



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in SUPPORT of SB1109
RELATING TO THE REGULATION OF TOBACCO PRODUCTS**

SENATOR JOSH GREEN, CHAIR
SENATE COMMITTEE ON HEALTH

Hearing Date: February 13, 2015

Room Number: 414

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) strongly supports SB1109 which is
3 an Administration bill prohibiting the use of electronic smoking devices (ESDs) in places where
4 smoking is already illegal and also updates signage requirements. The public health concern is
5 for the protection from the unregulated use of these potentially hazardous products.

6 The use of ESDs in existing smoke-free locations has the potential to expose non-
7 smokers and vulnerable populations such as children and pregnant women to aerosolized
8 nicotine and other toxic substances.^{1,2} The measure would protect members of the public from
9 unwittingly inhaling the condensed submicron liquid droplets emitted by ESDs that may contain
10 nicotine, and carcinogens such as formaldehyde, metals and nitrosamines.³ The use of ESDs in
11 traditionally smoke-free areas also causes confusion in the enforcement of smoke-free laws, it
12 creates distractions in work environments, and renormalizes smoking behavior.

13 The new and revised definitions in this measure are consistent with the *Sottera, Inc. v.*
14 *U.S. Food and Drug Administration* (FDA), 627 F.3d 891 (D.C. Cir. 2010) case ruling, upheld
15 on appeal in the U.S. court, which found that the FDA has the authority to regulate ESDs or any
16 product made or derived from tobacco that is intended for human consumption as tobacco

¹ Wickstrom, R. (2007) Effects of nicotine during pregnancy: human and experimental evidence. *Current Neuropharmacology*, 5:3, 213-222.

² World Health Organization (2014) Electronic nicotine delivery systems: Report of the Conference to the WHO Framework Convention on Tobacco Control Sixth Session, October 13-18, 2014 Moscow Russian Federation. Provisional agenda 4.4.2 Available at: http://apps.who.int/gb/fctc/PDF/cop6/FCTC_COP6_10-en.pdf

³ Offerman, F.J. (2014) The hazards of e-cigarettes. *ASHRAE Journal*. June 2014. 38-44

1 products. The FDA has therefore issued a proposed rule that would extend the agency's tobacco
2 authority to cover ESDs.⁴

3 ESDs have become increasingly prevalent and widely available since their introduction to
4 the U.S. market. Since 2005, the ESD industry has grown from one manufacturer in China to an
5 estimated market value of \$3 billion in global business with 466 brands. It has become a
6 profitable business that the tobacco industry is gradually taking over.

7 ESDs produce an aerosol that is not merely "water vapor." The aerosol contains several
8 carcinogens, such as formaldehyde, acetaldehyde, lead, nickel, chromium, and other hazardous
9 substances cited by the Agency for Toxic Substances and Disease Registry which are associated
10 with a range of negative health effects such as skin, eye, and respiratory irritation.^{5,6,7,8,9} These
11 chemicals travel through the circulatory system to the brain and all organs. The aerosol also
12 contains high concentrations of ultrafine particles that are inhaled and become trapped in the
13 lungs.¹⁰ In recent months, significant international research has increased the understanding of
14 ESDs as harmful, carcinogenic devices. In November 2014, researchers at the Japanese Ministry
15 of Health announced that they found ESDs contained greater levels of cancer-causing agents
16 than found in traditional cigarettes.¹¹

17 ESD companies, and the tobacco companies that have been acquiring the ESD
18 businesses, market and promote their use "anywhere," to encourage their social acceptability.
19 The World Health Organization has called for the regulation of ESDs and urges that their use

⁴ <http://www.fda.gov/TobaccoProducts/Labeling/ucm388395.htm> (accessed February 10, 2015)

⁵ Jensen, R. et al. (2015). Hidden Formaldehyde in E-Cigarette Aerosols. *New England Journal of Medicine* 2015; 372:392-394. Available at: www.nejm.org/doi/full/10.1056/NEJMc1413069

⁶ Lerner, C.A., et al. (2015). Environmental health hazards of e-cigarettes and their components: Oxidants and copper in e-cigarette aerosols. *Environ Pollut.* 2015 Jan 8; 198C:100-1073

⁷ State of California Environmental Protection Agency Office of Environmental Health Hazard Assessment Safe Drinking Water and Toxic Enforcement Act of 1986. (2013). Chemicals known to the State of California to cause cancer or reproductive toxicity. Available at: http://oehha.ca.gov/prop65/prop65_list/files/P65single091313.pdf

⁸ German Cancer Research Center. (2013). Red Series Tobacco Prevention and Tobacco Control Volume 19: Electronic Cigarettes - An Overview. Available at: www.dkfz.de/de/tabakkontrolle/download/Publikationen/RoteReihe/Band_19_ecigarettes_an_overview.pdf

⁹ Goniewicz, M. et al. (2013). Levels of selected carcinogens and toxicants in vapour from electronic cigarettes. *Tob. Control.* 1:1-8. Available at: www.ncbi.nlm.nih.gov/pubmed/23467656

¹⁰ Fuoco, F.C., et al., Influential parameters on particle concentration and size distribution in the mainstream of e-cigarettes. *Environ Pollut.* 2014. 184:p.523-9.

¹¹ AFP, November 27, 2014. Scientists Say E-Cigs Contain 10 Times As Many Cancer Chemicals As Cigarettes. Retrieved from <http://www.businessinsider.com/afp-e-cigarettes-contain-10-times-amount-of-carcinogens-japan-2014-11>

1 indoors be “banned” until exhaled vapor is proven to be not harmful to bystanders and
2 reasonable evidence exists that smoke-free policy enforcement is not undermined.¹²

3 The FDA currently does not have the authority to regulate where ESDs are used; that is
4 the domain of state and local governments. To protect the health of the public, and provide
5 clarity on smoke-free regulations, 274 municipalities and three states have now included ESDs in
6 their smoke-free laws. In January 2014, the DOH adopted its own internal policy banning ESD
7 use on all DOH properties and occupied premises. As of September 2014, the State Department
8 of Accounting and General Services further prohibited ESD use in and around all state buildings
9 under its jurisdiction. Most recently, Hawaii County enacted Bill 302, prohibiting the use of
10 ESDs wherever tobacco products are already illegal, and there currently is a similar bill being
11 heard by the City and County of Honolulu. The DOH strongly supports this measure to provide
12 protection from ESDs for the public.

