

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



To our Distinguished Legislators:

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

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

An alarming number of Maui County high school students, over 30%, are currently using e-cigarettes, while less than 5% of adults in Hawai'i are current users. These products are proving to be dangerous in themselves. A good portion of them will go on to use combustible tobacco products, which are the leading cause of preventable death and disease in the United States. Children are 10 times more likely to start smoking having had exposure to vaping or e-cigarettes in the past.

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

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

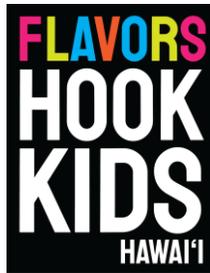
We are not talking about the rights adults have to make informed discussions. We are talking about middle school children being hooked on bubble gum, cotton candy, and Pipeline POG flavored addiction. And that is what is being sold: addiction. This is a tried and true campaign of influence from tobacco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

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

Thank you for your time.

Mahalo,

Jamil Folio



To: Representative John Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair
Members of the House Health Committee

Re: Support: HB 2347 HD1 Proposed, Relating to Flavored Tobacco Products

Hearing: Tuesday, February 4, 2020 at 8:30pm in Room 329

Dear Chair, Vice Chair, and Members,

The Flavors Hook Kids HI Campaign is pleased to submit this written testimony in **STRONG SUPPORT HB2347** to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawai'i.

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

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

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

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

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

Menthol is the Most Popular Tobacco Flavor Among Youth

Most common among the flavors preferred by youth, are mint and menthol. Menthol delivers a pleasant minty taste and imparts a cooling and soothing sensation, successfully making the harshness of tobacco, making it easier for beginner smokers and kids to tolerate. The FDA's Tobacco Product Scientific Advisory Committee (TPSAC) has reported that:

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

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

Flavored Tobacco Products Are Pervasive

A 2009 federal law, the Family Smoking Prevention and Tobacco Control Act, prohibited the sale of cigarettes with characterizing flavors other than menthol or tobacco, including candy and fruit flavors. While overall cigarette sales have been declining since the 2009 law, the proportion of

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

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

⁴ Tobacco Products Scientific Advisory Committee (TPSAC), *Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations*, July 21, 2011

<http://www.fda.gov/downloads/AdvisoryCommittees/CommitteesMeetingMaterials/TobaccoProductsScientificAdvisoryCommittee/UCM269697.pdf>.

smokers using *menthol* cigarettes (the only remaining flavored cigarette) has been increasing.⁵ Menthol cigarettes comprised 36 percent of the market in 2018.⁶

As of 2017, researchers had identified more than 15,500 unique e-cigarette flavors available online.⁷ Flavors are not just a critical part of the product design, but are a key marketing ploy for the industry. The 2016 Surgeon General Report on e-cigarettes concluded, “E-cigarettes are marketed by promoting flavors and using a wide variety of media channels and approaches that have been used in the past for marketing conventional tobacco products to youth and young adults.”⁸ The 2016 National Youth Tobacco Survey found that 78.2 percent of middle and high school students—20.5 million youth—had been exposed to e-cigarette advertisements from at least one source, an increase from 68.9 percent in 2014.⁹

Flavored Tobacco Products Are Popular Among Youth

These sweet products have fueled the popularity of e-cigarettes and cigars among youth. A government study found that 81 percent of kids who have ever used tobacco products started with a flavored product. Across all tobacco products, the data is clear: flavored tobacco products are overwhelmingly used by youth as a starter product, and preference for flavors declines with age.

Recently released data from the 2019 National Youth Tobacco Survey shows that the youth e-cigarette epidemic continues to grow—27.5% of high school students are current e-cigarette users, a 135% increase from just two years ago.¹⁰ Just like with cigarettes, menthol e-cigarette are popular among youth. 57.3% of high school e-cigarette users use menthol or mint flavored e-cigarettes, making these the second most popular flavors, just behind fruit-flavored products.¹¹ Another national survey found that 97% of current youth e-cigarette users have used a flavored e-cigarette in the past month.¹² Moreover, youth cite flavors as a major reason

⁵ Villanti, A., et al., “Changes in the prevalence and correlates of menthol cigarette use in the USA, 2004–2014,” *Tobacco Control*, 25(Suppl 2):ii14–ii20, 2016.

⁶ U.S. Federal Trade Commission (FTC), *Cigarette Report for 2018*, 2019, <https://www.ftc.gov/system/files/documents/reports/federal-trade-commission-cigarette-report-2018-smokeless-tobacco-report-2018/p114508cigarettereport2018.pdf> [data for top 5 manufacturers only].

⁷ Zhu, S-H, et al., “Evolution of Electronic Cigarette Brands from 2013-2014 to 2016-2017: Analysis of Brand Websites,” *Journal of Medical Internet Research*, 20(3), published online March 12, 2018.

⁸ HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

⁹ Marynak, K., et al., “Exposure to Electronic Cigarette Advertising Among Middle and High School Students—United States, 2014-2016,” *MMWR* 67(10): 294-299, March 16, 2018, <https://www.cdc.gov/mmwr/volumes/67/wr/pdfs/mm6710a3-H.pdf>.

¹⁰ FDA, “Trump Administration Combating Epidemic of Youth E-Cigarette Use with Plan to Clear Market of Unauthorized, Non-Tobacco-Flavored E-Cigarette Products,” September 11, 2019, https://www.fda.gov/news-events/press-announcements/trump-administration-combating-epidemic-youth-e-cigarette-use-plan-clear-market-unauthorized-non?utm_source=CTPEblast&utm_medium=email&utm_term=stratout&utm_content=pressrelease&utm_campaign=ctp-vaping.

¹¹ Cullen, KA, et al., “e-Cigarette Use Among Youth in the United States, 2019” *JAMA*, published online November 5, 2019.

¹² FDA, “Modifications to Compliance Policy for Certain Deemed Products: Guidance for Industry, Draft Guidance,” March 13, 2019, <https://www.fda.gov/downloads/TobaccoProducts/Labeling/RulesRegulationsGuidance/UCM633281.pdf>.

for their current use of non-cigarette tobacco products, with 70.3% say they use e-cigarettes “because they come in flavors I like.”¹³

The Surgeon General has concluded that, “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”¹⁴ The manufacturer of JUUL, the most popular e-cigarette, claims that each JUUL pod contains as much nicotine as a pack of twenty cigarettes. Youth use of e-cigarettes also increases the risk for trying more dangerous combustible products. A 2018 report from the National Academies of Science, Engineering & Medicine found that “There is substantial evidence that e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults.”¹⁵ Therefore, it is critical for any policy restricting sales of flavored tobacco products to include e-cigarettes.

As the only flavored cigarette left on the market, it’s also no surprise that menthol cigarettes are popular among youth. Menthol cools and numbs the throat, reducing the harshness of cigarette smoke, thereby making menthol cigarettes more appealing to youth who are initiating smoking. As noted previously, young people who initiate using menthol cigarettes are more likely to become addicted and become long-term daily smokers.¹⁶

The industry wants to blame the users, to avoid further restrictions on the sale of their product.

A tactic used by the industry around the country is to encourage the penalization of youth who they have successfully addicted to their product through the introduction of youth possession penalties and criminalization. These policies do not work but allow the industry to ensure their users are hooked for life rather than accessing critical cessation and education programs that would lead to a decrease in customers.

The scientific evidence leaves no doubt that menthol cigarettes and other flavored tobacco products increase the number of people, particularly kids, who try the product, become addicted and die a premature death as a result. Prohibiting the sale of menthol cigarettes and other flavored tobacco products is an important step toward protecting our children from the tobacco industry’s aggressive efforts to hook children to a deadly, addictive product.

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

¹⁴ HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*.

¹⁵ National Academies of Sciences, Engineering, and Medicine (NASEM), *Public Health Consequences of E-Cigarettes*, 2018, <http://nationalacademies.org/hmd/Reports/2018/public-health-consequences-of-e-cigarettes.aspx>.

¹⁶ TPSAC, *Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations*, July 21, 2011.

This issue is about common sense and protecting our kids and vulnerable populations. By prohibiting adopting this policy would become one of only a handful of states that have already taking action to *end* the sale of flavored tobacco products. **Thank you for considering a strong and comprehensive policy. It will save lives.**

Sincerely,

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

Appendix

A1: Examples of Flavored Tobacco Products



Flavors Hook Kids HI- Supporting and Endorsing Organizations



A2: Flavors Hook Kids HI- Supporting and Endorsing Organizations

HEALTH ORGANIZATIONS

'Ohana Health Plan
Adventist Health – Castle
Akamai Recovery Maui
American Academy of Pediatrics – Hawaii Chapter
American Cancer Society Cancer Action Network (ACS CAN)
American Heart Association
American Lung Association
American Pharmacist's Association –
Academy of Student Pharmacists (APhA-ASP)
Big Island Substance Abuse Council
Blue Zones Project
Campaign for Tobacco-Free Kids
Coalition for a Drug-Free Hawaii
Coalition for a Tobacco-Free Hawai'i a program of Hawai'i Public Health Institute
Get Fit Kauai
Hamakua Kohala Health Centers
Hana Lima Physical Therapy
Hawaii Association for Health, Physical Education, Recreation & Dance (HAHPERD)
Hawaii COPD Coalition
Hawaii Dental Hygienists' Association
Hawai'i Nurses' Association
Hawaii Pacific Health
Hawaii Primary Care Association
Hawaii Public Health Association
Hui Malama Ola Na Oiwi
I Ola Lahui
Kaho'omiki; Hawaii Council of Physical Activity and Nutrition
Kapiolani Medical Center for Women & Children
Kauai Rural Health Association
Keiki Injury Prevention Coalition
Lāna'i Community Health Center
Malama Pono Health Services
National Community Pharmacist Association
Hawaii Student Chapter
Oahu Kidney Care LLC
Papa Ola Lōkahi
Pediatric Therapies Hawaii
Project Vision Hawai'i
Tobacco Prevention Project, Daniel K. Inouye College of Pharmacy
Waimānalo Health Center
West Hawaii Community Health Center
HEALTH & COMMUNITY LEADERS
Tina Alcain
Frank R. Baum, M.D.

YOUTH AND COMMUNITY ORGANIZATIONS

Ahuimanu Elementary's School Community Council
Alexander Academy of Performing Art
American Youth Soccer Organization (AYSO)
Association of Hawaiian Civic Clubs
Baldwin HS Peer Education
Big Island Interscholastic Federation (BIIF)
Bridge Club Hawaii
Hale 'Ōpio Kaua'i Inc.
Hawaii Appleseed Center for Law & Economic Justice
Hawaii Association of Independent Schools (HAIS)
Hawaii Children's Action Network
Hawaii Health and Harm Reduction Center
Hawaii High School Athletic Association (HHSAA)
Hawaii Job Corps Center
Hawaii Youth Services Network
Hui Ola Pono (UH Public Health's Student Organization)
Kauai Path Inc.
Kiwanis Club of the Valley Island
Konawaena HS Wellness Committee
Maui Economic Opportunity, Inc. (MEO)
Maui Interscholastic League (MIL)
Moanalua HS Peer Education Program
Pacific American Foundation
Parents for Public Schools Hawai'i
Pono Hawaii Initiative
The Food Basket, Hawaii Island's Food Bank
The Friends of Kamalani and Lydgate Park-Beach Cleanup Team
Waiakea High School PTSA
Waipahu Int. Youth for Safety Club
We Are One Inc.
ELECTED OFFICIALS & GOVERNMENT
Sen. Stanley Chang
Rep. Stacelynn Eli
Rep. Sharon Har
Maui County Councilmember Kelly King
Hawai'i County Councilmember Sue Lee Loy
Kuliouou-Kalani Iki Neighborhood Board #2
Makakilo/Kapolei/Honokai Hale Neighborhood Board #34
Makiki/Lower Punchbowl/Tantalus Neighborhood Board #10
Mililani/Waipio/Melemanu Neighborhood Board #25
Nanakuli-Mailii Neighborhood Board #36
Pearl City Neighborhood Board #21
Waipahu Neighborhood Board #22
County of Kauai Office of the Prosecuting Attorney
Department of Education

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

Office of Hawaiian Affairs (OHA)
SCHOOLS
Chiefess Kamakahahei Middle School
Damien Memorial School
Kamaile Academy
Maryknoll School
Maui Preparatory Academy
Mid Pacific Institute
Sacred Hearts Academy
Saint Louis Schools
Waiakea High School
Waimea Middle Public Conversion Charter School
BUSINESSES
Emma Whitney Photography
Ganesha Body Piercing
Heartlight Montessori Homeschool
Home Remedies Interior Design
Paia Tattoo Parlor
Shaka Tea
The Man Cave
The Root Cellar Studio Mau

HB-2347

Submitted on: 1/31/2020 7:33:28 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	aaup of hawaii	Support	No

Comments:

HB-2347

Submitted on: 1/31/2020 6:50:06 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Paglinawan	Vape Kings	Oppose	No

Comments:

Vaping has got me off of smoking cigarettes, I have gotten no draw backs. Not to mention, I feel better after vaping rather than smoking a cigarette which leaves filters everywhere I smoke. So not only is it cleaner for the island, and it saves on many paper products being thrown onto our island, but I'm saving the environment and money from the state and myself.



