during their growing years are more likely to become dual users of both cigarettes and e-cigs.

Please ban the sale of electronic nicotine-delivery systems that contain flavors, especially menthol. This is a particularly bad actor because it's also a mild topical anesthetic that allows the youngster do breathe even more of the dangerous vapors. Fine the vendors and distributors of such products.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:39:34 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Grattan	Individual	Support	No

Comments:

Please do all you can to curb this epidemic of vaping among our youngsters. Stop the tobacco and vaping industries that are targeting them.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:39:48 PM  
Testimony for FIN on 2/25/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Caitlin Johnson	Individual	Oppose	No

Comments:

To Whom It May Concern,

I'm 53 years old and smoked 1 1/2 packs of cigarettes per day for 30 years. In 2010, I bought an e-cigarette starter kit, with no intention of actually quitting smoking. In 3 days, I quit and haven't touched a cigarette since. It wouldn't have happened without flavored e-liquid: cherry and vanilla.

In 10 years of vaping, I've never had a problem - because I buy from reputable companies, not the black market! My favorite flavors are watermelon, apple, and pear. E-cigarettes are saving lives, and flavored e-liquids are allowing that to happen.

But I live in Florida and don't vote in Hawaii, so why should my opinion matter? Because I now buy solely from Volcano eCigs, a company based in Hawaii.

Whether you prioritize lives or money, it makes no sense to ban flavored vapes for adults.

Thank you for your time.  
C Johnson

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:45:00 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Cooper	Individual	Oppose	No

Comments:

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:45:36 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
eric	Individual	Oppose	No

Comments:

It helped me quit smoking and by monitoring the milligrams of nicotine I was able to wean down on it



**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 5:52:10 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Naomi C. Liu	Individual	Oppose	No

Comments:

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 6:25:05 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dawn Soderquist Okano	Individual	Support	No

Comments:

I ask you all to please support HB2457 regarding vaping. This newest hip thing that our young people are doing seems so much more addictive than even cigarettes! My friend's daughter is hooked at the age 14. Her parents are begging her to stop but she says she just can't. Why do we put profits ahead the health and well being of our kids and young adults!! We should feel so ashamed! Adults need to look out for them. Please don't turn your back on the kids. Let's stop this newest craze of vamping and do something good for our kids!!

Mahalo,

Dawn Soderquist Okano

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 6:28:27 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Monika Lopez	Individual	Oppose	No

Comments:

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 6:47:38 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edgar Alfonso	Individual	Oppose	No

Comments:

I am a vaper and quit smoking 9 yrs ago and never had any lung problems and I only now get uri or lower respiratory illnesses once a year compared to 4 x per year when i was smoking menthol lights during my active duty tours.



**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 6:48:38 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amy Lau	Individual	Oppose	No

Comments:

Flavored vape products are safe and helping me avoid tobacco.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 6:59:03 PM  
Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Norman Thomas Sparks	Individual	Oppose	No

Comments:

I am a 41 year old male who, regrettably, smoked cigarettes for more than 15 years. After numerous failed attempts to quit throughout that time, a friend of mine in 2013 suggested vaping as an alternative. It took a few weeks, but I was finally able to kick the cigarettes for good and have remained cigarette free since then. I fully understand that vaping probably has negative side effects associated with it, but for me personally, none of the side effects associated with vaping have been anywhere near as bad as what I had dealt with from cigarettes. I appreciate the concerns for the health of our citizens, but the way this bill is addressing the issue is far from any solutions. Banning only flavored vaping products and not tobacco and menthol flavors shows that there really isn't a genuine concern about vaping itself. Add on the fact that cigarettes and other tobacco products, as well as alcohol, have been proven to be hazardous to a person's health and aren't being banned shows even more of a lack of true concern. Either ban it all, or just continue regulating it like you have.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 7:07:41 PM  
Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicholas Reed	Individual	Oppose	No

Comments:

My name is Nicholas Reed, and I use vaping products. I enjoy the flavors provided by local establishments. Using electronic cigarettes has kept me from using actual combustible tobacco cigarettes for over 5 years. I am a consenting adult. I obey the laws. If underage individuals are already breaking the law to obtain these products, what part of this bill will stop them? All this will do is create an unregulated illegal market for flavored e-cig liquids and destroy local businesses. And without local reputable organizations ensuring quality merchandise, more sickness and injuries will ensue. By all means, ramp up the penalties for individuals and businesses who break the law and allow underage people to purchase/possess e-cigarettes and related materials, but don't punish those who've done nothing illegal.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 7:44:39 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christopher Overton	Individual	Oppose	No

Comments:

Respectfully to our State Representatives,

I would like to express my concern and I disagree with the law of banning flavored e-cigarette/tobacco products. I understand that flavors may be appealing to a younger audience and I agree with enforcing stricter penalties on those selling tobacco products to minors. However, as a e-cigarette user I can tell you that flavors are the reason I quit combustible cigarettes, which contain many harmful toxic ingredients.

Banning flavors may lead to a black market epidemic that has seen children and adults alike ending up in hospitals and, in some certain circumstances, dying from obtaining these flavored products from unlicensed and unregulated sources. To me its much safer to recieve a product from a store that brings in products that are made in the USA and take care in the ingredients they place in to these products. I fear many will go back to smoking cigarettes instead which as we know, can be very harmful to your health.

I would like to ask those who are considering this bill to also understand how much this will hurt small businesses around the island, which will lose great amounts of customers who choose to get their products elsewhere like on-line or through illegal means. You are taking more money out of Hawaiian's pockets and possibly ruining lives for those employed by these many vape shops located all across the island chain.

I hope you consider revising this bill and looking for other more effective ways to keep e-cigarettes out of the hands of minors. This bill may hurt many more lives than it helps.

Thank you for your consideration,

Chris O.



**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:02:31 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
paul lacuesta	Individual	Oppose	No

Comments:

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:09:25 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kym Watabu	Individual	Oppose	No

Comments:

I strongly oppose HB2457 HD2. I am an adult who enjoys flavored nicotine (tobacco) products as an alternative to smoking combustible tobacco products (cigarettes/cigars, etc.). For the last 5 years, vaping flavored nicotine products has kept me from smoking traditional cigarettes. I understand the drive behind this proposed ban - preventing youth, teenagers from vaping and potentially start smoking. However, as an adult making the conscious, informed and educated decision to use these products I know this ban will affect me in ultimately negative way as I would likely have no recourse but to pick up traditional cigarettes again, something I have little desire to do. One may argue that I could alternatively simply stop vaping or smoking. While this is valid and reasonable argument, vaping cessation is a decision I want to be able to make on my own, not as a result of a ban on my chosen flavored nicotine, vaping products. Furthermore, I sincerely worry that a ban on flavored nicotine, vape products would create a black market for such products not created in a sterile, controlled production environment, akin to that of already illegal, illicit drugs, narcotics and the like. There are already well publicized instances of illness and even death related to home-made vaping products containing products that are completely unsafe for use in vaping. For these reasons I oppose this proposed ban outlined in HB2457 HD2.

**LATE**

February 24, 2020

**Strong Support of HB 2457 RELATING TO THE YOUTH VAPING EPIDEMIC.**

To the House of Representatives

Hrg: Tuesday, February 25, 2020, 12:30 P.M., Conference Room 308

**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*

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:54:57 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amanda Deguair	Individual	Oppose	No

Comments:

I do not approve of teen vaping AT ALL, but I'm an adult and I vape to get off of smoking cigarettes. I enjoy using flavored vape and if you ban flavors, there will be a black market for it and the quality will not be monitored. Why would it be ok for an adult to smoke cigarettes but not vape? The law allows adults to smoke cigarettes which are more dangerous for your health. Vaping has helped so many adults quit smoking. Yes, teen vaping needs to be controlled and put to an end, but when teen smoking was an issue, they never passed laws on banning cigarettes.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 8:59:16 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chantal Mook	Individual	Oppose	No