13 The DOH will provide public education and provide distribution of new signs.

14 Thank you for the opportunity to testify.

² World Health Organization (see footnote 2).



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February 12, 2015

Senate Committee on Health
Senator Josh Green, Chair
Senator Glenn Wakai, Vice Chair
Members of the Committee

SB 1109 - RELATING TO THE REGULATION OF TOBACCO PRODUCTS

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

Thank you for the opportunity to provide testimony in support of SB 1109, which amends the state's smoke-free workplace statute to prohibit the use of electronic smoking devices in enclosed and partially enclosed public places where smoking is prohibited and updates signage requirements.

The American Cancer Society Cancer Action Network (ACS CAN) is the nation's leading cancer advocacy organization. ACS CAN works with federal, state, and local government bodies to support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem.

Electronic smoking devices are often designed to look like cigarettes, right down to the glowing tip. When the user puffs on it, the system delivers an aerosol that is inhaled. A growing number of studies have examined the contents of electronic smoking device aerosol. Unlike a vapor, an aerosol contains fine particles of liquid, solid, or both. Propylene glycol, nicotine, and flavorings were most commonly found in electronic smoking device aerosol. Other studies have found the aerosol to contain heavy metals, volatile organic compounds and tobacco-specific nitrosamines, among other potentially harmful chemicals. The electronic smoking device is often marketed as a way for a smoker to get nicotine in places where smoking is not allowed.

While the health effects of electronic smoking devices are currently under study, there are still serious questions about the safety of inhaling the substances in an electronic smoking device aerosol. Studies have shown that the use of electronic smoking devices can cause short-term lung changes and irritations, while the long-term health effects are unknown. Both exposure to and health effects of secondhand aerosol from electronic

smoking devices require further research, but preliminary studies indicate nonusers can be exposed to the same potentially harmful chemicals as users, including nicotine, ultrafine particles and volatile organic compounds. This exposure could be especially problematic for vulnerable populations such as children, pregnant women, and people with heart disease depending on the level of exposure.

Since the introduction of electronic smoking devices to the U.S. market, the marketing and use of these products have significantly increased. A U.S. Centers for Disease Control survey published in 2013 showed that electronic smoking device usage in middle school and high school students doubled between 2011 and 2012, increasing from 3.3 to 6.8 percent.

While electronic smoking device manufacturers may claim the ingredients are just “water vapor” or “safe,” without federal regulation there is no sure way for electronic smoking device users to know what they are consuming. Nor is there any way of knowing what nonusers are exposed to and the extent of the risk to their health. Additionally, there are hundreds of types of electronic smoking devices on the market today and the products vary considerably by ingredients, and quality control and assurance. Prohibiting the use of electronic smoking devices in workplaces, restaurants, and bars can protect the public health by preventing nonusers from being exposed to nicotine and other potentially harmful chemicals in these products.

Thank you for the opportunity to submit testimony on this matter.



Testimony in SUPPORT of SB 1109, “Relating to the Regulation of Tobacco Products”

The American Heart Association SUPPORTS SB 1109, “Relating to the Regulation of Tobacco Products.”

The AHA considers e-cigarettes that contain nicotine to be tobacco products and therefore supports their regulation under existing laws relating to the use and marketing of tobacco products. To prevent the potential negative public health impact of e-cigarettes, we strongly support laws and regulation that prohibit the sale and marketing of e-cigarettes to youth. We support effective regulation that addresses marketing, labeling, quality control of manufacturing, and standards for contaminants. **We also support the inclusion of e-cigarettes in smoke-free air laws.** Moreover, we consider it important to monitor and prevent these products from serving as gateway products or as an initiation to nicotine addiction in nonsmokers and re-initiation in smokers. These policy recommendations were developed by an expert advisory group and leading researchers in the field of tobacco control and prevention and e-cigarettes in tandem with a comprehensive review of the literature. The association’s policy guidance will continue to be updated as rapidly evolving evidence emerges. We will continue to assess the scientific evidence relating to e-cigarettes long-term health effects and their efficacy as a smoking cessation aid and encourage the development of a robust research agenda to understand the public health impact of e-cigarettes, especially in at-risk populations.

Although the levels of toxic constituents in e-cigarette aerosol are much lower than those in cigarette smoke, there is still some level of passive exposure to organic compounds, nicotine, and fine particles. To date, there is insufficient evidence to support the notion that exposure to exhaled aerosol has a deleterious impact on bystanders. Some studies have found very low concentrations of air pollutants across different types, liquids, puff durations, and nicotine concentrations. The levels of particle and nicotine exposure vary with the composition of the liquids, the type of e-cigarette, size of the room, puff duration, interval between puffs, and the number of users.

Nevertheless, there is concern that nonsmokers will be involuntarily exposed to nicotine, which could be substantial where there is heavy e-cigarette use in confined spaces. Secondhand exposure to e-cigarette aerosol exposes a nonsmoker to nicotine, particulates, and several potentially toxic organic chemicals, but at much lower levels than from conventional cigarette smoke. The biological effects of such an exposure are expected to be much less than that of secondhand smoke, but nonsmokers are exposed to some nicotine, and the regular use of e-cigarettes has the potential to substantially contaminate the environment with nicotine.

Moreover, unregulated e-cigarette use has the potential to recreate a social norm around tobacco product use in public places, unraveling decades of work on comprehensive smoke-free air laws. It is not always easy to identify that a person is using an e-cigarette, because there is not the large plume of smoke or the strong detectable odor that comes from

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conventional cigarettes. Therefore, the use of e-cigarettes creates enforcement issues for employees in restaurants, bars, airport terminals, planes, and other smoke-free public places. E-cigarette companies are marketing their products to be used in all the places where smoking is banned, including bars, restaurants, hotels, offices, and airplanes, which promotes unregulated use.