Tuesday, February 4, 2020
State Capitol, House Conference Room 329

To: Representative John Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair
House Committee on Health

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

Re: Strong Support of HB 2347, Relating to Flavored Tobacco Products

Kapi'olani Smokefree Families, the tobacco & nicotine cessation program at Kapi'olani Medical Center for Women & Children, **strongly supports HB 2347 to ban the sales of flavored tobacco products in Hawaii.**

At Kapi'olani Medical Center for Women & Children, we often treat pediatric and adult patients who are adversely affected by tobacco products in multiple ways. For the past few years, we have seen an increasing number of teenagers and young children coming in who are screening positive for e-cigarette or vape use.

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

One of the biggest concerns with e-cigarettes is the lack of longitudinal studies on health and safety of these products. It took decades for the harmful side-effects of combustible cigarettes to become well-known, and we do not want our youth to be the ones to suffer from any potential health effects of e-cigarettes or vape products. We cannot sit by as a generation of adolescents becomes addicted to nicotine because of these flavored products.

In the best interest of our local youth, we would like to request your **support of HB 2347** to ban flavored tobacco products. If the products cease to be appealing, are made more inaccessible, and more education is provided to our keiki about the health risks of using these products, we may help to avoid the damage caused by the tobacco and vaping industries.

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

Tuesday, February 4, 2019 at 8:30 AM
Conference Room 329

House Committee on Health

To: Representative John Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair

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

**Re: Testimony in Support of HB 2347, Proposed HD1
Relating to Flavored Tobacco Products**

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

I write in support of HB 2347, Proposed HD1 which would ban the sale of flavored tobacco products and prohibit the mislabeling of any e-liquid product containing nicotine as nicotine-free effective as of January 1, 2021.

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

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

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

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

Thank you for the opportunity to testify.



**Testimony to the House Committee on Health
Thursday, February 4, 2020; 8:30 a.m.
State Capitol, Conference Room 329**

RE: HOUSE BILL NO. 2347, PROPOSED HOUSE DRAFT 1, RELATING TO FLAVORED TOBACCO PRODUCTS.

Chair Mizuno, Vice Chair Kobayashi, and Members of the Joint Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** House Bill No. 2347, Proposed House Draft 1, RELATING TO FLAVORED TOBACCO PRODUCTS.

The bill, as received by your Committee, would:

- (1) Beginning January 1, 2021, prohibit:
 - (A) The retail sale, possession with the intent to sell, or offer for sale of a flavored product; and
 - (B) The mislabeling as nicotine-free, or sale or market for sale as nicotine-free, any e-liquid product that contains nicotine; and
- (2) Make any statement or claim directed to consumers or the public that an e-liquid or electronic smoking device accessory is flavored prima facie evidence that the product is a flavored tobacco product;
- (3) Allow the seizure, forfeiture, and destruction of any flavored product for electronic smoking devices found in a retailer's possession that is in violation of the above;
- (4) Establish civil penalties of \$500 for the initial violation, and not less than \$500 and not more than \$2,000 for any subsequent violation;
- (5) Provide that if this law conflicts with any rule or ordinance, the more stringent requirement will prevail; and

Testimony on House Bill No. 2347, Proposed House Draft 1
Tuesday, February 4, 2020; 8:30 a.m.
Page 2

(6) Take effect on July 1, 2020.

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

FQHCs have long seen first-hand how tobacco has literally destroyed the lives of our patients and their families. Because of the ubiquity of cigarettes, chewing tobacco, and now electronic smoking devices, the impacts of tobacco affect our citizenry on a generational basis with people experimenting at even earlier ages.

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

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiipca.net.

HB-2347

Submitted on: 1/30/2020 11:06:30 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kunitake	Individual	Support	No

Comments:

Please support HB2347.

Mahalo,

Caroline Kunitake

HB-2347

Submitted on: 1/31/2020 2:46:43 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Hawaii has among the highest rates of middle school and high school e-cigarette (ESD) use in the nation and it has been declared vaping a youth epidemic by the U.S. Surgeon General.

As a parent and health educator for the State Health Department, this is extremely concerning as there are numerous health impacts from e-cigarettes. Nicotine addiction affects kids' ability to focus and learn at school, it affects their emotions, it affects their relationships, and it affects their self-confidence. The list goes on. Further, once teens become addicted to nicotine, it's very difficult to quit. Teens are also particularly vulnerable to nicotine, which permanently impacts their still developing brain.

It's no coincidence that the rise in youth e-cigarette use has coincided with an explosion of sweet e-liquid flavors used to hook kids. Tobacco companies are making and marketing deadly and addictive products right here in Hawaii that look and taste like our favorite childhood flavors (Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Rolls, and Halawa Guava). They make these flavors to "hook" their next customers... Our youth! And it's not OK. Data has shown that 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes. Menthol flavors are particularly enticing, making menthol cigarettes another popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

We need to protect our keiki. The scientific evidence is clear, flavored tobacco products have the greatest appeal to youth and we must end the sale of these products.

HB-2347

Submitted on: 1/31/2020 4:27:56 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shelly Ogata	Individual	Support	No

Comments:

Rep. John Mizuno, Chair

Rep. Bertrand Kobayashi, Vice Chair

Committee on Health

Chair Mizuno and members of the Committee on Health:

FLAVORS MAKE IT EASIER TO START AND HARDER TO QUIT.

As a nurse and community member, it alarms me that Hawai'i has among the highest rates of middle school and high school e-cigarette use in the nation; the U.S. Surgeon General has declared vaping a youth epidemic. This is extremely concerning; there are numerous health impacts from e-cigarettes. Teens are particularly vulnerable to nicotine, which permanently impacts the developing brain.

It's no coincidence that the rise in youth e-cigarette use has coincided with an explosion of sweet e-liquid flavors used to hook kids. Tobacco companies are making and marketing deadly and addictive products right here in Hawai'i that look and taste like our favorite childhood flavors (Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Rolls, and Halawa Guava). Even my niece, who is part-Hawaiian and a junior in high school, got caught up in the flavors during middle school. She is one of the lucky ones who was able to side step out of the situation. Many other youth are not so fortunate.

81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes. Menthol flavors are particularly enticing, making menthol cigarettes another popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups. In Hawai'i, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes.

This issue is simple—we need to protect our keiki. The scientific evidence is clear, flavored tobacco products have the greatest appeal to youth and we must end the sale of these products.

Shelly Ogata, RN, MPH

HB-2347

Submitted on: 1/31/2020 7:46:25 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Holly t	Individual	Support	No

Comments:

Aloha my name is Holly Taguma from Kauai High School and I am in support of HB2347. I am sophomore this year and at my high school many kids vape in the bathrooms. However its the fruity or sweet types. I beilive that the only reason students or kids vape is because the fruity flavors attract them. This is not okay, we need to protect our youth because we are the next generation. If we banned flavored tobacco products I think vaping would be less of an interst to kids and decrease the number of kids that vape. Thank you for reading my testimony.

HB-2347

Submitted on: 2/1/2020 7:13:03 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

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

About 42% of Hawai'i high schools students report trying e-cigarettes, and this is a pathway to tobacco addiction. With flavors like Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum, the industry is clearly targeting our children. It's well-documented that menthol flavors are particularly enticing to teens who haven't previously used tobacco, as it has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes easier to start and harder to quit. Restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of addiction and subsequent disease, which is costly to the state.

Please support this bill.

HB-2347

Submitted on: 2/1/2020 7:29:19 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

02-01-20

RE: HB2347

I am in strong support of this Bill, which prohibits the sale and distribution of flavored tobacco products.

Data tells us that 8 in every 10 teens start smoking with a flavored tobacco product, and 42% of Hawai'i high schools students try e-cigarettes. I know there is an urgent need to act. With more than 15,500 flavors, like Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum, who is the industry really targeting?

I know it is well-documented that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco, as it has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes easier to start and harder to quit. It's clear that restricting the sale and distribution of flavored tobacco products, of what I know to be "kid-friendly flavors" that appeal to teens, even younger youth, is necessary to protect them from a lifetime of nicotine addiction.

John A H Tomoso+, MSW

51 Ku'ula Street, Kahului, HI 96732-2906

CC: CTFH-Maui

HB-2347

Submitted on: 2/1/2020 9:08:33 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Support. It's clear that restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

HB-2347

Submitted on: 2/1/2020 11:33:37 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

E-vapor flavor doesn't harm anyone. Don't ban the flavors people like.

HB-2347

Submitted on: 2/1/2020 11:39:59 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Mock	Individual	Support	No

Comments:

When I was a kid, I remember smelling cigarettes and thinking they smelled terrible and I vowed never to smoke because of that acrid, awful smell and to this day have never smoked a cigarette/tobacco.

With the invention of flavored products, the sweet smells and enticing flavors and names hook kids in a way that we have never seen before. I know as a young kid that I would have been drawn to those flavors and names myself and don't know if I would have been able to resist the draw of those sweet candy-like products.

I support HB2347 to give our children an addiction-free future.

HB-2347

Submitted on: 1/31/2020 7:47:35 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Harald Ebeling	Individual	Support	No

Comments:

Dear Chair, dear Committee Members,

I am writing to voice my strong support for HB2347.

Flavored tobacco products are highly efficient at attracting youth and first-time smokers, often leading to a life time of nicotine addiction. How could we possibly justify the sale of an inherently toxic and addictive product that masquerades as a sweet or tasty "treat"?

Please do your part to keep us healthy and ban flavored tobacco products.

Mahalo!

Harald

Date: February 1, 2020

To: The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members of the House Committee on Health

Re: **Strong Support for HB2347**, Relating to Tobacco Products

Hrg: February 4, 2020 at 8:30 AM in Capitol Room 329

Aloha House Committee on Health,

I am writing in **strong support of HB2347**, which bans the sale of flavored tobacco products.

Hawai'i is in the midst of an unprecedented youth vaping (nicotine addiction) epidemic and has one of the highest rates of youth e-cigarette use in the nation.

Due to the highly concentrated nicotine salt e-liquids available in a multitude of sweet flavors, these products are highly attractive to, and pose a huge risk of addiction and life-long impaired brain development for, our youth.

The reality is, **flavors hook kids**. More than 80% of kids who use e-cigs report having started with a flavored product. In research comparing vaping patterns, kids who use flavored products puff deeper and more often than when using unflavored products. More than 80% of kids who use flavored e-cigs say *they wouldn't vape if flavors were unavailable*.

And it not just the sweet flavors. Mint and menthol are especially insidious. Recent research finds that mint flavor is gaining popularity among high school students.

Menthol is an anesthetic compound found naturally in mint plants that provides a cooling sensation. Menthol is added to tobacco cigarettes to reduce the throat burn caused by smoking, making it easier for non-smokers to start smoking and get hooked on nicotine. Menthol also increases the satisfaction smokers experience while smoking. The prevalence of menthol cigarette smoking (and nicotine addiction) is highest among members of communities with significant health disparities, including native Hawaiians.

Tobacco industry proponents will say that flavored e-cigarettes should remain available to help smokers quit combustible tobacco cigarettes. But the reality is that for each adult who tries to quit smoking with e-cigarettes, 81 kids start using e-cigs. And, kids who use e-cigarettes are four times more likely to go on to smoking combustible tobacco cigarettes than kids who don't use e-cigs.

Under the HB2347 flavor ban, unflavored and tobacco-flavored e-cigarettes would remain available for adult cigarette smokers seeking to use e-cigs to quit smoking. Research finds that youth are not attracted to unflavored or tobacco-flavored e-cigs.

I **strongly support HB2347** and respectfully ask you to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Kea'au, HI

HB-2347

Submitted on: 2/1/2020 11:46:51 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cindy Nettles	Individual	Oppose	No

Comments:

HB-2347

Submitted on: 2/1/2020 1:47:06 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Abe	Individual	Oppose	Yes

Comments:

I'm Alex and I srongly oppose this bill!

