SB1127

TESTIMONY

NEIL ABERCROMBIE GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H. DIRECTOR OF HEALTH

STATE OF HAWAII DEPARTMENT OF HEALTH P.O. Box 3378 HONOLULU, HAWAII 96801-3378

In reply, please refer to: File:

SENATE COMMITTEE ON HEALTH

SB1127, RELATING TO SALES OF ELECTRONIC SMOKING DEVICES TO PERSONS UNDER 18 YEARS OF AGE

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H. Director of Health

> February 6, 2013 2:15 PM, Room 229

- 1 **Department's Position:** The Department of Health (DOH) strongly supports SB1127.
- 2 Fiscal Implications: None
- 3 **Purpose and Justification:** This measure adds electronic smoking devices to tobacco as products that
- 4 are unlawful to be sold or furnished to and purchased by persons under eighteen years of age, and
- 5 further requires the additional listing of electronic smoking devices to sales prohibition signage.
- 6 Electronic smoking devices have become increasingly prevalent and widely available since their
- 7 introduction to the U.S. market in 2007. They are advertised as technologically advanced and "healthier
- 8 alternatives" to tobacco products using youth-relevant appeals such as celebrity endorsements,
- 9 trendy/fashionable imagery, and fruit, candy and/or alcohol flavors.
- 10 Electronic smoking devices present a compelling introduction to the sensation of smoking by
- allowing users, not only to mimic the tactile sensations of smoking, but also actually appear to blow
- 12 smoke. These devices have the power to promote a physiological addiction to an addictive drug, as well
- 13 as a psychological habituation to smoking.

Promoting Lifelong Health & Wellness

1	The limited published research about safety, efficacy, or public health impact of electronic
2	smoking devices raises concerns about the product's lack of regulation, safety/quality assurances, and its
3	appeal to youth. The U.S. Food and Drug Administration (FDA) asserts that the ready availability of
4	electronic smoking devices presents a serious risk of addicting new users, including children and
5	cautions that such devices may contain ingredients that are not safe. Because there is no regulation or
6	quality control by the manufacturers, the nicotine content in electronic smoking device cartridges often
7	does not match the advertised or labeled content.
8	A number of states have already passed laws restricting sales to minors. California, Colorado,
9	Minnesota, New Hampshire, New Jersey, Tennessee, and Indiana prohibit the sale of e-cigarettes to
10	minors. The Hawaii Department of Education has just released a memo classifying the possession
11	and/or use of electronic cigarettes as a contraband offense subject to disciplinary actions.
12	The DOH strongly supports passage of this measure to prohibit the sale of these devices and to
13	prevent the deleterious effects on the health and safety of Hawaii's youth.

14

Thank you for the opportunity to testify.



To: The Honorable Josh Green, M.D., Chair, Committee on Health The Honorable Rosalyn Baker., Vice Chair, Committee on Health Members, Senate Committee on Health

From: Jessica Yamauchi, Executive Director

Date: February 5, 2013

Senate Committee on Health; Wed., February 6, 2013 at 2:15 p.m. in Rm 229 Hrg:

Support for SB 1127, Relating to Sales of Electronic Smoking Devices to Persons Re: **Under 18 Years of Age**

Thank you for the opportunity to offer testimony in support of SB 1127 which would prohibit the sales of all electronic smoking devices (including e-cigarettes) to minors under the age of 18.

The Coalition for a Tobacco Free Hawaii (Coalition) is an independent organization in Hawaii working to reduce tobacco use through education, policy and advocacy. Our organization is a small nonprofit organization of over 100 member organizations and 2,000 advocates that works to create a healthy Hawaii through comprehensive tobacco prevention and control efforts.

Electronic smoking devices are used to vaporize liquid in cartridges that contain varying levels of nicotine. Often times the cartridges are candy flavored (over 30 flavors available) which entice youth. Currently these devices are readily available at mall kiosks and small shops throughout our state and are priced as low as \$10 for the disposable varieties.