Although the AHA supports the inclusion of e-cigarettes in new smoke-free laws, the AHA only supports changing existing smoke-free laws to include e-cigarettes when it can be ensured there will be no amendments attached to the legislation that would weaken existing laws.

Please support SB 1109.

Respectfully submitted,

Paul Ho, M.D.

Cardiologist, American Heart Association Hawaii Division Board Member

*"Building healthier lives,
free of cardiovascular
diseases and stroke."*

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: chevyriderhhh@gmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Tuesday, February 10, 2015 6:05:14 PM

SB1109

Submitted on: 2/10/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

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

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, 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.

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Cc: 4spiritnsoul@gmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Tuesday, February 10, 2015 6:17:01 PM

SB1109

Submitted on: 2/10/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Naomi C. Liu	Individual	Oppose	No

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Cc: protechoahu@gmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Tuesday, February 10, 2015 6:51:48 PM

SB1109

Submitted on: 2/10/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

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

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: awatanabe67@gmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Wednesday, February 11, 2015 8:39:15 AM

SB1109

Submitted on: 2/11/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

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

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: mauimoonflower@gmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Wednesday, February 11, 2015 9:15:34 AM

SB1109

Submitted on: 2/11/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Sabrina Spencer	Individual	Oppose	No

Comments:

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From: [Bryan Talisayan](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 10:49:43 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Thank you for the opportunity to submit testimony in strong support of SB 1109. I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Bryan Talisayan
2403 Pacific Heights Road
Honolulu, HI 96813

From: [Zeyana Saad-Jube](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 10:49:49 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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Mahalo,

Zeyana Saad-Jube
3478 Keahi Place
Honolulu, HI 96822

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: antonchris10@gmail.com
Subject: Submitted testimony for SB1109 on Feb 13, 2015 13:35PM
Date: Wednesday, February 11, 2015 10:51:14 AM

SB1109

Submitted on: 2/11/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

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

Comments: This bill is absurd. Electronic cigs don't cause cancer and they help people to quit smoking.

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From: [Kei-Lin Cerf](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 10:51:31 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

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Mahalo,

Kei-Lin Cerf
POB 385699
Waikoloa, HI 96738

From: [Rebecca Knight](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 10:55:25 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

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Mahalo,

Rebecca Knight
2439 Kapiolani Blvd #1004
Honolulu, HI 96826

From: [Karli Bergheer](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 10:56:56 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

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Mahalo,

Karli Bergheer
221 Mahalani Street, Suite 99
Wailuku, HI 96793

From: [Melissa Data](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 10:59:49 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

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Mahalo,

Melissa Data
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Kaneohe, HI 96744

From: [Michelle Schiff](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 11:00:19 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

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Mahalo,

Michelle Schiff
1655 Kanapuu Dr
Kailua, HI 96734

Testimony of Professor Mark A. Levin *in strong support* for SB 1109

**RELATING TO THE REGULATION OF TOBACCO PRODUCTS
Senate Committee on Health
February 13, 2015**

Chair Green, Vice-Chair Wakai, and members of the Committee on Health:

Aloha. In the 1950's, the tobacco industry fooled the world by marketing filtered cigarettes. These weren't safer, though millions of people died having been led to believe they were. Meanwhile tobacco smoke pollution brought down those around them as well.

In the 1970's, the industry scammed the public by marketing light and mild cigarettes. Once again, not safer but this too was a great boost to keep people addicted, and paying for it with wallets and lives. Secondhand death and disease continued too.

Finally, in the 1990's, lawmakers around the globe began stepping forward to right these wrongs. The work is incomplete, but in our state, our legislators, many of you among them, took important steps forward including our 2006 Smokefree Workplaces Law and with several significant tax increases.

Here we go again. New addictive vapor devices are pitched to be a route to safer use. Again these are simply a boost for the industry to keep people addicted *and even to hook new users among our youth*. But with Big Tobacco's deadly track record, in what right minds should we trust public health to the unregulated aerosol particles sent off by the latest devices?

Though you may get local testimony, addictive vapors are surely Big Tobacco's 21st century hope. If these devices have therapeutic merit, let the sellers prove that to expert regulators in accordance with federal food and drug laws. But they haven't, won't, and can't. In the meanwhile then, let's be cautious and conservative -- setting all legal structures to be the same as for incendiary tobacco products now. No special treatment belongs here; please pass SB 1109.

Mahalo.

Professor Mark A. Levin
The William S. Richardson School of Law
The University of Hawai'i at Mānoa
2515 Dole St., Honolulu, HI 96822
Tel: 1-808-956-3302

Affiliations are given for identification purposes only. Opinions presented here are personal views and not the official views of the University of Hawai'i or any other organization or entity.

From: [Ralph Shohet](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 11:04:04 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Thank you for the opportunity to submit testimony in strong support of SB 1109. As a cardiologist and director of Cardiovascular Research at the Medical School, I am well aware of the gratifying success we have had in the past two decades in reducing smoking in our society. The use of "vaping" devices threatens the strong societal pressures that have developed to constrain smoking and introduces new, unregulated, toxic substances into our immediate environment. Until and unless the FDA regulates these devices as nicotine delivery systems, with acceptable quality control and dose, I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment.

I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,
Ralph Shohet, MD
Professor of Medicine
Former President of the Oahu Affiliate of the American Heart Association

Ralph Shohet
4151A Nuuanu Pali Drive
Honolulu, HI 96817

From: [Sally Jo Manea](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 11:04:08 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I have recently seen young people using these devices in libraries, hall ways and other indoor areas of our community college. I am appalled that they think this is ok!

Mahalo,
Sally JO Manea

Sally Jo Manea
6415 Olohena Road
Kapaa, HI 96746

From: [Jermy Domingo](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 11:09:07 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Jermy Domingo
894 Queen St.
Honolulu, HI 96706

From: [Marilyn Gagen](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 11:16:17 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

My husband died at the young age of 59 from the long term effects of smoking. Please continue the fight to keep the air in Hawaii clean and free from smoke from any tobacco products.