HB-2347

Submitted on: 2/1/2020 5:03:11 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Austin	Individual	Support	No

Comments:

Please support this important bill, banning the sale of flavored tobacco products in Hawaii. These are clearly aimed at younger children and teens, and are completely inappropriate!

HB-2347

Submitted on: 2/1/2020 5:47:53 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

HB-2347

Submitted on: 2/1/2020 1:37:17 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

1. 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
2. Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
3. I oppose penalizing youth. We need to hold the industry accountable through regulations instead of punishing youth who have fallen prey to their predatory marketing tactics.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

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

Rick Collins, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm

Reduction Center

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the Great Northwest and

Hawaiian Islands

Residential Youth Services

& Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

February 2, 2020

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

Testimony in Support of HB 2347 Related to Flavored Products

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports HB 2347 Relating to Flavored Products.

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

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

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

808novape researchers have found that:

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

- 60% of teens believe occasional use of e-cigarettes does little to of harm
- 70% of middle and high schoolers have recently seen e-cigarette advertising

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

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive, flowing style.

Judith F. Clark, MPH
Executive Director

HB-2347

Submitted on: 2/2/2020 7:46:25 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:



HIPHI Board

Michael
Robinson, MBA, MA
Chair
Hawaii Pacific Health

JoAnn Tsark, MPH
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Medicine, Native Hawaiian
Research Office

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Bryan Mih, MD, MPH
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Medicine, Department of
Pediatrics

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

Garret Sugai
Kaiser Permanente

Catherine Taschner, JD
McCorriston Miller Mukai
MacKinnon LLP

Date: February 2, 2020

To: Representative John M. Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair
Members of the Health Committee

Re: Strong Support HB2347 Proposed HD1, Relating to Flavored
Tobacco Products

Hrg: February 4, 2020 at 8:30 am at Conference Room 329

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute¹ is in **Strong Support of HB2347, Proposed HD1** which would end the sale of all menthol and flavored tobacco products in the state.

This measure will help to save lives.

Tobacco use remains a serious threat to public health. Each year, Hawaii spends \$526 million in health care costs and \$141.7 million in Medicaid costs due to smoking. Tobacco products with menthol, sweet flavors, and colorful packaging are designed to attract teens and young adults. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product. A report by the U.S. Food and Drug Administration, issued in 2013, found that menthol cigarettes led to 1) increased smoking initiation among youth and young adults; 2) greater addiction; and 3) decreased success in quitting smoking. Candy flavors such as Fruit Hoops, Sour Straws, and Cookie Monsta are designed to appeal to kids, and make nicotine go down easier. With 81% of youth starting with a flavored productⁱⁱ, regulating the flavors designed to capture and addict new customers prioritizes the health and safety of our community over tobacco's special interests.

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

Hawaii is experiencing a vaping epidemic among our young people. The State Legislature has worked hard to protect our residents from the harms caused by tobacco use, but the rapid growth of e-cigarette use is alarming. With 42% of all high school students and 27% of middle schoolers reporting ever having used an "electronic vaping product" in 2017, we have an urgent need to act. More troubling is that because of

the historic declines in smoking, big tobacco has decided to focus on candy flavors and nicotine delivery solutions. Tobacco giant Altria, maker of Marlboro, is investing in the popular vaping company Juul, which has 76% of the e-cigarette market share and is worth \$16 billion.

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

The industry claims that they're not targeting kids, but their actions tell a different story. With over 15,500 e-cigarette flavors and growing, these products are not being responsibly marketed. The industry selects colorful packaging and ads that appeal to taste and pop culture. Tobacco companies have a long history of using these same tactics to entice new and younger users and make them repeat customers. Addiction is the opposite of freedom. We're fighting to keep our kids free from the deadly addiction to these products. The health of Hawaii's keiki must be protected from the predatory marketing of tobacco companies.

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

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

E-cigarettes are not FDA-approved tobacco cessation products.

We have yet to see any scientific evidence, beyond anecdotal data, that e-cigarettes have helped smokers to quit completely from tobacco use. The concern is that with the aggressive and deceptive marketing of these products, we are seeing other consequences: **1) people who have never smoked are using e-cigarettes, 2) children are picking them up as a path to smoking, and 3) smokers are using them to perpetuate their habit instead of to completely quit.** A study has shown that for every one adult that quits smoking using e-cigarettes, 81 youth who would not have considered smoking, will become cigarette smokers, starting with e-cigarettes^{iv}. This is not a trade-off we can accept. We need to take action and regulate electronic smoking devices for our kids.

Prohibiting the sale of flavored tobacco products can help to keep kids from ever starting to smoke or vape, and can encourage those addicted to these products, to quit. We appreciate Hawaii's leadership in tobacco control and the legislature's actions to protect our young people from a deadly addiction. We respectfully urge the committee to **pass HB2347, Proposed HD1.**

Mahalo,



Jessica Yamauchi, MA
Executive Director

ⁱ The Coalition for a Tobacco-Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute (HIPHI) that is dedicated to reducing tobacco use through education, policy, and advocacy. With more than two decades of history in Hawai'i, the Coalition has led several campaigns on enacting smoke-free environments, including being the first state in the nation to prohibit the sale of tobacco and electronic smoking devices to purchasers under 21 years of age.

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

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

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

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

HB-2347

Submitted on: 2/2/2020 11:18:03 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua Ching	Flavors Hook Kids HI	Support	No

Comments:

Aloha, my name is Joshua Ching, and I am a current high school student at Kamehameha Schools Kapalama. Although I am not able to testify in person, I would like to make it known that vaping is an issue that needs to be taken seriously and underscore the need for decisive action.

For many kids across the State of Hawaii, vaping is a part of everyday life. It's not unusual to walk through the halls of my high school and smell that distinct odor of e-cigarettes. It's not unusual to walk into a cloudy bathroom that was used as a hub for vaping a few minutes prior. It's not unusual to see students taking hits right in the middle of class. The vaping epidemic has wiggled its way into the underbelly of our state, infecting youth just like me every single day. 1 in 5 Hawaii middle school students currently vape and 1 in 4 Hawaii high school students do as well. But simple statistics can't quantify the gravity of the situation. E-cigarettes contain lethal chemicals, and among them include nicotine and formaldehyde. Most of the time, kids aren't aware that e-cigarettes contain these chemicals, and are often led to believe that it is a *safe alternative* to cigarettes. This couldn't be farther from the truth. A single Juul pod contains an amount of nicotine equivalent to an entire pack of cigarettes, and it's not unusual to see kids go through an entire pod in a day.

With that said, the tobacco industry is targeting the youth of our state, through means of creative marketing strategies, mainly through social media and the usage of flavors. Eye-popping and appealing flavors attract young people who would otherwise not have chosen to vape in the first place. Hawaiian POG, Moloka'i Hot Bread, and Haupia are popping up as e-cigarette flavors across the state, not only attracting specifically kids from Hawaii but creating a new generation of nicotine addicts. I've talked to several of my peers about what made vaping so great, and the common and resounding answer was the flavors. The accessibility of e-cigarette products and their flavors provides an easy venue for kids to obtain them. Throughout the past several years, both marketing and accessibility have created this epidemic, and at the heart of it all is simple inaction.

However, many e-cigarette companies have claimed that vaping products are intended to help adult smokers quit. Although that may be what they claim, a Dartmouth-Hitchcock Norris Cotton Cancer Center Study shows us that for every adult that uses vaping to quit, 81 young people that vape end up becoming a smoker. The damage has been done and will continue to be perpetuated if nothing is changed. The cycle is repeating itself, and a new generation of customers for Big Tobacco is being created. We aren't solving the problem; we're making it worse.

With the passage of HB2347 and the decisive ban of flavored tobacco products, we can take a significant step forward towards ending the detrimental cycle of teenage vaping. Small actions won't weather this behemoth of an issue. I hope that our state representatives will tackle this issue head-on, and fight for the vitality of this state's youth. We're counting on you.



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

February 2, 2019

Honorable Chair Representative John M. Mizuno
Honorable Vice-Chair Representative Bertrand Kobayashi
Members of the Committee of Health

RE: Strong Support of HB2347, banning sale of all flavored tobacco products **including** menthol and mint in Hawaii

Dear Representatives Mizuno, Kobayashi, and members of the Committee on Health

This measure is extremely critical to the health of the children of our state and our entire state as well. Please vote in favor of HB2347, banning all flavored tobacco products including menthol and mint in Hawaii.

I am Executive Director of the Hawaii COPD Coalition and serve over 45,000 Hawaii adults diagnosed with COPD in Hawaii (with an estimated equal number still undiagnosed). Chronic Obstructive Pulmonary Disease or COPD is an umbrella of diseases which include emphysema, chronic bronchitis and chronic asthma. Since 2007, I have worked in Hawaii, nationally and internationally with countless people who have had their lungs and lives horribly affected by tobacco and nicotine. Many of these people have become disabled and unable to perform jobs and hobbies they enjoyed, spending a lot more time and resources with healthcare providers than they or any of us would like.

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

All our young people deserve protection from a lifetime of addiction. Sadly, Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-cigarettes in the nation—15.7% of middle schoolers and 25.5% of high schoolers! This is extremely concerning since nicotine is known to be a HIGHLY addictive drug and impacts the developing brain.

Pediatricians have reported the brain continues to develop and grow until the young adult is 26 years old!

Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, such as the African American community. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes. In the Philippines, market share of menthol cigarettes was 55%. The consequences of this are that while nicotine and tobacco addiction are deadly for everyone, Native Hawaiians and Filipinos die at higher rates of lung cancer than other groups. Also, 81% of youth who have ever used tobacco products started with a flavored product and 97% of youth who vape say they use a flavored product.

Please help protect the lungs and lives of our children from these very harmful products that are spreading virally in our schools, from elementary through high school and beyond. We urge you to please vote in favor of HB2347 and pass it out of committee so it can become law. The Hawaii COPD Coalition thanks you very much for your careful consideration of this most important and timely bill.

Very truly yours,

Valerie Chang

Valerie Chang
Executive Director



Pono Hawai'i Initiative

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

Tuesday, February 4, 2020

Relating to Flavored Tobacco Products
Testifying in Support

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports HB2347 Relating to Flavored Tobacco Products**, which bans the sale of all flavored tobacco products, including menthol products.

In the last few years the sale of traditional tobacco products has decreased while the sale of electronic smoking devices has grown. Federally, flavored tobacco products, excluding menthol are prohibited however only cigarettes, roll-your-own tobacco, and smokeless tobacco are subject to that regulation. Flavored products entice younger users and mask the harshness and taste of tobacco smoke.

Other jurisdictions have paved the way and introduced legislation to regulate the sale of flavored tobacco products. There is no reason that Hawai'i cannot be next.

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

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



TO: Hawaii House Committee on Health
RE: HB 2347 - Potential ban on the sale of menthol cigarettes
DATE: January 31, 2020

Dear Committee Members:

JT International U.S.A., Inc. ("JTI USA"), an importer and distributor of tobacco products based in Teaneck, NJ, believes that tobacco products carry risks to health. On behalf of our employees, retailers and adult consumers, I am writing to state our opposition to the proposed bill seeking to ban the sale of menthol cigarettes in Hawaii.

JTI USA takes the issue of youth access seriously and believes, unequivocally, that minors under the legal purchase age should not have access to tobacco products, irrespective of the flavor they are offered in. As a part of our efforts, we support stringent age verification enforcement and participate in efforts to increase compliance training and educational resources at retail as a member of the *WeCard* Manufacturer Advisory Council.

We have consistently supported proportionate regulation that is based on evidence and sound science. However, the currently contemplated legislation seeking to ban mentholated cigarettes in Hawaii is not based on sound, scientific evidence and could cause a host of unintended consequences.

Critically, the proposed ban would have catastrophic effects on Hawaii's fiscal position. Menthol cigarettes are estimated to represent more than a third of the cigarettes purchased in the state. In eliminating menthol cigarettes from the market, the state will lose out on substantial tax revenue, both excise and sales. Not only would this create an immediate budget shortfall in the short-term, it would also see the state struggle to pay off bonds that have been secured against cigarette tax revenue.

Further, minors are already prohibited from purchasing tobacco products of any type. Rather than prohibiting adult smokers from legally purchasing menthol cigarettes, we encourage the authorities to focus on enforcing the minimum purchase age and other restrictions already in place to ensure that no minor can access or consume any tobacco products.