Currently, there is no federal regulation of the contents or production. According to the Food and Drug Administration (FDA) website:

"When FDA conducted limited laboratory studies of certain samples (of e-cigarettes), FDA found significant quality issues that indicate that quality control processes used to manufacture these products are substandard or non-existent. FDA found that cartridges labeled as containing no nicotine contained nicotine and that three different electronic cigarette cartridges with the same label emitted a markedly different amount of nicotine with each puff."

Given how little is known about the contents and health effects of electronic smoking devices, we are very concerned about the current accessibility of these products to our youth. It is currently legal to sell these products to children, as well as to allow sampling of the product in malls and kiosks.

Our recommendation at the present time, based on existing public health research, is that sales to minors and product sampling be prohibited.

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

Vamauch

Jessica Yamauchi, M.A. **Executive Director**

320 Ward Avenue, Ste. 212 • Honolulu, HI 96814 • (808) 591-6508 • www.tobaccofreehawaii.org

Re: Strong Support for SB 1127: Relating to Sales of Electronic Smoking Devices to Persons under 18 Years of Age.

Hrg: February 6, 2013 at 2:15 pm, Room 229

Thank you for the opportunity to testify in strong support of SB 1127. This measure will prohibit the sales of all electronic smoking devices (including e-cigarettes) to minors under the age of 18. Electronic smoking devices are used to vaporize liquid in cartridges that contain varying levels of nicotine. Cartridges are also available in candy-flavors (over 30 flavors available) which entices youth. Currently these devices are readily available at kiosks and small shops, including shops that do not carry any other tobacco product.

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

Crissy Kawamoto 2022 10th Ave Honolulu, HI 96816

Re: Strong Support for SB 1127: Relating to Sales of Electronic Smoking Devices to Persons under 18 Years of Age.

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Antoinette Everett 257 Hololani St 257 Hololani St, Makawao 96768 Makawao, HI 96768

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Bev Brody 4751 Wailapa Road Kilauea, HI 96754

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

Bryan Talisayan 2403 Pacific Heights Road Honolulu, HI 96813

Re: Strong Support for SB 1127: Relating to Sales of Electronic Smoking Devices to Persons under 18 Years of Age.

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Forrest Batz 34 Rainbow Dr Hilo, HI 96720

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

Debbie Odo 650 Iwilei Road Suite208 Honolulu, HI 96789

From:	Mailing List
To:	HTHTestimony
Cc:	therealmessage@gmail.com
Subject:	Submitted testimony for SB642 on Feb 6, 2013 14:15PM
Date:	Monday, February 04, 2013 12:54:31 PM
Attachments:	GradyFeb6SB642.doc

<u>SB642</u>

Submitted on: 2/4/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Grady Sullivan	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Re: Strong Support for SB 1127: Relating to Sales of Electronic Smoking Devices to Persons under 18 Years of Age.

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

Jermy Domingo 894 Queen St. Ewa Beach, HI 96706

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margaret lim 1943 N. King St. Honolulu, HI 96819

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

Melissa Little 708 Illalo St., Suite 400 Honolulu, HI 96813

<u>SB642</u>

Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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Mahalo for the opportunity to provide testimony in strong support of this measure.

Marilyn Gagen 41-926 Laumilo Street N/A Waimanalo, HI 96743

Re: Strong Support for SB 1127: Relating to Sales of Electronic Smoking Devices to Persons under 18 Years of Age.

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

Susan Oshiro-Taogoshi 5013 Hekili Road Kapaa, HI 96746

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Luana Bass 45-516 Pahia Rd. Kaneohe, HI 96744

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Deanna Kackley P.O. Box 437200 Kamuela, HI 96743

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Thank you for the opportunity to provide my personal opinions as testimony in strong support of this measure.