Mahalo for your continued fight against the tobacco industry and for the people of Hawaii.

Mahalo,

Marilyn Gagen
59-398 Ka Nani Drive
N/A
Kamuela, HI 96743

From: [Forrest Batz](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 11:18:57 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Aloha Senate Committee on Health,

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I support including “electronic smoking devices” in the definition of “tobacco product” and “smoke or smoking” in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Forrest Batz
34 Rainbow Drive
Keaau, HI 96749

From: [Stephanie Moir](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 11:48:41 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,
Stephanie Moir

Stephanie Moir
Kukula St.
Waipahu, HI 96797

From: [Toni Symons](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 12:01:05 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Toni Symons

Toni Symons
P.O. Box 3317
Kailua Kona, HI 96745

From: [Barbara Nosaka](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 12:05:07 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Barbara Nosaka
2216 Hoonanea Street
Honolulu, HI 96822

From: [Patricia Blair](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 12:32:11 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Patricia Blair
522 Uluhala St.
Kailua, HI 96734

From: [Yukiko Morimoto](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 12:38:40 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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Mahalo,

Yukiko Morimoto
2550 Kuhio Avenue, Apt. 2205
Honolulu, HI 96815

From: [Howard Saiki](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 12:45:24 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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Mahalo,

Howard Saiki
45-480 B Apiki Street
Apt. D1202
Kaneohe, HI 96744

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: konaking@live.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Wednesday, February 11, 2015 12:57:02 PM

SB1109

Submitted on: 2/11/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

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

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, 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.

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: joyamarshall0416@gmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Wednesday, February 11, 2015 12:58:15 PM

SB1109

Submitted on: 2/11/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall	Individual	Support	No

Comments:

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Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: [Rebecca Williams](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 1:02:10 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Rebecca Williams
736 Hawaii St
Honolulu, HI 96817

From: [Pualei Kaohelauii](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 1:28:31 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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Mahalo,

Pualei Kaohelauii
8010 Iwipolena Road
P.O. Box 52
Kekaha, HI 96752

From: [Pebbles Fagan](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 1:37:02 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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Mahalo,

Pebbles Fagan
1199 Bishop Street 23A
23A
Honolulu, HI 96813

From: [Curtis Palmer](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 1:43:31 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
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Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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Mahalo,

Curtis Palmer
45-615 Puuluna Pl
Kaneohe, HI 96744

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: goomaille@yahoo.com
Subject: Submitted testimony for SB1109 on Feb 13, 2015 13:35PM
Date: Wednesday, February 11, 2015 2:12:01 PM

SB1109

Submitted on: 2/11/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Maile Goo	Individual	Support	No

Comments: February 13, 2015 To: The Honorable Josh Green, Chair The Honorable Glenn Wakai, Vice Chair Members, Senate Committee on Health Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414 Thank you for the opportunity to submit testimony in strong support of SB 1109. I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm. As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins. SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm. I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades. Mahalo, Maile Goo 3683 Woodlawn Terrace Place Honolulu, Hawaii 96822

Please note that testimony submitted less than 24 hours prior to the hearing, 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.

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UNIVERSITY
of HAWAII®
MĀNOA

University Health Services Mānoa
Health Promotion Program

February 11, 2015

TO: Members of the Senate Committees on Health and Commerce and Consumer Protection

RE: Senate Bill 1109 (2015) – **SUPPORT**

Date: Friday, February 13, 2015

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

The University of Hawaii Student Health Advisory Council strongly supports the efforts to pass SB 1109 which would prohibit the use of e-cigarettes in all areas where smoking is prohibited by law.

The Student Health Advisory Council is a student leadership and advocacy group that plays a pivotal role in the development and implementation of the health policies and programs that impact the UH System campuses. E-cigarette companies target youth and young adults with marketing and advertising designed to get individuals addicted at an early age. In response, we are committed to the mission of improving college health by reducing the use of tobacco products including electronic smoking devices among the adolescent and young adult population.

Electronic smoking devices, just like other tobacco products, have no place in any workplace, which at the University of Hawaii can include classrooms, offices, libraries, study lounges, and lecture halls. These devices pose not only a public health concern, but are also a detrimental distraction to the learning environment. Therefore, the Student Health Advisory Council strongly supports SB 1109 (2015).

Mahalo nui loa, for your efforts to protect the young people of Hawaii.

Aloha,

Storny Dodge, Blane Garcia & Ku‘uleialohaonalani Salzer –Co Chairs

UH Student Health Advisory Council

2600 Campus Rd #313D

Honolulu, HI 96822

Telephone: (808) 956-3574/956-3453

An Equal Opportunity/Affirmative Action Institution

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: kathyk323@hotmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Wednesday, February 11, 2015 2:39:33 PM

SB1109

Submitted on: 2/11/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

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

Comments:

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UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the
Senate Committee on Health
February 13, 2015 at 1:35 pm

By

Robert Bley-Vroman, Chancellor

and

Jerris Hedges, MD, MS, MMM

Dean, John A. Burns School of Medicine

Interim Director, University of Hawai'i Cancer Center

University of Hawai'i at Mānoa

SB 1109 – RELATING TO THE REGULATION OF TOBACCO PRODUCTS

Chair Green, Vice Chair Wakai, and Members of the Committee:

The University of Hawai'i Cancer Center supports this bill.

The UH Cancer Center is one of only 68 institutions in the United States that hold the prestigious National Cancer Institute (NCI) designation, and is the only NCI-designated center in the Pacific. The NCI designation provides greater access to federal funding and research opportunities, and gives the people of Hawai'i and the Pacific region access to innovative and potentially life-saving clinical trials without the necessity of traveling to the mainland.

Our passion at the UH Cancer Center is to be a world leader in eliminating cancer through research, education and improved patient care. Because tobacco consumption is a leading preventable cause of cancer, we take all issues related to tobacco in Hawai'i very seriously. Whereas the UH Cancer Center always has supported strong tobacco control measures in Hawai'i, the recent emergence of electronic smoking devices presents new challenges for tobacco control and tobacco-related legislation.