There is no evidence that tobacco users find it more difficult to quit tobacco products that contain menthol than those that do not. Similarly, there is no evidence that the use of menthol in tobacco products plays any role in minors' experimentation with smoking.

Any efforts to prevent youth access cannot be responded to by simply banning entire product categories where underage sales are already prohibited. Instead, we believe the most effective method of countering youth access to tobacco products would be to implement mandatory ID checks on all tobacco purchases, irrespective of age, retail location or product type.



Furthermore, the FDA, has already chosen to reexamine the issue of menthol cigarettes and to deliver a science-based regulation as part of its comprehensive nicotine control framework. As the FDA has already announced plans to move forward with a proposed rule on this topic, we believe similar plans at a state level would amount to duplicative overregulation.

Rather than a wholesale ban of an entire category, we urge the state to consider mandating ID checks, as we believe this is a more effective means by which to curtail youth access to tobacco products.

Finally, the proposed legislation will not work.

Banning menthol cigarettes in Hawaii will simply push the existing demand for these products across state lines, where Hawaii consumers have ready access to them. Once adult consumers are incentivized to cross state lines to purchase the tobacco products they prefer, they will likely begin purchasing other associated products, such as gas and groceries, as well. The result is an even greater decline in tax collections from the decreased sale of associated products.

Worse, this could open Hawaii up to illicit sales of menthol cigarettes by criminals, who have no regard for the law, regulatory compliance or age verification.

Rather than severely restricting the ability of adult smokers to legally purchase menthol cigarettes, we encourage the authorities to focus on enforcing the minimum purchase age already in place, and to consider implementing mandatory ID checks to ensure that no minor can access or consume tobacco products.

It is on behalf of our employees, customers and adult consumers that we advocate this legislation be abandoned and we remain at your disposal to discuss any aspect of this letter. We look forward to being part of the debate around eradicating youth access to tobacco products in Hawaii.

Best regards,

A handwritten signature in black ink, appearing to read 'M. Maron', is written over the typed name and title.

Michele Maron

Corporate Affairs and Communications Manager

HB-2347

Submitted on: 2/3/2020 9:12:12 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shelley Fey	HAHPERD	Support	No

Comments:

As a physical educator and member of HAHPERD (Hawaii Association for Health, Physical Education, Recreation and Dance), I support HB 2347 wholeheartedly as it speaks to the enticement of our youth to engage in an unhealthy habit, one that is long-lasting and endangers their long-term health as well as the health and wellness of those around them. Flavored inhalants only multiply the number of youth that experiment and unknowingly, get hooked. Please support this bill as it removes one piece of the puzzle that draws adolescents and younger children towards choosing to vape.

Mahalo,

Shelley Fey

HAHPERD Board member (Secretary)

February 3, 2010

RE: HB 2347

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

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

We strongly support of **HB 2347**, which would end the sale of flavored tobacco products, including flavored e-liquids and method cigarettes. As such, we urge you to pass this Bill.

Thank you very much for allowing us to testify.

Paula Adams

Ray L'Heureux

Michael Broderick

Daniel Leung

Joy Barua

May Okihiro

Susie Chun Oakland

Diane Tabangay

Jennifer Dang

Tina Tamai

Stacy Evensen

HB-2347

Submitted on: 2/2/2020 9:58:49 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Castro	Individual	Support	No

Comments:

I support this bill completely. It's time to take on this industry that lies and perpetuates unhealthy lifestyles. The health risk posed to our youth, especially with their brains in such a developmental state, is something that our government must take a stand against.

HB-2347

Submitted on: 2/2/2020 9:00:47 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

A ban on flavored tobacco is an attack on our liberties.

HB-2347

Submitted on: 2/2/2020 10:25:44 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

February 2, 2020

Strong Support of HB 2347 RELATING TO FLAVORED TOBACCO PRODUCTS.

To the House of Representatives

Hrg: Tuesday, February 4, 2020, 8:30 a.m., Conference Room 329

I strongly support HB 2347 RELATING TO FLAVORED TOBACCO PRODUCTS, which would Ban the sale of flavored tobacco products.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

Again, I strongly support HB 2347 RELATING TO FLAVORED TOBACCO PRODUCTS and ask you to pass this out of committee.

Sincerely,
Jessica Cambra ~mother of 3 Maui boys
101 Kealahilani Street
Kahului HI 96732
808-280-0055

HB-2347

Submitted on: 2/2/2020 1:16:37 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kimo Cruz	Individual	Oppose	Yes

Comments:

HB-2347

Submitted on: 2/2/2020 2:14:52 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dallas Nelson	Individual	Oppose	Yes

Comments:

So nasty to people who vape. This bill lacks any logic.

HB-2347

Submitted on: 2/2/2020 4:01:06 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Committee: House Health Committee

Hearing Date/Time: Tuesday, February 4, 2020 at 8:30AM

Place: Conference Room 329

Re: Testimony of Judith Armstrong in Support of HB2347, Relating to Health

Dear Chair John M. Mizuno, Vice Chair Bertrand Kobayashi, and members of the Committee on Health:

I, Judith Armstrong, am writing in support of HB2347, which would Prohibit the sale and distribution of flavored tobacco products. It seems obvious to me that these products were created by the tobacco industry to lure our young people into a life of smoking. As a reformed smoker who knows how hard it is to kick the habit I feel the sale of these products should be stopped.

For the above reasons, I ask the Committee to support this measure. Thank you for the opportunity to testify.

Sincerely,

Judith Armstrong

1717 Ala Wai Blvd
Apt 3006
Honolulu, HI 96815

HB-2347

Submitted on: 2/2/2020 9:50:25 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

My name is Logan Lau and I am from 'Āina Haina. I am currently a sophomore in high school and am testifying in strong support of the bill HB2347.

Although I cannot be here to testify in person because I am currently at school, I believe that this bill must be passed for three main reasons.

First, flavored tobacco products entice younger generations which causes an influx of younger vape and e-cigarette users. Currently, the percentage of high school students who vape is on the rise with polls averaging around 40%. Which is nearly a 30% increase from just two years ago.

Secondly, flavored tobacco products may have started with the intention of being an alternative to smoking which could decrease the number of smokers however it has miserably failed. Instead of encouraging smokers to quit and use vapes companies like JUUL are encouraging younger generations to start vaping, which we know can become highly addictive and lead to smoking. It is clear that these flavored tobacco products are completely counterproductive in their intentions.

Lastly, a real-life, personal example of the effects of teen vaping. Recently my mother's co-worker who is a nurse opened up about her son and his struggle with vaping. It all started when he was a student at Kalani High School and he began to vape using various flavors that made vaping look very appealing. However, this soon turned into a serious addiction and his previous straight A's and 4.0 GPA began to take a swift downturn. Despite this, he was able to get into USC however, within the first quarter that he was there he was introduced to weed and marijuana and was instantly hooked. Now he has dropped out of a great college, has a serious addiction, mental illness, and is currently in drug rehab. I had a chance to talk to him and ask him what happened to his life, and where it went wrong. He responded saying, it all started when he began vaping and got hooked on its flavors.

Thus, I stand in strong support of the bill HB2347, because flavored tobacco products target younger generations enabling a whole generation of addiction, because flavored tobacco products are counterproductive, and because these stories of how vaping ruins people's lives are all too common.

Thank you

HB-2347

Submitted on: 2/2/2020 9:54:30 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Dear Representatives:

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

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

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

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

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

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

Mahalo for your consideration and support of this important measure.

Sincerely,

Bryan Mih, MD, MPH, FAAP

Pediatrician

Testimony Presented Before the
House Committees for Health and Lower & Higher Education
Hearing Date: Tuesday, February 4, 2020

HB 2347 - Relating to Vaping

Chairs Woodson and Mizuno, Vice Chairs Hashem and Kobayashi, and Members of the committees:

I am writing in **strong support** of HB2347.

As a physician, I believe that preventing kids from vaping is the most important public health intervention of our generation.

With 42% of Hawai'i high school students trying e-cigarettes, we have an urgent need to act!

Of the youth who use tobacco products, 81% started with a flavored product, and more than half of youth smokers use menthol cigarettes.

Therefore, we have to stop kids from getting hooked on these dangerous products.

Thank you for the opportunity to provide testimony.

Kelley Withy, MD, PhD

HB-2347

Submitted on: 2/2/2020 11:14:27 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elijah Carigon	Individual	Support	No

Comments:

Dear Hawaii State Legislature,

My name is Elijah Carigon and I am a senior at Waiakea High School in Hilo. I am writing to you in testimony of HB2347 and my strong support for this bill.

I believe the youth of Hawaii are tremendously impacted by the effects of vaping, in particular, the flavors used to entice young users. Although the use of traditional cigarettes is quite low among the youth of Hawaii, the use of e-cigarettes and vaping devices is at an all-time high. Flavors are the primary reason why young people are enticed to start vaping.

The US Surgeon General, CDC, and FDA have declared that vaping among youth to be an epidemic. Currently 97% of youth who vape report that they use a flavored product and 81% of youth who have used tobacco products actually started with a flavored one. Additionally, and most importantly, in Hawaii, 1 in 4 high school students vape while 1 in 5 middle school students vape.

As a student, I can honestly say that vaping is a major problem among young people here in Hawaii. In my school, students are constantly trying to find ways to vape. They do it in the bathrooms and other locations throughout the school. My mom is a middle school teacher in Hilo and she sees that vaping is a huge problem among the students at her school. Students as young as 11 years old are getting hooked on vaping and it is mainly due to the flavors.

Young people really are the ones being targeted by the tobacco industry. With flavors such as sour patch, cotton candy, green apple, mango, and bubble gum, it is easy to see just exactly who the tobacco industry is going after. These flavors make it very easy and appealing for youth, basically children, to start vaping and soon become addicted to nicotine. Besides the life-impacting effects of nicotine addiction, other toxic chemicals are found in vaping such as formaldehyde, arsenic, and lead among several other toxins.

My sincere plea to you, on behalf of my peers, the youth of Hawaii, is to vote in support of HB2347.

Thank you very much for your strong consideration of my testimony.

Sincerely,

Elijah Carigon

HB-2347

Submitted on: 2/3/2020 2:44:55 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Azuma Chrupalyk	Individual	Support	No

Comments:

Petition to Submit Testimony in Support of HB2347

Petition summary and background:	As Registered Dental Hygienists in the state of Hawaii, we are concerned that electronic smoking device (ESD) use among youth in Hawaii has reached epidemic levels. The toxic combination of nicotine and enticing flavors have made ESD use a preferred choice when compared to other tobacco products (ex. cigarettes). As oral health educators, it is our duty to inform our patients of the risks caused by smoking/vaping tobacco products (oral cancer, periodontal disease, tooth loss). We can avoid future nicotine addiction of our youth by addressing the problem now.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now to SUPPORT HB2347 and ban the sale of flavored tobacco products in an effort to stop this addicting behavior for the sake of our youth.