Comments:

Flavors help adults quit smoking. I stand in opposition of HB2456 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:14:51 PM  
Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James Zech	Individual	Oppose	No

Comments:

I am 53 years old and smoked cigarettes since I was 18. I smoked 3 packs of cigarettes a day. Then I found a flavored e-cig sold exclusively from Hawaii. I ordered it and stopped smoking the day it arrived. It has now been over 10years and I have not gone back to smoking regular cigarettes since I found flavored e-cigs. The products sold exclusively from Hawaii has been a valuable tool in keeping me off off cigarettes. Please do not outlaw flavored e-cigs. they are important to me and my doctor tells me it is the best thing I have done for my health. Lastly, I think that it would open up the market for bootlegged or illegal products to flood the market. these unregulated products are what is making people very sick.



To: Representative Sylvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair  
Members of the House Finance Committee

Re: Support: HB2457, HD1: Relating to the Youth Vaping Epidemic

Hearing: Tuesday, February 25, 2020 at 12:30pm in Room 308

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

My name is Kaberi, and I am a nurse practitioner for a public school in Maui. Mahalo for the opportunity to provide testimony in STRONG SUPPORT for HB2457. As a healthcare provider, it is very alarming to see the amount of students-- young kids, who are vaping on campus. According to the Hawaii Youth Risk Behavior Survey, 51% of Maui high school students report ever trying an e-cigarette and 32% of Maui high school students report current use of e-cigarette products. This is extremely concerning, as nicotine is a highly addictive drug that impacts the adolescent 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). 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.

Mahalo,

Kaberi Mozumder RN, APRN

Maui 96793

**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 8:24:59 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathleen Hagan	Individual	Support	No

Comments:

**As a parent, nurse, and teacher, I am strongly in SUPPORT of HB2457, including a Flavored Tobacco Ban. We have an epidemic in youth vaping/e-cigarette use in Hawaii and statistics show that 81% of youth who vape say that they started with a flavored product. The sweet flavors- some of them locally themed like Maui Mango and Hawaiian POG and coming in deceptive packaging that looks like candy- lure kids in, decrease perception of harm, and then they become addicted to nicotine. Menthol is another flavor popular with those trying tobacco for the first time due to its cooling properties. Furthermore, menthol has historically targeted vulnerable groups and is popular amongst Native Hawaiians and Pacific Islanders, making it a social justice issue as well as a public health one. The health risks of e-cigarettes are well documented as are the disruptions to classes and schools.**

**However, I am concerned about the language criminalizing youth. Some research has suggested that these types of law can actually be counterproductive, and they are inequitable because they disproportionately affect youth of color and low income. It is not the right approach to penalize and stigmatize our youth, although education and community service or better than fines. Another concern is the burden placed on teachers and the school system in enforcement. The solution lies in preventing our youth from getting addicted in the first place, rather than punishing them once they do become addicted.**

**We have an opportunity to intervene in this unfolding public health crisis in Hawaii by passing a bill banning flavored tobacco products to protect our youth without criminalizing them. As the parent of an 11 year-old starting middle school this Fall, there is no time to delay.**

**Mahalo,**

**Kathleen Hagan, MS, APRN, ANP-BC**



**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:52:42 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mercedez Cunanan	Individual	Oppose	No

Comments:

I strongly oppose this bill.