The UH Cancer Center perspective on electronic smoking devices is informed by data recently obtained from Hawai'i adolescents and young adults who are participants in original research conducted by our own faculty.

Research conducted in Hawai'i high schools by Thomas Wills, PhD, has confirmed that rates of e-cigarette use by Hawai'i adolescents are at least double the rate of e-cigarette use observed in studies of mainland adolescents. Furthermore, his study published in the peer-reviewed journal *Pediatrics* clarified a reason why e-cigarette use is growing nationally among teens, as his data suggest that e-cigarettes may be operating to recruit lower-risk adolescents to smoking. And recently Pallav Pokhrel, PhD, and Thaddeus Herzog, PhD, published on the topic of e-cigarettes and motivation to quit

smoking. Drs. Pokhrel and Herzog also assessed differences between smokers who used e-cigarettes to quit versus those who used FDA-approved nicotine replacement therapy. Additionally, these researchers have published on the effects of e-cigarette marketing on harm perceptions, as well as e-cigarette use expectancies and their impact on e-cigarette use among young adults.

This research is vital to gaining an evidence-based understanding of what drives acceptance of this emerging technology, what users believe regarding its safety, and what the consequences are for adolescents, whose brains are particularly susceptible to nicotine.

Despite the complexities of the larger debate regarding electronic smoking devices, we believe this bill represents reasonable legislation that balances the rights of adults to use electronic smoking devices in appropriate venues while restricting use in public places where conventional cigarettes are banned.

As scientific research on electronic smoking devices progresses, we will have a stronger basis to adjust laws according to evidence. At the present time, however, caution is warranted. As others have noted, the FDA currently does not regulate e-cigarettes, and thus the consumer has no assurances regarding e-cigarette ingredients.

Further, because of the novelty of e-cigarettes, the long term effects of using these devices are unknown. A further concern, not often discussed, is the potential for electronic smoking devices to be used as drug delivery devices for substances other than nicotine.

We respectfully urge you to pass this bill.



February 11, 2015

TESTIMONY: Written only

To: Senator Josh Green, Chair
Senator Glenn Wakai, Vice Chair
Members of the Senate Committee on Health

From: Hawaii Public Health Association

Subject: **OPPOSITION** to SB1109 Relating to the Regulation of Tobacco Products

Dear Chair Green and Members of the Committee,

HPHA is an association of over 600 community members, public health professionals, and organizations statewide dedicated to improving public health. HPHA also serves as a voice for public professionals and as a repository for information about public health in the Pacific.

HPHA supports the passage of SB1109 which would prohibit the use of electronic smoking devices (ESDs) wherever smoking is prohibited by law.

As indicated in recent local media, youth fascination with ESDs warrant proactive measures to uphold social norms and curb usage before it is too late. According to the Hawaii Youth Tobacco Survey, lifetime e-cigarette use among high school students tripled from 5.1 percent in 2011 to 17.6 percent in 2013. Use also quadrupled among middle school students, from 1.8 percent to 7.9 percent, during the same time period. The rate of uptake for these products is alarming and the passage of measures to decrease social acceptability of ESDs is urgently needed.

According to the CDC, nicotine use by youths in any form is unsafe and can harm adolescent brain development. Additionally, the fact that ESDs are found to contain and emit toxic and carcinogenic chemicals, yet remain unregulated in terms of use, manufacturing, and marketing, leaves the public highly vulnerable to its potentially devastating impact.

Holding ESD use to the same regulatory standards as cigarettes is an important means of proactively protecting the public against emerging tobacco products. Regulation, as through HB0940, updates definitions to fully address the diversity of evolving products, simplifies enforcement of all smoking, and decreases the social acceptability of tobacco use. The HPHA supports this strong policy to protect the health of people in Hawaii as well as future generations.

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

Respectfully submitted,

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

Holly Kessler
Executive Director

From: [Brent Tamamoto](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 3:46:09 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Brent Tamamoto
99-210 Kauhale Street
Suite C-22
Aiea, HI 96701

From: [pat.fleck](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 3:56:07 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo.

Respectfully Submitted,

Patricia Fleck

pat.fleck
75-5660 Kopiko Street, Ste. C7-330
kailua kona, HI 96740

From: [Lori Lee Goeas](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 4:54:07 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Lori Lee Goeas
91-1014 Papa`a St.
Kapolei, HI 96707

From: [Debbie Apolo](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 5:08:34 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Debbie Apolo
810 Richard Street
Suite 750
Honolulu, HI 96813

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: tandemadams@gmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Wednesday, February 11, 2015 6:09:22 PM

SB1109

Submitted on: 2/11/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Adams	Hawaii community pharmacy association	Support	No

Comments:

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From: [Michele Nihipali](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 6:10:34 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Michele Nihipali
54-074 Kamehameha Hwy. # A
54-074 A Kam Hwy
Hauula, HI 96717

From: [Jennifer Hausler](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 8:04:46 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
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Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Jennifer Hausler
1429 kuloko st
Kuloko
Pearl city, HI 96782

From: [Kristie Roach-Holmes](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 8:17:37 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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Mahalo,

Kristie Roach-Holmes
75-6115 Ka'ane'e Pl
Kailua-Kona, HI 96740

From: [Harnath Holmes](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 8:20:28 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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Mahalo,

Harnath Holmes
75-6115 Kaanee Pl
Kailua Kons, HI 96740

From: [Kanani Kilbey](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 8:45:29 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

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Mahalo,

Kanani Kilbey
1319 Punahou Street, 7th floor
Attn: Dr. Bryan Mih, HEALTHY program
Honolulu, HI 96826

From: [Tami MacAller](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 8:54:04 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

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Mahalo,

Tami MacAller
75-6111 Kaanee Place
Kailua Kona, HI 96740

From: [Tyler Ralston](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 9:28:29 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
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I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Tyler Ralston
PO Box 10528
Honolulu, HI 96816

From: [Bryan Mih](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Wednesday, February 11, 2015 11:59:36 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Thank you for the opportunity to submit testimony in strong support of SB 1109. I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,
Bryan Mih, MD MPH FAAP
Pediatrician