Printed name	Signature	Address	Comment	Date
Christopher Gamboa, RDH	gamboac@hawaii.edu			
Jennifer Takata, RDH	jen.takata@gmail.com			
Catherine Nakamura, RDH	katynak@yahoo.com			
Darlee Motosue, RDH	dkmotosue@yahoo.com			
Justin Larson, RDH	stanton6@hawaii.edu			
Jason Wolf, RDH	wolfrdh@gmail.com			
Linda Austin, RDH	wlmbooks@gmail.com			
Ariel Ita, RDH	ariel1214@yahoo.com			
Shyla Fermahin, RDH	shylakf@hawaii.edu			
Kristin Gastineau, RDH	rdh@gmail.com			
Teri Matsumura, RDH	tealent@aol.com			
Michelle Sherman, RDH	michelleraesherman@gmail.com			
Marcie Wong, RDH	marz656@hotmail.com			
Daphne Yoshikawa, RDH	aleasfrd@yahoo.com			
Lori Tamayori, RDH	misoyucky@gmail.com			
Lindsey Serapion Peralta, RDH	serapionperalta@gmail.com			
Rhonda Tengan, RDH	rhondah212@gmail.com			
Grace Gamboa, RDH	strwbrymochi@gmail.com			
Kim Schneider, RDH	kschneider@hawaii.rr.com			
Marilyn Nonaka, RDH	texaninhawaii@gmail.com			
Stacy Matsuyama Sekioka, RDH	stsekioka@gmail.com			

Printed name	Signature	Address	Comment	Date
Tabitha Kukahiko, RDH	tabitha4avon@yahoo.com			
Holly Williams Hernandez, RDH	Holly11williams@gmail.com			
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Anna Akaka, RDH	annaakaka@gmail.com			
Candace Kawakami, RDH	denniskawakami@hawaii.rr.com			
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Nancy Tran, RDH	trann@hawaii.edu			
Kristine Aguon, UHHD student	kaguon@hawaii.edu			
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Nora Macaraeg, RDH	noramac1500@yahoo.com			
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Kristine Osada, RDH	kmosada@gmail.com			
Jessica Lozano, RDH	jes_lozano@yahoo.com			

Printed name	Signature	Address	Comment	Date
Gayle Chang, RDH	gchang50@gmail.com			
Mikiel Lina Agoy, RDH	m.linardh@gmail.com			
Lisa Forbes, RDH	lisa.forbes411@gmail.com			
Christen Coloma, RDH	christen.coloma@gmail.com			
Diana Santiago, RDH	dianafs7@hawaii.edu			
James Ruiz, RDH	james.amdc@gmail.com			
Michelle Ah Sam, RDH	mdahsam@hawaii.edu			
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Lisa Lee, UHDH student	lee48@hawaii.edu			
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Sandra Boggects, RDH	girlfriend1969@aol.com			
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Lehua Bolton, RDH	lehuakaala@yahoo.com			
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Vicki Phan, RDH	vickikuu@gmail.com			
Jackolyn Valenzuela, RDH	aloha.rdh@juno.com			
Kathy Oide, RDH	gkoide@hotmail.com			
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Mindy Otake, RDH	mindybatt54@gmail.com			
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Antonia Harrison, RDH	ninasant@hotmail.com			
Melinda Lau, RDH	mellau@gmail.com			
Jennifer Pirie, RDH	jrpirie@gmail.com			
Loreizl Cahinhinan, RDH	loreizl1@gmail.com			

HB-2347

Submitted on: 2/3/2020 9:12:08 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Companies shouldn't target children because it's pretty much ruining childrens lives just for money.

like how dare you. 7th grader meleana

HB-2347

Submitted on: 2/3/2020 9:16:08 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jake lowery	Individual	Support	No

Comments:

I am a 7th grade student and i think tobaco should not be targetting children. Fun flavors attract kids like me. Elementary kids really like cotten candy flavor. Adults don't. Even menthol flavor is fun for teens. All of these flavors and advertising should not be available to kids, but they are. Please help us stop this problem.

HB-2347

Submitted on: 2/3/2020 7:07:06 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

This is a no-brainer. How many more teens do we have to get addicted to or die before something is done? Do the right thing and ban flavored vape juice.

HB-2347

Submitted on: 2/3/2020 9:18:14 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cherish-piimauna-beck	Individual	Support	No

Comments:

ALOHA!! Im a 7th grade student and I think that tabaco should not target kids my age because there to young to start smoking tabaco.I know that many kids other schools smoke tabaco because of the smell or the flavor like unicorn tears,cotton cand i dont no but i here that many kids like it to make them popular and just know that if people dont accept you for who you are then accept your self for who you want to be in the futur that means no to smoke tabaco.

HB-2347

Submitted on: 2/3/2020 9:26:26 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
J-Lah Sinenci	Individual	Support	No

Comments:

hi im a 7th grade student at hana school and i think vaping is just targeting kids mostly.

HB-2347

Submitted on: 2/3/2020 9:28:54 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
koalii shamblin	Individual	Support	No

Comments:

Vapes shouldnt be sold or being givin to children because it can hurt them really bad and give them popcorn lungs and make them not breathe and die or pass out and get them hospitalized

HB-2347

Submitted on: 2/3/2020 9:31:34 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Aloha my name is Talimai im a 7th grader who beleives vaping is targeting young children and trying to sell vapes to little children.

HB-2347

Submitted on: 2/3/2020 9:36:37 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

I am a 7th grade student. Vaping or smoking in any way makes your lungs look like a raizen and it could have some bad consequences like lung cancer and when it comes to vaps and the nicatin inside is really bad for kids.

HB-2347

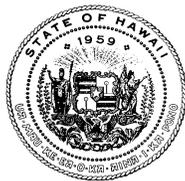
Submitted on: 2/3/2020 9:25:09 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
janaiah kaupe	Individual	Support	No

Comments:

Aloha i am a 7th grade student that thinks tabacco/vaping company's should not be allowed to target children because of causes with death and being led sick or into the hospital . tabacco can cause your lungs to collapse or can cause popcorn lungs . vaping can lead to having vapor smoke in your lungs and can also cause yellow/rotten teeth along with tabacco .



**STATE OF HAWAII
DEPARTMENT OF HEALTH**

P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of H.B. 2347, Proposed H.D. 1
RELATING TO FLAVORED TOBACCO PRODUCTS**

REPRESENTATIVE JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: February 4, 2020

Room Number: 329

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

4 **Department Testimony:** The DOH supports House Bill 2347, Proposed House Draft 1 (H.B.
5 2347, Proposed H.D. 1), which makes it unlawful to sell, offer to sell, or possess with the intent
6 to sell, or offer to sell, any flavored tobacco product, including menthol in the State. The
7 Department supports H.B. 2347, Proposed H.D. 1 as a measure to address the growing and
8 unprecedented youth electronic smoking device (ESD) epidemic in Hawaii.

9 Since the 2018 U.S. Food and Drug Administration (FDA) and Surgeon General
10 declaration of the youth e-cigarette epidemic, use among young people continues to rise. By
11 2019, 27.5% of high school students nationally reported vaping compared to 20.8% in 2018¹.
12 These figures represent a doubling of e-cigarette use between 2017 and 2019 for high schoolers
13 (11.7% to 27.5%) and tripling of use for middle schoolers (from 3.3% to 10.5%)². In total
14 numbers, 4.1 million high school youths and 1.2 million middle school youths said they currently
15 use e-cigarettes³. Hawaii youth in 2017 had amongst the highest ESD rates in the nation, with
16 25.5% high school, and 15.7% middle school students reporting regular use.⁴

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

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

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

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

1 The recent FDA announcement was not a ban on the availability of all flavored tobacco
2 products. Instead, products that are not legally on the market are being prioritized by the FDA
3 for enforcement. Since only flavored cartridge-based ESD products excluding tobacco- or
4 menthol-flavored are part of the announcement, flavored disposable and refillable ESDs remain
5 on the market. None of the ESDs on the market now have gone through premarket authorization
6 to determine public health risks and benefits to the population as a whole, including whether
7 non-tobacco users will start using the new products⁵.

8 Scientific studies are increasingly documenting that flavors are a major reason that youth
9 use tobacco. According to the 2013-2014 Population Assessment of Tobacco and Health
10 (PATH) study, 81% of 12-17-year olds, who had ever used a tobacco product, initiated tobacco
11 use with a flavored product. Additionally, 80% of current users had used a flavored product in
12 the last month.⁶ In 2019, the large majority of youth ESD users reported use of flavors, with
13 fruit, menthol or mint, candy, desserts, or other sweets being the most commonly used^{7,8}.
14 According to the same research, mint and menthol went from being among the least popular to
15 among the most popular flavors for high school students over the past four years⁹. Data from
16 another 2019 study revealed that the most popular flavor among 10th and 12th grade Juul users
17 was mint¹⁰. These data illustrate that trends among youth users of flavored e-cigarette products
18 change quickly and therefore must be addressed swiftly.

⁵ U.S. Department of Human Services, FDA, Center for Tobacco Products, Enforcement Priorities for Electronic Nicotine Delivery Systems (ENDS) and Other Deemed Products on the Market Without Premarket Authorization, Guidance for the Industry, January 2020, FDA-2019-D-0661: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/enforcement-priorities-electronic-nicotine-delivery-system-ends-and-other-deemed-products-market>

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

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

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

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

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

1 It is well documented that flavors facilitate youth initiation of tobacco use, which can
2 expose the developing brain and body to the harmful effects of nicotine. The former FDA
3 Commissioner stated, “No child should be using any tobacco or nicotine-containing product. We
4 need to do everything possible to reverse the alarming trend of rising youth use of novel products
5 like e-cigarettes and help kids who may already be addicted.”¹¹ The DOH supports this measure
6 as both a health and social justice issue to protect the next generation from a lifelong addiction to
7 tobacco use.

8 Thank you for the opportunity to testify.

9 **Offered Amendments:** The Department supports the Proposed H.D. 1 that includes
10 clarifying language to H.B. 2347.

¹¹ Press Announcement; Statement from FDA Commissioner Scot Gottlieb, MD, on the agency’s continued efforts to address growing epidemic of youth e-cigarette use, November 2, 2018.

HB-2347

Submitted on: 2/3/2020 9:42:41 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laksmi M Abraham	Blue Zones Project - Central Maui	Support	No

Comments:

Aloha and Good Morning –

My name is Laks Abraham and I'm the Community Program Manager for Blue Zones Project – Central Maui. I writing today in support of HB2347, relating to flavored tobacco products.

This is a national concern, which prompted a statement released from FDA Commissioner Gottlieb, on steps to address the national epidemic of youth e-cigarette use. The commissioner quotes, "I use the word "epidemic" with great care. E-cigs have become an almost ubiquitous – and dangerous – trend among teens. The disturbing and accelerating trajectory of use we're seeing in youth, and the resulting path to addiction, must end." I'm sharing this with you because we, as a community are facing this epidemic right here in Maui County, rearing some of the highest youth vaping usage rates in the nation.

Blue Zones Project Hawaii will continue to support legislation to protect our keiki from tobacco products and continue to encourage smoke-free lifestyles and preventive measures for youth vaping.

Flavored tobacco products are intended to attract and addict youth to tobacco, which is wrong. It's as simple as that. Please support HB2347 and ensure our keiki are protected from big tobacco and help us work to decrease youth vaping in Hawaii. Mahalo!

Laksmi Abraham, Community Program Manager

Blue Zones Project – Central Maui

HB-2347

Submitted on: 2/3/2020 10:04:55 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Hagan	Individual	Support	No

Comments:

As a parent, nurse, and teacher in Maui, I am strongly in SUPPORT of the Flavored Tobacco Ban. We have an epidemic in youth vaping/e-cigarette use in Hawaii and statistics show that 81% of youth who vape say that they started with a flavored product. The sweet flavors- some of them locally themed like Maui Mango and Hawaiian POG and coming in deceptive packaging that looks like candy- lure kids in, decrease perception of harm, and then they become addicted to nicotine. Menthol is another flavor popular with those trying tobacco for the first time due to its cooling properties. Furthermore, menthol has historically targeted vulnerable groups and is popular amongst Native Hawaiians and Pacific Islanders, making it a social justice issue as well as a public health one. The health risks of e-cigarettes are well documented as are the disruptions to classes and schools. We have an opportunity to intervene in this unfolding public health crisis in Hawaii by passing this bill to protect our keiki. As the parent of a soon-to-be 11 year-old starting middle school this Fall, there is no time to delay.

Mahalo,

Kathleen Hagan, MS, APRN, ANP-BC



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

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Toby Taniguchi, KTA Superstores, *Advisor*

TO:
Committee on Health
Rep. John M. Mizuno, Chair
Rep. Bertrand Kobayashi, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: February 4, 2020
TIME: 8:30am
PLACE: Conference Room 329

RE: HB2347 Relating to Flavored Tobacco Products

Position: Oppose

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

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

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

This bill unfairly targets and penalizes adults who choose to use certain types of products, and the business that serve these customers. We thank you for the opportunity to testify.

HB-2347

Submitted on: 2/3/2020 10:18:32 AM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Hawaii Smokers Alliance	Oppose	No

Comments:

We strongly oppose this bill. Adults should be able to make the choice to vape or enjoy flavors themselves.



**American
Heart
Association.**

American Heart Association Testimony Supporting HB 2347, Proposed HD1, “Relating to Flavored Tobacco Products,”

Chairman of the Board

Glen Kaneshige

President

Kahealani Rivera, MD

Board Members

Rick Bruno, MD, FACEP

Jackie De Luz

Brandt Farias

Jason Fujita

Mimi Harris

Brandon Kurisu

Michael Lui, MD

Arnold Martines

Michael Rembis, FACHE

Andrew Rosen

Timothy Slottow

Jennifer Walker

Serving Hawaii since 1948

Mission Statement:

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

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

Office: (808) 377-6630

Fax: (808) 524-0556

Neighbor Islands:

Served by the Oahu office

The American Heart Association supports HB 2347, Proposed HD1 “Relating to Flavored Tobacco Products.”