As a child I was raised by my grandparents. My grandparents were heavy smokers. A pack a day, from elementary to highschool. Cartons in the pantry. Being a child walking into a supermarket smelling like a pack of marbarol reds was never a pleasant experience. Eventually growing into a young adult aware of drugs & substance abuse led us to knowing the true dangers of cigarettes. I spent much time worrying about my grandparents health & my own. A vaping device was not around when my grandma was smoking. I'd like to believe if she had a choice she would take the better alternative. Like shopping for a pack... the taste, the menthol, the strength everyone is buying boxes from Virginia slims to American spirit. Everyone picking to their taste. They had choices. They had flavors. Flavors for a vaping device are an adults choice. Flavors of tobacco exist and they're not banned. They're right there at the Walmart register next to the lighters waiting to be picked. People use vaping to quit smoking, be more hygienic & I've even heard a man with diabetes say he uses the flavors to curve his appetite. In a case like that your diet will affect your quality of life. Vaping is saving lives more than it is hurting. The vaping products under scrutiny were black market thc cartridges not vape. That was proven in testing. Regulations on contents should help an buyer find good reputable product in the flavor they want with the ease of shopping at a grocery. Tobacco products are on display where children to adolescents are able to see them. Vape products are in stores where you must be of age to be in the stores.

There's no reason that adults should have something that is changing lives to be taking steps backward in a situation that has taken significant steps forward.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 9:54:56 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amber Landry	Individual	Oppose	No

Comments:

Aloha. I will state first hand that I do not agree with HB2457. I am currently a smoker who has tried many times to quit smoking which has not gone successfully. I understand that everybody feels that smoking is a choice to start which is true. The fact of all this is I have tried and it is a very hard bad habit to break. I started smoking when I was 18 years old (which was and is legal age where I grew up). I have been smoking now for almost 6 years. I have tried on and off. I have quit multiple times to only fall back into this bad habit. I have dealt with all the negatives in every aspect that come with smoking. The smell, the constant feeling of need for it, the negatives views and comments, etc. etc. So let's get to the point... I have been introduced to the vaping world at last. I have currently started using all different types of vape products. The moment I started using and understanding the vape products it became a whole new way to break the bad habit I have been trying to break for 6 years now. The reason I feel the need to input on this topic is because the main vape products I use and that are helping me to kick this in the butt are FLAVORED PRODUCTS. The flavoring in these products helps you notice the nasty taste and smell every one talks about. The flavoring in these products don't cause a terrible stench nor do they leave behind a bad odor. The flavoring in these products is the main thing that is helping me succeed in my journey. Plus I don't feel the need to cut the products that are helping millions of people and let these big tobacco companies making billions win!

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:37:41 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicholas Kurch	Individual	Oppose	No

Comments:

Dear distinguished members of the State Legislator,

I oppose the passage of Bill HB2457 HD2, and this is my reasoning:

I feel that as a tax paying adult, I should have the freedom to enjoy a product that is meant specifically for adults. Vaping is already prohibited to minors, and therefore this bill will do nothing to protect young people. What it will definitely do is aim children who are already unsupervised to unsafe versions of vaping products. There will be an increase in child deaths related to vaping due to them using unregulated, black market, toxic vape juices.

This bill will have the opposite affect than what is intended. I implored you all to do the sensible, intelligent, and comprehensive thing and reject this bill, and come up with a bill that will actually benefit the public, without crippling an entire industry. An industry that is responsible for millions in tax revenue.

There are so many more reasons to go over, and I would urge you all to do deeper research into the issue. There is a better way.

Thank you for your time in reading my testimony,

Regards,

Nicholas Kurch

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 10:39:34 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clare Kaluna	Individual	Oppose	No

Comments:

I support the prohibition of mislabeling e-liquid products containing nicotine and the fines and penalties for violations.

I support the DOE in establishing a safe harbor program for persons under 21 to dispose of electronic smoking devices.

I support empowering public school teachers and educators to confiscate electronic smoking devices.

I support an increase in fines for the possession or purchase of tobacco products and electronic smoking devices by persons under 21 years of age.

I support empowering the court with the ability to impose a tobacco education program, complete a tobacco cessation program or perform community service instead of paying a fine.