Bryan Mih
1944 Naniu Pl
Honolulu, HI 96822

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: 1hawaii4me@gmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Thursday, February 12, 2015 7:28:18 AM

SB1109

Submitted on: 2/12/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

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

Comments:

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From: [Bryscen Prothero](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Thursday, February 12, 2015 7:48:07 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Thank you for the opportunity to submit testimony in strong support of SB 1109. I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Bryscen Prothero
91-1306 Kilipue Street
Ewa Beach, HI 96706

O'ahu
810 Richards St Suite 750
Honolulu, HI 96813
Tel: (808) 537-5966
Fax: (808) 537-5971
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Executive Director
Kim Nguyen, MSW

Chair
Steve Wilson

Leadership Council
Eric Crawley, MD
Cathy Foy-Mahi
Von Kaneshiro
May Kealoha
K (Karen) Latzka
Ron Sanderson, DrPH
James Wong, Esq.
Douglas Q.L. Yee

Regional Council
Sterling Yee

President & CEO
Renee Klein

Lung HelpLine
1-800- LUNG-USA
(586-4872)

Fighting for Air

February 12, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414



Thank you for the opportunity to submit testimony in strong support of SB 1109. We strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I serve as the Hawai'i director for the American Lung Association of the Mountain Pacific; our mission is to save lives by improving lung health and preventing lung disease.

We strongly support prohibiting the use of Electronic Smoking Devices (ESDs) in places open to the public and places of employment. We also support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and create and maintain the social norm.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, our kama'aina, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and do not emit harmless water vapor. They are currently unregulated and emit nicotine, ultra-fine particles, and other toxins into the air. We urge you to pass SB 1109 in order to provide protection for our Hawaii community.

I can be reached at 808-687-5375 or knguyen@ala-hawaii.org, should you have any questions. Thank you for this opportunity to provide testimony.

Mahalop

Kim Nguyen, MSW
Executive Director – Hawai'i
American Lung Association of the Mountain Pacific

From: [John Ornellas](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Thursday, February 12, 2015 8:41:35 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Thank you for the opportunity to submit testimony in strong support of SB 1109. I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

John Ornellas
POB 6301134
Lana'i City, HI 96763

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: mikenakas@hotmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Thursday, February 12, 2015 9:17:06 AM

SB1109

Submitted on: 2/12/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Michael S. Nakasone	Individual	Oppose	No

Comments:

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To: The Honorable Josh Green, Chair, Committee on Health
The Honorable Glenn Wakai, Vice Chair, Committee on Health
Members, Senate Committee on Health

From: Lyndsey Garcia, Policy and Advocacy Director

Date: February 12, 2015

Hrg: Senate Committee on Health; Friday, February 13, 2015 at 1:35PM in Room 414

Re: **Strong support for SB 1109, Relating to the Regulation of Tobacco Products**

Thank you for the opportunity to offer testimony in **strong support** of Senate Bill 1109, which regulates the use of electronic smoking devices (ESDs) in places where smoking is prohibited by amending Section 328J of the Hawai'i Revised Statutes (HRS).

The Coalition for a Tobacco Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute working to reduce tobacco use through education, policy, and advocacy. Our program consists of over 100 member organizations and 2,000 advocates that work to create a healthy Hawai'i through comprehensive tobacco prevention and control efforts.

The Coalition supports including ESDs in Hawai'i's smoke-free air laws, which will provide for further consistency and protections of our residents and visitors.

The Coalition supports including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited.

Currently ESDs are not regulated at any level (federal or state); therefore, all emissions and chemicals released in exhalation are also unregulated. There is no way for users to know how much nicotine or other potentially harmful chemicals they are inhaling because there are no government requirements on manufacturing, quality, content, or standard labelling. The *New York Times* reported in December that **90%** of the world's e-cigarettes are manufactured in China, virtually unregulated, where flawed or sloppy manufacturing could account for some of the heavy metals, carcinogens and other dangerous compounds, such as lead, tin and zinc, that have been detected in some ESDs.¹ There is no way for users to know how much nicotine or other potentially harmful chemicals they are inhaling because ESDs are not regulated by the U.S. Food and Drug Administration (FDA) and are not FDA approved cessation devices.

ESDs do not emit only "harmless water vapor". "Secondhand aerosol (incorrectly called vapor) from ESDs contains nicotine, ultrafine particles and levels of toxins."² It is vital that we protect everyone from the dangers of secondhand aerosol. According to Dr. Stanton Glantz, Director for the Center for Tobacco Control Research and Education at the University of California, San Francisco, "If you are around somebody who is using e-cigarettes, you are breathing an aerosol

¹ Barboza, David. "China's E-Cigarette Boom Lacks Oversight for Safety." *New York Times*. Dec. 13, 2014.

http://www.nytimes.com/2014/12/14/business/international/chinas-e-cigarette-boom-lacks-oversight-for-safety-.html?_r=0

² Americans for Nonsmokers' Rights, "Electronic Smoking Devices and Secondhand Aerosol", available at www.no-smoke.org/pdf/ecigarette-secondhand-aerosol.pdf.



of exhaled nicotine, ultra-fine particles, volatile organic compounds, and other toxins.”³ Studies have shown that even ESDs claiming to not contain nicotine contain low levels of nicotine.⁴ The World Health Organization (WHO) recommends that “legal steps should be taken to end use of e-cigarettes indoors in public and work places. Evidence suggest that exhaled e-cigarette aerosol increases the background air level of some toxicants, nicotine and particles.”⁵

Emerging research shows dual use where cigarette users switch to ESDs in locations they are not permitted to smoke.⁶ Allowing the use of ESDs in locations where smoking is prohibited is problematic as ESD use puts innocent bystanders around the ESD user who breathe ESD aerosol at risk for illness, creates distractions in the workplace, threatens the social norm, and undercuts years of progress by tobacco control groups.

The Coalition is extremely concerned about the rising trend of youth ESD use.