Mark Levin 2515 Dole St. Honolulu, HI 96822

Re: Strong Support for SB 1127: Relating to Sales of Electronic Smoking Devices to Persons under 18 Years of Age.

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Stacey Krenelka 172 Waipahe St. --Kihei, HI 96753

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Matt Okahata 3419 Niolopua Drive Honolulu, HI 96817

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

Koa Robinson 3059Seaview Rise Honolulu, HI 96822 February 5th, 2013

To: Senator Josh Green, Chair Senator Rosalyn Baker, Vice Chair Members, Senate Committee on Health

Re: Strong Support for SB 1127: Relating to Sales of Electronic Smoking Devices to Persons under 18 Years of Age.

Hrg: February 6, 2013 at 2:15 pm, Room 229

Dear Senators:

My name is Megan Chan and I am a Tobacco Treatment Specialist for the HEALTHY Program located at Kapi'olani Medical Center for Women & Children. I am in strong support of SB 2819 Relating to Sales of Electronic Cigarettes.

As a professional in the field of smoking cessation, I see patients on a daily basis who are **addicted to nicotine** and **want to stop**. Electronic cigarettes come in various enticing flavors and are freely **marketed**, **sampled** AND **sold** to **our youth**. These electronic devices carry varying levels of nicotine and are not currently regulated by the FDA. What are we allowing our keiki to smoke? Prohibiting the sale of electronic smoking devices to minors is another essential step toward protecting the youth of Hawaii.

I strongly urge you to support SB 1127 and help us in our prevention effort to limit the sales of electronic smoking devices to persons under the age of 18.

Mahalo for your support of SB 1127.

Sincerely,

Megan Chan Nuuanu, Oahu

Re: Strong Support for SB 1127: Relating to Sales of Electronic Smoking Devices to Persons under 18 Years of Age.

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Francis Wong 3522 Ala Aloalo Pl. Honolulu, HI 96818

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Mary Browne 650 Iwilei Road Suite 202 Honolulu, HI 96817

From:	Mailing List
To:	HTHTestimony
Cc:	therealmessage@gmail.com
Subject:	Submitted testimony for SB642 on Feb 6, 2013 14:15PM
Date:	Monday, February 04, 2013 12:59:22 PM
Attachments:	MikiFeb6SB642.doc

<u>SB642</u>

Submitted on: 2/4/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mikiala Johnson	Individual	Support	No

Comments:

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May Rose Dela Cruz

894 Queen Street Honolulu, HI 96786

Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Clement Hew Jr.	Individual	Oppose	No

Comments: If a nebulizer can save a life and it's a vapor, why is it illegal to try to save a life by quitiing using a vapor to quit smoking.

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Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Clement Hew Jr.	Individual	Oppose	No

Comments: If a nebulizer can save a life and it's a vapor, why is it illegal to try to save a life by quitiing using a vapor to quit smoking.

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia Fukushima	Individual	Oppose	No

Comments:

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

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

Comments: This product has increased the quality of life and my family's life. If you're worried about kids, what about all the kids whose parents don't smoke anymore thanks to this product??

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
christian matias	Individual	Oppose	No

Comments: its a lot healthier than a cigarette

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
domonic beltrame	Individual	Oppose	No

Comments: better than smoking real cigarettes

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Don Brooks II	Individual	Oppose	No

Comments: This has not only help me greatly reduce my use of tobacco, but has also help me save a lot of money and greatly increase the quality of my life. I look forward to living longer, please dont make me pay extra for this.

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

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

Comments: I don't smoke ciggarettes any more. And don't smell like a smoke stack.....

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
C. L. Hoke	Individual	Oppose	No

Comments: Electronic Cigarettes should not be placed in the same Catergory as Cigarettes consisting of Tobacco, etc. therefore, Electronic Cigarettes should be exempt from this SB652.