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

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

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

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

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

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

Some U.S. smokers have used e-cigarettes to quit, but a growing body of studies shows that approach doesn’t work for many people. They cut back, but they still smoke while

vaping and they remain addicted. That's called "dual use" in public health literature. The dangers of cigarettes remain, with the added dangers of e-cigarette use. The American Heart Association advises anyone quitting smoking to get off nicotine products altogether, using FDA-approved tools proven to be effective. We also don't want anyone to ever start any nicotine-containing product.

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

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

Menthol cigarettes are used at disproportionately higher rates by racial and ethnic minority smokers, including Native Hawaiians and Filipinos, and Asian Americans. Also, approximately 71 percent of all young LGBT smokers use menthol cigarettes. At least half of all teen smokers use menthol tobacco products. Use of menthol products is also prevalent among non-minority youth and those making less than \$10,000 per year. A convincing body of evidence has shown that tobacco-related health disparities are exacerbated by targeted marketing in minority areas and the consumption of menthol tobacco products. Internal tobacco industry documents show that tobacco companies have a long history of using flavors, including menthol, to reduce the harshness of their products to make them more appealing to new users, almost all of whom are under age 18. The FDA's Tobacco Products Scientific Advisory Committee noted that "Menthol cannot be considered merely a flavoring additive to tobacco. Its pharmacological actions reduce the harshness of smoke and the irritation from nicotine." The Committee concluded:

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

The number of flavored tobacco products on the market increased

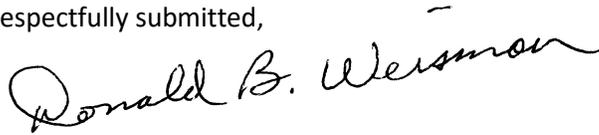
substantially after flavored cigarettes were banned. After the 2009 federal ban on flavored cigarettes (excluding menthol cigarettes) took effect, the tobacco industry started producing different types of flavored tobacco products that were not subject to the prohibition. This led to the rise in the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

In Hawaii alone, tobacco use claims 1,400 lives each year and creates \$526 million in annual health care costs directly caused by smoking (\$141.7 million of that is covered by the state Medicaid program). Hawaii residents' state & federal tax burden from smoking-caused government expenditures is \$836 per household. Hawaii's estimated tobacco tax revenue, estimated to be approximately \$110 million per year, does not come close to offsetting the losses to the state caused by tobacco use.

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

The American Heart Association asks for your support of HB2347, proposed HD1.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive style with a horizontal line above the name.

Don Weisman

Hawaii Government Relations/Communications Director

February 3, 2020

TO: Chair John M. Mizuno and Members of the House Committee on Health

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

RE: **HB 2347** - Relating to Flavored Tobacco Products
Hearing Date: February 4, 2020
Time: 8:30 pm

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

CAA **opposes HB 2347** which seeks to ban the sale of flavored tobacco products including cigars. The primary focus of this bill is to address the rising use of flavored tobacco products especially in electronic smoking devices by youth in Hawaii. Cigars are primarily the choice and custom of mature, responsible and informed adults. Cigars are not the tobacco product of choice of Hawaii's youth. Any ban on flavored tobacco products should exclude cigars.

Thank you for considering this testimony.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
Hana High & Elementary School
P.O. BOX 128
HANA, HAWAII 96713

Aloha,

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

Our community is predominantly Native Hawaiian, data shows that our people have the highest use rate in our state. Something more has to be done to turn the tide away from these harmful devices.

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

Me ka mahalo,

Moani Aiona

Moani Aiona, School Counselor
Hana High & Elementary School

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Civil Rights Compliance Office	Civil Rights Compliance Office
Hawaii State Department of Education	Hawaii State Department of Education
P.O. Box 2230	P.O. Box 2230
Honolulu, Hawaii 96804	Honolulu, Hawaii 96804
(808) 586-3322 or relay	(808) 586-3322 or relay
crco@notes.k12.hi.us	crco@notes.k12.hi.us



HAWAII SUBSTANCE ABUSE COALITION

HB2347 Ban the Sale of Flavored Tobacco

COMMITTEE ON HEALTH:

- Rep. John Mizuno, Chair; Rep. Bertrand Kobayashi, Vice Chair
- Tuesday, Feb. 4th, 2020: 8:30 am
- Conference Room 329

Hawaii Substance Abuse Coalition Supports HB2347:

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

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

- Given the historic rise in e-cigarettes by youth, banning the sale of flavored tobacco products can help to reduce the danger to children from vaping, which is a growing major public health concern.

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

HB-2347

Submitted on: 2/3/2020 12:25:09 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ho'ola'i fillazar	Individual	Support	No

Comments:

Im a 7th grade student and i dont think the tabaco company should target us childeren becuse if us kids start vaping or smoking cigarettes there gonna get addicted and cant stop and there gonna keep on doing it until they die and the reason there gonna be dead is because of all those things they ur smoking like the vapes and the ciggerets.And vapes have all kinds of thing in there liquid like hair spray,gasoline,clorox,laundry diturgent.And all that bad stuff can make ur lungs callaps.

HB-2347

Submitted on: 2/3/2020 12:27:13 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
nanea morton	Individual	Support	No

Comments:

My name is nanea morton and i am a seventh grader in hana school and i think that tobacco coupanys sould NOT be targiting kids my age and lower. many kids in my community can get tobacco very easily

HB-2347

Submitted on: 2/3/2020 12:29:20 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nedabiah hoopai-feliciano	Individual	Support	No

Comments:

I'm a 7th grader and I think the tabaco company should not target us children because if us kids start vaping or smoking cigerettes there gonna get addited to it and can't stop doing it also they will be doing it until they die.They will be dead because they were smoking sooo much of cigerettes and vapes. Also, because they would be a bad examples for other children and other fucture generationthat is coming into the would.

HB-2347

Submitted on: 2/3/2020 12:33:03 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ocean Lanakila Kanuha	Individual	Support	No

Comments:

Hi, I my name is Ocean Lanikila Kanuha and I am a 7th grader at Hana School in Hawaii. I don't think tobacco products should be targeted to kids because they can die. Flavors attract kids more than adults. This is not ok.

HB-2347

Submitted on: 2/3/2020 12:51:28 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mikkel	Individual	Comments	No

Comments:

I think that tobacco products shouldnt be flavored by it makes it more likely for kids to keep on vaping or smoking but i also think that it is the responsability of the parents to not smoke so they will not make it look like it is okay to do. I still do support the law of stopping the flavoring of tobacco products.

HB-2347

Submitted on: 2/3/2020 12:52:21 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stratton McClure	Individual	Support	No

Comments:

I am a 7th grade student at Hana School. I think that tobacco should not be targetting kids. Flavors attract kids. Tobacco companies flavor products so they can attract more people including children.

HB-2347

Submitted on: 2/3/2020 12:24:52 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
zaesha-myah Anela okealoha ortiz	Individual	Support	No

Comments:

Im a 7th grader and i dont think that vaping is ok exspetially if the vape and tabako compony` is targeting littel kids.

HB-2347

Submitted on: 2/3/2020 12:55:50 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Beverly Victorine-Dyment	Doe	Support	No

Comments:

To Whom it may concern,

I am a Special Educational Assistant at the Hana High and Elementary School. I have been here working at the school for over 16 years. I have seen the difference in the amount of students vaping at our school and it saddens me that there is more and more younger students starting to vape. It doesn't help that manufacturers are making flavors that draw these children to wanting to even vape more. Some flavors that are candy smelling and tasting. Even menthol attracts kids. We as teachers and parents need to show this young generation that there is more in life to do than just Vaping. Teaching them that following or peer pressure is not the right thing to do. That you do have the right and do not need to be afraid to say no. To stand up to other peers or friends that think vaping makes you look like your older or mature but in fact it just makes you getting closer to death. So please help us stop the Vaping with them, our younger generation. To help them see the risk in vaping that one day can cause them to become very ill or even lose their lives. Please help our young generations to have a chance to have better futures for themselves.

HB-2347

Submitted on: 2/3/2020 1:00:09 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Aloha, my name is Namahana (7th grader at Hana school), and I dont think they should target kids with tabacco because if kids start smoking at a young age their life could end really early and the human population could eventually lower by a lot. Flavors and fun packages attract kids.



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

House Committee on Health
Representative John Mizuno, Chair
Representative Bert Kobayashi, Vice Chair

HB 2347, HD 1 Proposed – RELATING TO FLAVORED TOBACCO PRODUCTS

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

Thank you for the opportunity to provide testimony in support of HB 2347, HD 1 proposed, which prohibits the sale of flavored tobacco products beginning January 1, 2021.

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

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

Flavored Tobacco Products

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

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

increased from 42.3 percent to 51.2 percent among all current e-cigarettes users – including those using multiple products – and from 21.4 percent to 38.1 percent among exclusive e-cigarette users. Flavors in tobacco products are frequently listed as on the top three reasons youth use e-cigarettes. Additionally, kids whose first tobacco product was flavored are more likely to become current tobacco uses than those whose first product was tobacco flavored. Furthermore, evidence indicates that many young people who use e-cigarettes also smoke cigarettes. There is some evidence that young people who use e-cigarettes may be more likely to smoke cigarettes in the future. Using nicotine in adolescence may also increase risk for future addiction to other drugs.

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

Menthol use in tobacco products

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

We recommend that the committee look at definitions in this measure. Specifically, the committee should consider changing the definition of flavored tobacco product and removing “characterizing flavor” for consistency and clarity:

“Flavored tobacco product” means any tobacco product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to, or during the consumption of, a tobacco product, including, but not limited to, any taste or smell relating to fruit, menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, or any candy, dessert, alcoholic beverage, herb, or spice.”

We would also like the committee to consider distinguishing fines for the retailer and the employee. As currently drafted, the business and the employee would be liable for the same amount of the fine. Steep fines on employees may serve as a distraction for enforcement. While other measures address tobacco retail license and permit fees, the committee may also consider addressing those issues in the measure as well.

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

HB-2347

Submitted on: 2/3/2020 1:20:53 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

My name is Cyrus D., and I am from Kalihi, on the island of Oahu. I am testifying as a high school student. I am testifying on the HB2347 - Relating To Flavored Tobacco Products. I am testifying in support of this bill.

I support the banning of flavored tobacco products because I see teens near or outside the school I am currently attending vaping. Every time I walk to school or go home, most of the time, the smell of flavored vapors, such as Strawberry and Bubblegum, suddenly appear, and it is distinguishable that it is from an electronic cigarette. My friends and I would always cover our nose and mouth to avoid inhaling the vapor since studies show that the vapers affect one's lungs and even the brain. Seeing this youth breathing-in flavored tobacco products makes me worried for them. Many of them might not be thinking or know the negative consequence of vaping. The worst thing is when my friends, my sister, and I are at the bus stop waiting for the bus. There are times when an individual, or several of them, is vaping at the bus stop, and often we have no choice but to leave where we are, away from all the vapors. It is displeasing. Besides this experience, I conducted an educational presentation to health classes in the school I am attending, and their experiences of encountering flavored tobacco seem to be the same. The most common experience students had is finding that e-cigs and e-juice are places next to candies in convenient stores, and the sweets appear identical to the tobacco product. Flavored tobacco products are affecting the youth, including me, in our community, and something needs to happen.

In addition to my experiences, Hawaii's youth vaping epidemic is on the rise. Our state is one of the smallest states in our country, yet the youth vaping is one of the highest rates. According to the Hawaii YRBS (2017), about 15.7% of middle schoolers, and 25.5% of high schoolers are currently vaping in our small state. This statistic is high and concerning because electronic cigarettes contain dangerous chemicals such as nicotine. As we all know, nicotine is a highly addictive chemical that can impact the lungs and the adolescent's brain. Apart from the nicotine and other dangerous drugs, the youth vaping rates in our state and other areas are high due to the number of flavors that exist in the market. There are over 15,500 flavors currently being irresponsibly sold in the market. The flavors are for sure attracting the youth to try different ones, but one thing they don't know is that the nicotine has hooked them in a dangerous path.

As a future healthcare worker, the health of the youth and future generations is important. It bothers me that the Tobacco companies are focused on targeting the youth. I am in full support of this bill- HB2347 - for the safety of the youth and the future generation.

HB-2347

Submitted on: 2/3/2020 1:22:13 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

I dont think ANYONE should be targed by tabaco, especially kids, it would ruin their future. I have seen people with tabaco addictions and its not good. All we dont need is people getting addicted at a young age and it changing their furure for the worse. Once they get out in the world it will be even harder for them, and they could make it harder for other people to mabey getting them addicted too. One person can cause a chain reaction.