In Hawai'i, high school tobacco use rate has continued to drop over the last decade from 24.5% in 2000 to 8.7% in 2011, however the use of e-cigarettes is on the rise.⁷ Youth usage of ESDs is at an alarming rate especially in the state of Hawai'i where teen use is twice as high as the national average. According to the Hawai'i Youth Tobacco Survey (2013) youth usage (at least once in the past 30 days) tripled (18%) among high school students and quadrupled (8%) among middle school students. The Centers for Disease Control and Prevention reports more than a quarter-million youth who had never smoked a cigarette used e-cigarettes in 2013.

State and local action is key to regulating ESD use

While the Coalition welcomes federal regulations on ESDs, we do not believe Hawai'i can afford to wait for the FDA to issue regulations on ESDs. According to Dr. Stan Glantz in reaction to possible forthcoming rules on ESDs from the FDA: “The meaningful action of e-cigarettes will remain at the state and local level, especially including them in clean indoor air laws (I hope that the state and local policy makers do not swallow the inevitable [sic] arguments that they don't need anything because the FDA is taking care of it.)”⁸

Restricting ESD use is a growing trend across the U.S. More than 225 municipalities and three states restrict the use of ESDs in smoke-free environments including New York City, Los Angeles, Long Beach, San Diego, and Boston. In Hawai'i, state and county officials have taken the first few steps in regulating ESDs. The State moved to protect employees, first prohibiting the use in all Department of Health facilities, then by extending it to all buildings under Department of Accounting and General Services. In December, the Hawai'i County Council passed a bill that includes ESDs in all their smoke-free ordinances.

³ Ibid

⁴ Available at <http://northcoastalpreventioncoalition.org/wp-content/uploads/2013/11/E-Cigarettes-Fact-Sheet.pdf>.

⁵ Noncommunicable diseases and mental health: Background on WHO report on regulation of e-cigarettes and similar products.” Available at: <http://www.who.int/nmh/events/2014/backgrounder-e-cigarettes/en>

⁶ Centers for Disease Control and Prevention (CDC). Notes from the field: electronic cigarette use among middle and high school students -- United States, 2011-2012. MMWR Morb Mortal Wkly Rep. 2013;62:729-730. Available at http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6235a6.htm?s_cid=mm6235a6_w

⁷ The Hawaii Health Data Warehouse, State of Hawaii, Hawaii School Health Survey, Youth Tobacco Survey Module. Available at: http://www.hhdw.org/cms/uploads/Data%20Source_%20YTS/YTS_Prevalence_IND_00001.pdf.

⁸ Stan Glantz, “First reaction to e-cigarette deeming (based on press reports): FDA leaves ecigarette marketing unscathed.”



We respectfully ask you to pass this measure to build upon Hawai'i's previous successes and ensure the safety of everyone.

Thank you for the opportunity to testify on this matter.

Respectfully,

A handwritten signature in black ink that reads "Lindsey Garcia". The script is fluid and cursive, with the first name and last name clearly distinguishable.

Lindsey Garcia
Policy and Advocacy Director

From: [Jennifer Griffith](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Thursday, February 12, 2015 11:20:55 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Thank you for the opportunity to submit testimony in strong support of SB 1109. I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Jennifer Griffith
PO Box 399
Honolulu, HI 96728

From: [Mary Santa Maria](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Thursday, February 12, 2015 11:53:45 AM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Thank you for the opportunity to submit testimony in strong support of SB 1109. I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

Mary Santa Maria
1686 Kalawi
none
wailuku, HI 96793



February 12, 2015

REVISED TESTIMONY: Written only

To: Senator Josh Green, Chair
Senator Glenn Wakai, Vice Chair
Members of the Senate Committee on Health

From: Hawaii Public Health Association

Subject: **SUPPORT** - SB1109 Relating to the Regulation of Tobacco Products

Dear Chair Green and Members of the Committee,

HPHA is an association of over 600 community members, public health professionals, and organizations statewide dedicated to improving public health. HPHA also serves as a voice for public professionals and as a repository for information about public health in the Pacific.

HPHA supports the passage of SB1109 which would prohibit the use of electronic smoking devices (ESDs) wherever smoking is prohibited by law.

As indicated in recent local media, youth fascination with ESDs warrant proactive measures to uphold social norms and curb usage before it is too late. According to the Hawaii Youth Tobacco Survey, lifetime e-cigarette use among high school students tripled from 5.1 percent in 2011 to 17.6 percent in 2013. Use also quadrupled among middle school students, from 1.8 percent to 7.9 percent, during the same time period. The rate of uptake for these products is alarming and the passage of measures to decrease social acceptability of ESDs is urgently needed.

According to the CDC, nicotine use by youths in any form is unsafe and can harm adolescent brain development. Additionally, the fact that ESDs are found to contain and emit toxic and carcinogenic chemicals, yet remain unregulated in terms of use, manufacturing, and marketing, leaves the public highly vulnerable to its potentially devastating impact.

Holding ESD use to the same regulatory standards as cigarettes is an important means of proactively protecting the public against emerging tobacco products. Regulation, as through HB0940, updates definitions to fully address the diversity of evolving products, simplifies enforcement of all smoking, and decreases the social acceptability of tobacco use. The HPHA supports this strong policy to protect the health of people in Hawaii as well as future generations.

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

Respectfully submitted,

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

Holly Kessler
Executive Director

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: pukapants_01@hotmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Thursday, February 12, 2015 12:57:24 PM

SB1109

Submitted on: 2/12/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Vincent Leong	Individual	Support	No

Comments:

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197 Sand Island Access Rd, Suite #213
Honolulu, Hawaii 96819
1-866-866-6370
support@volcanoecigs.com

February 12, 2015

To: Senator Kim

From: Scott Rasak, VOLCANO Fine Electronic Cigarettes® Vice President

RE: SB1109 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes® is the largest manufacturer and retailer of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 11 locations statewide and employ over 100 full-time workers to support sales of our products not only here in Hawaii, but to all 50 states as well as Japan and the UK. We stand in opposition to SB1109 for the following:

- Although electronic cigarettes emit NO smoke, the bill falsely defines vapor products as “electronic smoking devices” and deceptively redefines "smoking" to include the use of electronic cigarettes in an attempt to restrict their usage in the same places as tobacco cigarettes. Vapor products contain no tobacco, produce no smoke, and have not been demonstrated to have the detrimental effects of combustible tobacco products. In fact, the FDA has taken appropriate and proportional regulation seriously and to date has not issued regulations for the product because they seemingly understand the potential this product has to switch people over from actual tobacco, which kills 480,000 people per year. Further, Mitch Zeller, Director of the Center for Tobacco Products at the FDA recently stated:
 - "If a current smoker, otherwise unable or unwilling to quit,



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1-866-866-6370
support@volcanoecigs.com

completely substituted all of the combusting cigarettes that they smoked with an electronic cigarette at the individual level, that person would probably be significantly reducing their risk."