However, I DO NOT support the ban of flavored tobacco products. Such a rash and irresponsible action will only encourage the black market sale of such flavored e-liquid products, outside of any oversight or regulation, which can and will lead to more cases of e-cigarette, or vaping, product use-associated lung injury (EVALI) as we have seen with those who had purchased unregulated and uncontrolled vitamin E acetate additives found in unregulated and uncontrolled THC e-liquid products; products which were not sold or offered from our local businesses but manufactured and imported from abroad.

Much the same as you, I don't want to see kids vaping. I am appalled that companies have targeted underage youths as a marketshare demographic. But you need to view this problem from the perspective of people, individuals, and not as groups, or companies or organizations. It is not difficult, as an individual, to locate and purchase illegal narcotics, firearms and banned materials (e.g. fireworks) in the State of Hawaii. This is a fact. Moreover, our state has shown it lacks the resources to effectively enforce these laws, let alone groom public perception or behavior to dissuade citizens from seeking and acquiring these materials.

A unilateral ban of flavored e-juice will NOT stop people from seeking and acquiring flavored e-juice, but will encourage the sale and purchase of potentially hazardous, unregulated and uncontrolled products on the black market.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/24/2020 11:13:26 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benjamin Willoughby	Individual	Oppose	No

Comments:

Aloha, I am writing to oppose HB2457. I am a 33 year old adult who has struggled to quit smoking for 15 years. I had smoked cigarettes for 13 of those 15 years and have been using a vape pen for 2. After attempting all means of quitting cigarettes, from cold turkey, free programs, acupuncture, counseling, gums, patches, etc. I never successfully broke the habit continuously. I am active, I swim, surf, hike, run, and care about my health and truly want to quit. 2 years ago I decided to go to a Volcano liquid stand in the mall and purchased a starter kit, a small vape pen, a charger and some coils. The first product I bought was the tobacco flavor to attempt to stay as close to a cigarette as possible. It was not the same. I bought a pack of cigarettes that same day because honestly it was gross. About one week later I decided to try a flavor instead and not give up. I bought a variety from fruit flavors like Pineapple, Mango, and so forth. They were perfect for me. They didnt try to be a cigarette in flavor or be tobacco, they were an alternative and it was just enough for me to never buy another pack of cigarettes or even ask for another from someone else when around to this day. It is a blessing to say I dont smoke cigarettes and say as well I dont like them anymore, honestly. This is because of liquids and electronic devices. Now that I have been vaping, I can control my intake. I went from 16MG nicotine and over the years weened myself down to 3MG, the last step before 0MG, ultimately no nicotine. I am almost there and have found a new life with this transition. I feel better, dont smell, dont waste nearly as much money and most importantly have some control. The choice of a flavor vs. no flavors is not the issue you are facing with the youth smoking. Advertising is one, lack of education is two, and convenience is three. I will buy my product from a reputable retailer, provide ID everytime and take a product that is labeled according to standards you set. The complete banishment and removal is not the answer and hurts small business and people like myself. There is another way. Please think about the consequences of those decisions and the impact it will have for the millions of smokers who truly just want to make a change, have a choice, and one day break free with options. Thank you for your time and I hope you make the right decision. Mahalo nui.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 6:08:06 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shelby Pakele	Individual	Oppose	No

Comments:

I stand in opposition of HB2457 as it would create a dangerous black market for vaping liquids instead of the quality controlled market we have now.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 8:19:51 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Misheel Batsaikhan	Individual	Oppose	No

Comments:

Flavored vaping products have helped my boyfriend quit smoking completely. He has been a smoker for over 20 years and had smoked a whole pack of cigarette a day. Since he switched to vaping, his mental and physical has improved tremendously. If Hawaii bans flavored vape products, I have no doubt that he will switch back to smoking cigarettes, which is a much much more dangerous habit. Vaping products are not only safer but also cheaper alternatives to cigarettes. When you take away something that people enjoy doing recreationally, people will find alternatives and in this case, those alternatives could be life threatening. Flavored vaping products are not the problem here. Vaping for youth is already illegal - the State should implement better control and reinforcing tactics. Banning anything, including drugs have not been effective anywhere in the world! Before taking a drastic measure such as this ban, the State should really do their due diligence, aka research. A good place to start would be human behaviour in relation to addiction. Often times, people will replace their addictive substance with something else. Banning flavored vaping products will open doors for blackmarket sale of dangerous chemicals, relapse to cigarette or even drug usage. The state could have harsher punishment for selling tobacco products to underage users or even increase the tobacco usage age, but a ban is not a solution in any way!



**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 8:21:49 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marivelle Martin	Individual	Support	No

Comments:

Aloha,

My name is Marivelle Martin and I am in very strong support of HB 2457. 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 youth e-cigarette use an epidemic. Here on Hawaii island, there is a huge vaping epidemic. Students as young as 2nd grade are getting caught vaping in schools. This is crazy! My daughter who is in high school told me that they lock up the bathrooms all day because of students vaping in there. Some students have such an addiction that they don't even care to hide and will just vape right in the classroom just so they can get a fix. If we don't put a ban on these flavors now that are attracting and hooking our children, then we are allowing our children to live a life of uncertainty, eventual pain, and a very early death. With all the people in this country that are getting sick and dying because of vaping, we need to put an end to this now! The Tobacco companies are targeting our children with all of these flavors and they don't care at what price, even death.

We need to ban all flavors including menthol. 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes. 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).

If you don't have children of your own, I'm sure you have nieces & nephews, your friends children and grandchildren who are affected by this in some way. If we don't fight for them and put a stop to these flavored tobacco products that are attracting our children, they will not live long and their generation will be extinct before we know it. I would not be able to live with that, could you?

Please pass this ban to to stop the end of flavored tobacco products, including menthol.

Mahalo,

Marivelle Martin



**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 8:27:07 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thomas	Individual	Oppose	No

Comments:

I cannot believe that responsible adults that vape are potentially being penalized for whatever reason this bill has been created. I am proud to say that I have been tobacco free for 7-8 years now because of the ability to purchase my fruity flavored vapor juice. I believe the angle is to further prevent adolescents from purchasing these items but you are ignoring the fact that there are countless adults that depend upon these items to remain tobacco free. The only reason I can think of that would drive something like this is the fact that the State receives money from the tobacco companies. Why dont you folks go after the countless adults I encounter when I go to the vape store that are obviously buying the items for their adolescent teens that are standing 5 feet away nodding their heads when their parents finally ask the store attendant for the correct flavor that they were wanting. THIS WHOLE THING IS LUDICROUS. And they want to bring down the penalty for having dangerous drugs on your person. Seems the powers that be have forgotten how much the taxpayers were paying for cancer related illnesses as a result of tobacco products. I have zero faith in our government.



**LATE**

**TO:** The Honorable Sylvia Luke, Chair  
The Honorable Ty Cullen, Vice Chair  
House Committee on Finance

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

**RE:** HB 2457 HD2 - RELATING TO THE YOUTH VAPING EPIDEMIC  
In Support

**DATE:** Tuesday, February 25, 2020  
12:30 PM, Conference Room 308; Agenda #2

Aloha Chair Luke, Vice Chair Cullen and Members of the Committee:

The Hawaii Association of Independent Schools (HAIS) supports HB 2457 HD2.

HAIS is a membership organization that currently represents 102 of Hawaii’s independent K-12 schools; and, through its subsidiary, the Hawaii Council of Private Schools (HCPS), licenses all 119 private K-12 schools in the State.

Approximately 38,000 children attend these 119 private schools and all of them – especially those students of middle school and high school age – are endangered by the current vaping epidemic sweeping the country. Vaping not only endangers the health of students in the present, but likely also for the rest of their lives.