HB-2347

Submitted on: 2/3/2020 1:25:01 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kawaiolaakealoha Sanita	Individual	Support	No

Comments:

Hi I am Kawaiolaakealoha Sanita a 8th grade student ant Hana High and Elementary School. I'm here to say that tobacco products are very bad for not just minors but also adults to. Vapes, weed, cigaretts ec. are all very bad and for your phycical and metal health. I know the side affects that affect minors and adults. Smoking weed can sometimes cause certian peopls brain to react differently which can cause depression and suicidal thoughts. "Marijuana use has also been linked with depression and anxiety, and with suicidal thoughts among teens" says the Center for Disease Control and Pervation. What I read from them tells me that smoking can really harm everyone espesally teens. We as a comunnity need to stop tobacco and drug abuse for our generation.

HB-2347

Submitted on: 2/3/2020 1:26:06 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

I am an 8th grade student. Smoking is bad in general but its even worses for kids. Smoking at a young age is very bad because your brain and body or still growing and it couol effect your growth. Also it is very bad for your lungs and heath in general. It is very addictive and it is hard to stop smoking .

HB-2347

Submitted on: 2/3/2020 1:31:54 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

I'm a girl in middle school from Hana and I am against tabacco companys targeteing my age group and younger because tabacco shouldn't be given to people who are under age .

HUI NO KE OLAPONO

95 Mahalani St. Rm #21

Wailuku, HI 96793

P - (808)244-4647, F – (808)442-6884

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

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

The tobacco industry claims that they're not targeting kids, but their actions tell a different story. With flavors like "Blue Raspberry Sour Straws", "Cookie Monsta," or "Maui Mango" the answer is clear. Flavors are designed to appeal to kids, while nicotine gets them hooked for life. Some troubling facts:

- In 2017, 42% of Hawai'i high schoolers reported ever using an electronic smoking device.
- Hawaii has the highest reported vaping rate among middle schoolers and the second highest vaping rate among high schoolers in the nation, just behind Colorado
- **32.3%** of Maui County high school students and **18.3%** of Maui County middle school students reported current use of e-cigarettes (2017)
- **41.7%** of Maui County Native Hawaiian high school students and **27.8%** of Maui County Native Hawaiian middle school students reported current use of e-cigarettes (2017)
- Only **4.7%** of adults in Hawaii reported current use of e-cigarettes (2017)
- 81% of youth who ever used tobacco products started with a flavored product
- 97% of youth who vape say they use a flavored product
- 90% of adult smokers started by age 18, and 95% started by 21. The tobacco industry is quoted as saying that, "The base of our business is the high school student."

ACTIONS HAWAI'I CAN TAKE TO REDUCE YOUTH VAPING

TAX E-CIGARETTES AS TOBACCO PRODUCTS

E-Cigarettes are the only tobacco products without a tobacco tax. These products often contain nicotine, which is derived from tobacco, and have not been approved by the FDA for cessation. Thus, they should be regulated via taxation as a tobacco product.

END THE SALE OF FLAVORED TOBACCO PRODUCTS

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

RESTORE COUNTY AUTHORITY TO TAKE ACTION

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

Mahalo a nui loa for your time and consideration.

HB-2347

Submitted on: 2/3/2020 1:39:49 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Hello! My name is Zoe and I'm am a 8th grade student. I believe vaping products shouldn't be targeted at youth. If kids see adds that their interested in they are possible to get it and may not even know what they're doing. They don't know the risks or affects. Vaping and nicotine could change the course of their lives and not for the better. These kids arent fully developed and this will mess them up even worse than if they were adults. Some affects kids could get by vaping is slow brain development, affect memory, concentration, learning, self-control, attention, and mood increase the risk of other types of addiction as adults. Having big companies affect the next generation like this should stop.

HB-2347

Submitted on: 2/3/2020 1:29:29 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

your cool!!!

HB-2347

Submitted on: 2/3/2020 1:42:11 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

I'm in the 8th grade and think that its bad that the tobaco companys are targeting little kids by selling products that are pleasing to their liking. This is causing problems for these young kids like having health issue due to vaping. Several cases has shown us that it is taking their lives because of them using it. We need to take a stand and get it off the shelves for good. These products are dangerous for us students, so if it is banned for good, we will not have to worry about it any more. It will also not be so tempting when it is easily accessed to young kids. Help save us from dying.

Mahalo

HB-2347

Submitted on: 2/3/2020 1:51:51 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Hi, I am an 8th grade student at Hana School. my thought's about tobacco killing kid's is bad.

HB-2347

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

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Park	Individual	Oppose	No

Comments:

HB-2347

Submitted on: 2/3/2020 1:40:33 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Hello! My names Jessa S. :). I'm from Hana, Maui which is on the eastside of the hawaiian island Maui. I'm 13 years of age and a 8th grade student. My reason for this is to tell u my opinion on Why tobacco products shouldn't target youths. I think tobacco products shouldn't target the youth because if this targets our youth it could change their future, which when they get into society they can change other peoples future. Such as if they get too addicted to tobacco at a young age such as 13-18 years old they wont be doing as well in school which when they get older they won't have a much of a future they could be proud of. The kids these days see ads on how these products are ok for them to use. Such as the people that make these products as everyday looking objects. Like office supplies, children juice boxes, jacket strings, and etc. So with this said I would want these kids to have a better future by not using these "products" and live a healthy non tobacco life.

LATE

Testimony to House Committee on Health
Tuesday, February 4, 2020; 8:30 am.
State Capitol, Conference Room 329

Dear Chair Mizuno, Vice-Chair Kobayashi, and Committee Members,

My name is Ramic Santiago and I **support** HB 2347: RELATING TO FLAVORED TOBACCO PRODUCTS.

There are too many children under 18 that are choosing to vape in Hawaii. According to the Center for Disease Control and Prevention Hawai'i ranks second in children ranging from 6th to 12th grade who choose to vape (1). According to Kaiser Health News numbers reported in 2018 translate to 3 million high school students nationally who vape. These staggering numbers continue to rise with advancements in vaping technology. Vaping devices can come in a variety of sizes and others like the JUUL product which is the size of a small USB port and can be used almost undetectable. Nicotine levels are manipulated and highly concentrated like the JUUL that can contain as much nicotine as 20 packs of cigarettes.

Nicotine is extremely unhealthy for youth because it can be extremely harmful to the developmental process in the youths brain and nicotine causes changes in the brains synapses which are built faster than the adults brain (1). Most e cigs contain nicotine and nicotine use in adolescence may further the risk for future addiction to drugs (1). There are many carcinogenic chemicals used in the production of e-cigs including cancer-causing compounds and heavy metals such as nickel, tin, and lead (1).

Many vaping products come with or are used with flavor additives such as candy flavorings. These flavorings are targeted at making nicotine products familiar to youth and make the vaping product more palatable to taste than traditional burning tobacco products which are restricted by the 2009 Family Smoking Prevention and Tobacco Control Act which banned fruit and candy flavorings in cigarettes but did not include smokeless tobacco products like chew and e-cigs.

As of January 2020 the Trump administration has enacted a ban on the flavoring of e-cigarettes which use pre filled cartridges but does not include tank based systems where users fill their own nicotine and flavor mixturing(2). Furthermore, mentol pre-filled vaping devices are excluded from the ban (2) . According to the National Institute on Drug Abuse 66% of teens vape only flavoring (2). Banning pre-filled e-cig products will have little effect when teens can still get ahold of products that contain flavored vaping products like fillable tank systems.

Hawaii needs to further the Trump administration's efforts to reduce the increasing number of underage children who use vaping products. Hawaii needs to ban all flavored vaping products in the state to fight the epidemic of underage teen vaping.

Sincerely,

Ramic P.H. Santiago, B.S.
1614 Emerson Street # 5
Honolulu, Hawaii 96813

Resources

1. Center for Disease Control and Prevention(2019). Smoking and Tobacco Use
2. MarketWatch.(2020). Federal Government Bans Popular E-cigg Flavors to the Curb.
3. NIH National Institute on Drug Abuse.(2015). Teens and E-cigs.

Testimony to House Committee on Health
Tuesday, February 4, 2020; 8:30 a.m.
State Capitol, Conference Room 329

Dear Chair Mizuno, Vice-Chair Kobayashi, and Committee Members,

I support HB 2347: RELATING TO FLAVORED TOBACCO PRODUCTS.

Tobacco killed my husband last March from smoking. He ended up dying from COPD and had lung cancer. He suffered greatly before he passed away and died an early death.

We have 6 grandchildren that I don't want to have the same fate as their grandfather. Our keiki are a vulnerable group and must be protected. Don't make it easy for electronic smoking devices to get into the hands of our kids from accessibility online and for being cheap to buy.

Please pass HB 2347 to save our children for the future.

Sincerely,

Jennifer Hausler
Pearl City, 96782

Date: February 4, 2020
To: The Honorable John M. Mizuno, Chair
Bertrand Kobayashi, Vice Chair
Members of the Committee on Health

The Honorable Justin H. Woodson, Chair
Mark J. Hashem, Vice Chair
Sean Quinlan, Vice
Members of the Committee on Lower and Higher Education

From: Ruthie Diaz, BSW
rddiaz@hawaii.edu
Honolulu, HI 96813

Re: Support for HB 2347: RELATING TO FLAVORED TOBACCO PRODUCTS

Hearing: Tuesday, February 4, 2020 at 8:30 am at Conference Room 309

Thank you for the opportunity to submit testimony in SUPPORT of HB 2347: RELATING TO FLAVORED TOBACCO PRODUCTS

I am a non-traditional student at the University of Hawai'i, Mānoa, and completing the master's degree at the Myron B. Thompson School of Social Work. As a full-time student, social work practicum student, and a part-time employee, I have opportunities to engage with the communities at the University of Hawai'i as well as the Oahu community working with individuals and families. Most importantly, I am a mother of two children, ages five and an 11. I care deeply for my children as well as all the youth of Hawai'i, and prevention is key to many health risks.

Although there are various stories that I have encountered with electronic nicotine delivery systems ENDS and vape products, the one I can recall involves my four-year-old son. I live in a condominium with a wraparound lanai that welcomes cool trade wind breezes on most days. Because of this, my lanai doors are always wide open. My home is a smoke-free building, which should eliminate such behaviors and provide clean air for my family. However, addictive behaviors will often lead to the disregarding of such rules. Neighboring units smoking on their lanai lead to clouds of smoke to travel down to my family's unit. My four-year-old smelled the strawberry flavors and savored it. Luckily, he spoke out loud and mentioned that it smells like candy. I knew what it was, and I had no choice but to report it to our building management and close my lanai door. I realized that the smell of such flavors was very enticing to my four-year-old, and had I not stopped him, he would have continued to inhale the vape products contaminating our fresh air. This was a teaching moment for my older child about the health risk and the inconvenience it causes other people and families, but not necessarily to a four-year-old. This experience allowed me to see how dangerously enticing these ENDS flavors to even the youngest children. It made me aware of how normalized use or even continued exposure to ENDS and vape products may lead to experimentation and subsequent addiction.

Bill HB2347, if enacted, it will prevent many health problems that are related to electronic nicotine delivery systems (ENDS) and vape products. The increasing youth vaping epidemic, particularly in Hawai'i, is due to the lack of regulation pertaining to ENDS, enticement to youth using candy-flavored vape products as well as communities and social behaviors among youth normalizing the use of these items.

The opposition's argument that the use of ENDS and vape products is successful as a smoking cessation product has not been proven true, nor is it FDA approved. A study conducted in 2016 by Garcia-Arcos *et al.*, concluded that mice who were exposed to aerosolized nicotine-free and nicotine-containing e-cigarette fluid "triggered effects normally associated with the development of COPD including cytokine expression, airway hyper-reactivity, and lung tissue destruction" (Garcia-Arcos et al., 2016). The medically proven and documented health risks and addictive behaviors of ENDS and vaping outweighs the unsubstantiated arguments of successful cessation for existing smokers.

The continuous use and exposures of the harmful products to minors may cause addiction, lead to dual use of combustible cigarettes and vape products, and damage to the developing adolescent brain. The banning of flavored tobacco products is an imperative next step in tobacco control if HB2347 becomes law.