(<http://thedianerehmshow.org/shows/2014-01-21/new-health-risks-cigarette-smoking/transcript>)

- In sharp contrast to indoor smoke free policies/laws (which are largely self enforced because of broad public support), please note that it is also impossible to enforce an e-cigarette usage ban (since the products can be used discreetly without anyone else knowing). By simply waiting a few seconds before exhaling, no visible vapor is exhaled by e-cigarette users, and as such, nobody will know that anyone is even using an e-cigarette. Despite widespread usage incities and states that have banned e-cigarette use where smoking is banned, there is no record of any fine or citation being given. Enacting unwarranted and unenforceable regulations carries the risk of unintended consequences like sending former smokers back to combustible tobacco products; harming their health and undermining the mandate of the state to promote viable alternatives to known killers.
- The Food and Drug Administration (FDA) has wisely taken its time on developing regulations for the vapor product industry and has not determined that these products are in fact tobacco products . At this time, with the exception of youth access laws targeted at keeping electronic cigarettes out of the hands of those below the age of 18, we feel that any action by state legislatures with regard to electronic cigarettes is premature.
- Over the years that we have been in business in the state, we have provided a product that tens of thousands of customers use every day to

greatly reduce their tobacco use or quit smoking altogether. This has improved the lives of smokers and ex-smokers in this state. The removal of secondhand smoke has helped non-smokers as well and has cut down on the amount of butt discard in our community.

- Numerous studies conducted on e-cigarettes have found that e-cigarettes emit no hazardous levels of any constituents, and that levels of nitrosamines in e-cigarettes are nearly identical (i.e. very little if any) to those in nicotine gums and patches. Those studies are attached to this presentation.
- Burstyn, I. Peering through the mist: What does the chemistry of contaminants in electronic cigarettes tell us about health risks? BMC Public Health. January 2014. (concluding that there is no risk to bystanders exposed to electronic cigarette vapor)
<http://www.biomedcentral.com/1471-2458/14/18/abstract>
- Goniewicz ML, et al. Levels of selected carcinogens and toxicants in vapour from electronic cigarettes. Tobacco Control. March 2013. (testing of the vapor from twelve different electronic cigarettes, cigarette smoke, and the aerosol of the FDA-approved nicotine inhaler revealed that electronic cigarette vapor contains 9-450x less toxicants and chemicals when compared to secondhand smoke, with the authors noting that the trace levels present were comparable to what is released from the nicotine inhaler)
<http://tobaccocontrol.bmj.com/content/early/2013/03/05/tobaccocontrol-2012-050859.abstract>
- Siegel, M, et. al. Electronic cigarettes as a harm reduction strategy for



197 Sand Island Access Rd, Suite #213
Honolulu, Hawaii 96819
1-866-866-6370
support@volcanoecigs.com

tobacco control:

A step forward or a repeat of past mistakes. Journal of Public Health Policy.
December 2010. (reviewing the evidence and concluding that there is no
evidence electronic cigarettes pose risks to users and bystanders that is in
any way comparable to cigarettes)

<http://www.palgrave-journals.com/jphp/journal/v32/n1/full/jphp201041a.html>

- Trehy, et. al. Analysis of electronic cigarette cartridges, refill solutions, and
smoke for nicotine and nicotine related impurities. August 2011. (finding
no harmful levels of any chemical in electronic cigarettes)

<http://www.tandfonline.com/doi/abs/10.1080/10826076.2011.572213>

Thank you for your time and consideration. If you have any questions,
please feel free to contact me or Volcano's representative Celeste Nip at
nipfire@me.com.

Sincerely,

Scott Rasak ,Vice President

VOLCANO Fine Electronic Cigarettes®

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: wintersnicholas@rocketmail.com
Subject: *Submitted testimony for SB1109 on Feb 13, 2015 13:35PM*
Date: Thursday, February 12, 2015 1:16:16 PM

SB1109

Submitted on: 2/12/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Winters	Individual	Oppose	No

Comments:

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From: [Koa Robinson](#)
To: [HTHTestimony](#)
Subject: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products
Date: Thursday, February 12, 2015 1:27:07 PM

February 13, 2015

To: The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Senate Committee on Health

Re: Strong Support for SB 1109, Relating to the Regulation of Tobacco Products

Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414

Thank you for the opportunity to submit testimony in strong support of SB 1109. I strongly support prohibiting the use of Electronic Smoking Devices in places open to the public and places of employment. I support including "electronic smoking devices" in the definition of "tobacco product" and "smoke or smoking" in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

As a new industry, the dangers of ESDs continue to emerge and show inconsistent amounts of the addictive poison nicotine in the e-juice, dual use with cigarettes, and huge increases of use by middle and high school students. Contrary to popular belief, ESDs do not emit harmless water vapor. Instead, they emit an aerosol that contains nicotine, ultra-fine particles, volatile organic compounds, and other toxins.

SB 1109 is the first step to regulating ESDs and protecting employees, customers, and the public from inadvertent exposure to nicotine and other chemicals and poisons. ESDs are not FDA approved smoking cessation devices and should not be used in enclosed or partially enclosed public places. Prohibiting ESD use where smoking is prohibited will protect the public, reduce confusion within society, decrease distractions in the workplace, and maintain the social norm.

I urge you to pass SB 1109 in order to provide protection for the public. Failing to act may set us back decades.

Mahalo,

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