HAIS and its member schools support HB 2457 HD2 because, in banning the sale of flavored tobacco products – including menthol-flavored tobacco products – and increasing the penalties for the purchase of e-cigarettes by persons under the age of 21, it will make vaping both less attractive and more difficult to pursue by elementary and secondary school students and help to protect the current and future generations of Hawaii’s citizens.

Thank you for the opportunity to submit testimony and we look forward to working with you as this important measure moves through the legislative process.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 10:07:08 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yvonne Long	Individual	Oppose	No

Comments:

Vaping has saved my health and the health of my husband. I smoked a pack and a half of Marlboro Lights 100s for over 20 years. I tried repeatedly to quit smoking cigarettes. I was never successful in my attempts. My husband smoked too. He never tried to quit. As a police officer he had to take a breathing test every year during his annual physical. He never passed this test and was always granted a waiver. Then he started having a morning smoker's cough, and I was often short of breath.

A friend of ours introduced us to vaping in 2011. At first we vaped and smoked. Then we discovered flavored vape juices and neither of us could stand the taste of actual tobacco. So we both quit smoking cigarettes. My husband's morning cough went away. The next annual physical my husband participated in showed him passing the breathing test for the first time since 1992. I was no longer short of breath.

Now here in 2020 we have both been free of traditional smoking products for almost 9 years. From 2012 until retirement in 2016 my husband always passed the breathing test. While we understand vaping is not entirely healthy, it is much better than smoking. His test results show that.

My husband vapes fruit flavors like cherry, strawberry and grape. I vape vanilla and chocolate flavored juices.

Please do not take away this valuable option from those of us who have found no other way to be free of traditional tobacco products.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 11:40:35 AM  
Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ANGELINA MARIJANE LARSON	Individual	Oppose	No

Comments:

I am a former smoker and I have switched over to vaping. I feel way healthier and can finally breathe properly again. I have found my absolute saving grace in the form of a fruity berry flavor. Without my berries I will have to go back to cigarettes, or seek out more dangerous means to get my nicotine, such as black market juice manufacturers, and who knows what the hell chemicals they're going to put in there. I may as well just save time and start vaping arsenic. Jokes aside, these flavors are the only thing keeping me from returning to those disgusting cancer sticks! Please don't let this pass!

**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 11:51:22 AM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joan Pan	Individual	Support	No

Comments:

As an aunt of two boys under the age of 10 years, and an "auntie" to many other children, I am deeply concerned about the lure of flavored and sweet tobacco products. These products pose a danger to the health and well-being of Hawai'i youth and youth anywhere. I strongly support this bill to place a ban on the sale of flavored tobacco products and prohibits mislabeling of e-liquid products containing nicotine.

Thank you.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 12:38:48 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rayne	Individual	Support	No

Comments:



**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 1:28:01 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachael A Horning	Individual	Oppose	No

Comments:

**Im** an adult and parent, and I enjoy flavors as my right to vape. Banning flavors would create a black market with no quality control and close local businesses-particularly Volcano ECigs, whose products got me off cigarettes almost 15 years ago and I remain a loyal and devoted client. Flavors help me stay off combustible tobacco-if I only had the option of tobacco flavor I'd just go back to cigarettes then.

**LATE**

**HB-2457-HD-2**

Submitted on: 2/25/2020 1:33:23 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
alexa	Individual	Oppose	No

Comments:

I oppose of HB2457 as it would create a dangerous black market, compared to the quality controlled market we have now.

**HB-2457-HD-2**

Submitted on: 2/25/2020 1:58:18 PM

Testimony for FIN on 2/25/2020 12:30:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kenton Christianson	Individual	Oppose	No

Comments:

I switched from smoking cigarettes to vaping about two years ago and I am feel much better and do not have to deal with the smell and ashes. I am an adult and it is not the governments role to tell me what I can do or not do in my personal life. I perfer to use the flavors that I choose and if you ban the selling of certain products people will make black market products that will not have controlls on what they put in them.

Kenton Christianson