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
April Lynn Hanson	Individual	Oppose	No

Comments: I oppose this bill because the use of e-cigs have allowed me to cut down drastically on my smoking. I find that people that do not smoke are much more tolerant of e-cigs, in fact many people have congratulated me on switching from regular tobacco cigarettes. Why would anyone want to make it harder for people to choose e-cigs over tobacco.

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
H. N. Isa	Individual	Oppose	No

Comments: Electronic Cigarettes is a vaporizor and not tobacco. The effects of electronic cigarettes are not harmful to children, adults, the environment, etc. and shouldn't be in the same category as tobacco. For these reasons, I oppose SB 642.

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Submitted on: 2/2/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

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

Comments: Though I don't partake of either tobacco or electronic cigarettes, I strongly oppose SB652 for I believe that passage of this bill will only encourage smokers to continue to smoke tobacco cigarettes vs. trying to quit by way of e cigs. I have friends, family and acquaintances who have switched from tobacco cigs to e cigs and several of them have ultimately quit using both. I strongly believe the passing of SB652 will only lead to an increased number of tobacco smokers vs. the desired end to smoking tobacco via electronic cigarettes.

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

ç	Submitted By	Organization	Testifier Position	Present at Hearing
ja	ames edw. yoon	Individual	Oppose	No

Comments: i strongly oppose this bill because it's very safe to use and doesn't carry hazardous warning as regular cigerette's such as a second hand smoke, environment safe and smoke's are not a smoke but are vapor. more over, it's efficient to a cost of smoking, which is very high. it help me to get of from smoking cigerette's

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jarvis Isa	Individual	Oppose	No

Comments:

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
kenny uyeda	Individual	Oppose	No

Comments:

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Submitted on: 2/2/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
L. Cain	Individual	Oppose	No

Comments: SB652 is absurd. I'm a tobacco smoker and feel the effects of it everyday, especially when running a very short distance or simply walking up a flight of stairs. A very dear friend of mine smoked tobacco cigarettes for over 30 years, wanted to quit for health reasons, heard about and switched to electronic cigarettes, to date hasn't returned to tobacco cigarettes, stands for and by electronic cigarettes, doesn't huff and puff as I do, and to boot, is 14 years younger than I am. Taking into consideration what I've just testified to, I strongly oppose SB652 thereby keeping the electronic cigarette option available to others, like my friend.

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Larry Schmaus	Individual	Oppose	No

Comments: I smoked for 44 years and tried everything for years to quit but no luck. Then I found Volcano since day one I have not had a cig. Its been 6 months my doctor is so proud that Iam not smoking cigs. He also said vaping is a great way to totally quit. Vaping is nothing like smoking cigs dont pass the law. Live Aloha Larry

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lesley Loon	Individual	Oppose	No

Comments: Vapor smoke should be encouraged as an alternative to quitting smoking. Passing this bill would be discouraging to those trying to quit.

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Yanazaki	Individual	Oppose	No

Comments: It's only vapor and studies show it's not hurting anyone else.

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Submitted on: 2/3/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Oakwood Hirata	Individual	Oppose	No

Comments: I don't feel that it is right to put smokeless ecigs and Tabacco products in the same category. I do how ever agree that it should not be sold to or used by anyone under the age of 18! Ecigs give off no smoke, only vapor. Which is not harmful to people around. Thank you

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
robert judd	Individual	Oppose	No

Comments: i strongly appose this bill because of reason that the vapor is not toxic and u cant get second hand smoke

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

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

Comments:

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Roy Isa	Individual	Oppose	No

Comments:

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Submitted on: 2/4/2013

Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Oswald	Individual	Oppose	No

Comments: There is nothing harmful about e-cigs. SB1127 is just straight out retarded.

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Scotty Fukushima	Individual	Oppose	No

Comments:

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Submitted on: 2/1/2013 Testimony for HTH on Feb 6, 2013 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tobe Sweeney III	Individual	Oppose	No

Comments: i strongly oppose this bill helping people quit smoking the real cigarette's i feel the vapor should be use anywhere you choose

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