Garcia-Arcos, I., Geraghty, P., Baumlin, N., Campos, M., Dabo, A. J., Jundi, B., ... Foronjy, R. (2016). Chronic electronic cigarette exposure in mice induces features of COPD in a nicotine-dependent manner. *Thorax*, 71(12), 1119–1129. doi: 10.1136/thoraxjnl-2015-208039

HB-2347

Submitted on: 2/3/2020 4:09:34 PM

Testimony for HLT on 2/4/2020 8:30:00 AM



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

Comments:

Strongly support HB2347

Prohibit the sale and distribution of flavored tobacco products

Protect Our Keiki

With 8 in every 10 kids starting with a flavored tobacco product, and 42% of Hawai'i high schools students trying e-cigarettes, we have an urgent need to act. With more than 15,500 flavors, who is the industry really targeting with flavors like Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? It's well-documented that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco, as it has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes easier to start and harder to quit. It's clear that restricting the sale of kid-friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction.

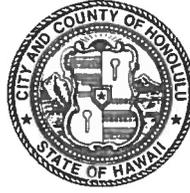
www.WeAreOne.cc

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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

LATE

KIRK CALDWELL
MAYOR



SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
CLYDE K. HO
DEPUTY CHIEFS

OUR REFERENCE MK-GL

February 4, 2020

The Honorable John M. Mizuno, Chair
and Members
Committee on Health
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 329
Honolulu, Hawaii 96813

Dear Chair Mizuno and Members:

SUBJECT: House Bill No. 2347, H.D. 1, Relating to Flavored Tobacco Products.

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

The HPD supports House Bill No. 2347, H.D. 1, Relating to Flavored Tobacco Products.

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

The HPD urges you to support House Bill No. 2347, H.D. 1, Relating to Flavored Tobacco Products.

Thank you for the opportunity to testify.

Sincerely,


Mikel Kunishima, Captain
Community Affairs Division

APPROVED:



Susan Ballard
Chief of Police

Serving and Protecting With Aloha

Representative John M. Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair
House Committee on Health

LATE

Tuesday, February 4, 2020, 8:30 a.m., Conference Room 329

Testimony in Strong Support of House Bill 2347 Relating To Flavored Tobacco Products

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

The American Lung Association calls on Hawaii officials to ban flavored tobacco products, including e-cigarette products, to protect youth. Tobacco use remains Hawaii's and the nation's leading cause of preventable death and disease, taking an estimated 480,000 lives every year in the U.S.

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

With 8 in every 10 kids starting tobacco use with a flavored tobacco product, and 42% of Hawai'i high schools students trying e-cigarettes, we have an urgent need to act. According to the Hawaii Public Health Institute, there are more than 15,500 flavors on the market today. Research has also shown that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco, as it has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes easier to start and harder to quit.

Hawaii has long been a leader in tobacco control across the nation, but has fallen behind in protecting youth from the dangers of flavored tobacco products. According to the Campaign for Tobacco-Free Kids, over 250 localities across the nation have passed restrictions on the sale of flavored tobacco products. In November 2019, Massachusetts became the first state to restrict the sale of all flavored tobacco products, including menthol cigarettes.

The use of electronic smoking devices by youth in Hawaii is nearly double the national average, and urgent action is required by state legislators in 2020 to address it. The American Lung Association in Hawaii urges legislators to continue to support and advocate for policies to protect youth from tobacco use by passing House Bill 2347.



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

EMMA WHITNEY

PHOTOGRAPHY

LATE

To Whom it May Concern,

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

I am writing regarding the upcoming hearing for the measure HB 2347. I am testifying in STRONG, and UNYIELDING SUPPORT of HB 2347.

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

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

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

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

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

Mahalo for doing right by our community.

Aloha,
Emma Whitney

LATE

HB-2347

Submitted on: 2/3/2020 4:53:21 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

Protect freedom of choice.

LATE



TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 4, 2020

Re: HB 2347 PROPOSED HD1 RELATING TO THE SALE OF TOBACCO PRODUCTS

Good afternoon morning Chairperson Mizuno and members of the House Committee on Health. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

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

We STRONGLY OPPOSE HB 2347 Proposed HD1. This bill bans the sale of flavored tobacco products effective January 1, 2021.

This bill would essentially ban ALL electronic vapor products and e-liquids. As a result, people would be compelled to purchase these goods online, on the black market, trying to mix flavored e-liquids themselves and essentially force many small local businesses who sells these items to shut down, thus leaving many of our family, friends and neighbors out of work.

Currently **Hawaii has a law in place that states that it is unlawful for a person under the age of 21 years to purchase electronic vaping devices, e-liquids and tobacco products.** However adults that are 21 and older are able to purchase these items and enjoy them like an electronic vaping device with their favorite flavored e-liquid. **Many adults like the sweet flavors of chocolate, candy, fruit, and vanilla to name a few.**

Furthermore, it is our understanding **that electronic vaping devices and E-liquids have no "natural tobacco" taste, or any taste for that matter, without the addition of flavorings.** And although almost every electronic vaping device and e-liquid available worldwide is "flavored" not all of the flavors contain nicotine and those that do, not all nicotine strengths are the same. And flavored e-liquids are enjoyed by many adults.

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

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

LATE

HB-2347

Submitted on: 2/3/2020 5:00:04 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Johnathon G. Myers	Individual	Oppose	No

Comments:

I am writing in STRONG OPPOSITION to HB2347 (all versions).

Any regulation of flavors should occur at the federal level - Congress empowered FDA to establish tobacco product standards such as restricting flavors only if FDA determines that such action would be appropriate for the protection of the public health based on science and evidence.

Potential Harm Reduction Should Be Considered - E-vapor category is relatively new, some public health and tobacco control researchers have reached the preliminary conclusion that e-vapor products may present a compelling risk reduction opportunity compared to combustible cigarettes. Mitch Zeller, Director of the Center for Tobacco Products at FDA, along with many scientific experts, has recognized the promise tobacco harm reduction and potentially reduced risk products may hold for public health. In a recent letter to the World Health Organization, 53 global experts on nicotine policy stated that policies that are excessively restrictive or burdensome on lower risk products can have the unintended consequence of protecting cigarettes from competition from less hazardous alternatives and cause harm as a result. In a recent survey of 4,618 e-vapor consumers, almost half of participants said that a lack of variety of flavors would make reducing or completely switching from smoking cigarettes less likely.

Approximately 90% of adult e-vapor consumers report using flavored products. Hawaii should respect the preferences of adult consumers to use flavored products, especially when they could play a role in reducing tobacco-related harm. We believe regulators and legislators should tailor public policies to reflect the uniqueness of this category, including the fact that these products emit vapor, not smoke.

A ban on characterizing flavors could contribute to the growth of the “Do-It-Yourself.” DIY involves purchasing separately, and then mixing, liquid nicotine, propylene glycol, glycerin, and flavors to make an e-liquid for an open device. Details on how to mix flavors and liquid nicotine are readily available online. Materials for DIY – some of which are of unknown quality and origin – are inexpensive and widely available. FDA has not yet explored issues raised by the separate sale, and home-mixing, of nicotine and flavorings.

21 Age Restriction Already in Place. Hawaii already has put a 21 and older ban on sales of vapor products in place. Kids should not use any nicotine product and not have access to such products, including those with characterizing flavors. No manufacturer should use children’s cartoons or youth-oriented candy trademarks to market their products. When its rulemaking is final, FDA will have comprehensive authority over the sale and marketing of all tobacco and tobacco-derived nicotine products. This authority includes the ability to take further action as required to prevent illegal underage purchase.

This ban would essential destroy the vapor industry as all flavors - even the “natural tobacco flavor” mentioned in the bill are the results of flavoring. This means all vapor products would be illegal if this bill passes. I am sure this is not what you meant to do with this bill, and its result would mean the loss of a multitude of local businesses, creation of a black market, and increased online sales of unregulated products.

Thank you for considering this testimony.

Aloha,

Johnathon Myers

Concerned Constituent & Consumer

**Committee
Members**

Annaleah Atkinson
808 652-7743

Lori Carlson
651 587-2904

Tom Christy
808 645-1594

Eric Devlin
808 429-3229

Regina Floyd
702 292-2372

Doug Haigh
808 635-1120

Eve Hands
808 346-7799

Steve Hardy
707 481-5070

Larry Lindsay
808 634-4559

Scott McCubbins
816 781-5883

Graeme Merrin
808 651-7211

Ryan Moen
808 651-0726

Lelan Nishek
808 245-7747

Tommy Noyes
808 639-1018

Ron Rector
808 639-2443

Valerie Woods
808 822-2420

Ron Wiley
808 245-9527



February 3, 2020

HOUSE COMMITTEE ON HEALTH

Rep. John M. Mizuno, Chair

Rep. Bertrand Kobayashi, Vice Chair

Rep. Della Au Belatti, Rep. Calvin K.Y. Say, Rep. Nadine K. Nakamura,

Rep. James Kunane Tokioka, Rep. Joy A. San Buenaventura, and Rep. Gene Ward

STRONG SUPPORT FOR
HB 2347 HD-1 PROPOSED
RELATING TO FLAVORED TOBACCO PRODUCTS.

Aloha Health Committee Members,

The undersigned are members of the Friends of Kamalani and Lydgate Park Beach Cleanup Team, and we would like to register our strong support for HB 2347.

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

Electronic smoking products—especially but not limited to flavored vaping compounds—are pernicious devices clearly profiting the tobacco industry by addicting children to nicotine. The detrimental long-term public health effects of nicotine addiction is established science.

Please fulfill your allegiance to the people of Hawaii and advance House Bill 2347 HD-1 Proposed. It is your responsibility to protect our youths' health and wellness, not to assure the tobacco industry's and tobacco retailers' profits at the expense of assured life-long health degradation and quality-of-life impairments.

Sincerely,

Tommy A. Noyes

General Coordinator
The Friends of Kamalani and Lydgate Park



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



TESTIMONY BEFORE THE HOUSE COMMITTEE ON
HEALTH

RE: HB 2347, HD1 - RELATING TO FLAVORED TOBACCO PRODUCTS

TUESDAY, FEBRUARY 4, 2020

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Mizuno and Members of the Committees:

The Hawaii State Teachers Association **strongly supports HB 2347, HD1** which bans the sale of flavored tobacco products.

Flavored tobacco products have been proven as the entry point for youth to start smoking. **With packaging that looks like it came off the shelf of a candy store and flavors such as Strawberry Watermelon Bubblegum, Unicorn Milk, and Sour Patch Kids, it's no surprise that 81% of youth who ever used tobacco say they started with a flavored product and 97% of youth who vape say they only use a flavored product.**

The use of e-smoking products among youth is at epidemic levels, especially in Hawaii. According to the 2017 Youth Risk Behavior Survey, **Hawaii has one of the highest rates of middle and high school usage in the nation at 15.7% and 25.5% respectively.** Moreover, 27% of middle school students and a whopping 42% of high school students have tried e-cigarettes. On the neighbor islands, usage trends are particularly concerning—in Hawaii county 34% of students reported they are regular users while on Kauai 32% are regular users.

Adolescence is a time of crucial brain development; it has been documented that nicotine exposure during adolescence and young adulthood can cause addiction and harm the developing brain. Additionally, nicotine is not the only harmful ingredient in electronic smoking devices; other harmful and potentially harmful ingredients include ultrafine particles that can be inhaled deep into the lungs, flavorants such as diacetyl, a chemical linked to serious lung disease, volatile organic compounds, and heavy metals such as nickel, tin, and lead.

In September 2009, the FDA banned flavored cigarettes. The ban was intended to end the sale of tobacco products with chocolate, vanilla, clove and other flavorings that lure children and teenagers into smoking. According to Dr. Margaret A. Hamburg, commissioner of food and drugs for the FDA from 2009 – 2015 “flavored cigarettes are a gateway for many children and young adults to become regular smokers.” Nevertheless, here we are in 2020 with a proliferation of flavored tobacco in the form of e-liquids luring our children into becoming lifelong and habitual nicotine users.

To reduce the youth vaping epidemic and ensure the long-term health and wellbeing of our keiki, the Hawaii State Teachers Association requests you **support HB 2347, HD1.**



LATE

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

**OPPOSING HOUSE BILL 2347, PROPOSED HOUSE DRAFT 1,
RELATING TO FLAVORED TOBACCO PRODUCTS**

House Committee on Health
The Honorable John Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair

Tuesday, February 4, 2020 at 8:30 a.m.
Hawaii State Capitol, Conference Room 329

Chair Mizuno, Vice Chair Kobayashi, and members of the Committee,

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

House Bill 2347, Proposed House Draft 1 would ban the sale of flavored tobacco products, effective January 1, 2021.

HPMA supports the intent of strictly enforcing laws that limit access to tobacco products by underage persons and penalize violators who sell tobacco products. However, HPMA specifically opposes provisions in HB 2347, Proposed HD 1 that prohibit the sale of all flavored tobacco products to persons who are of legal age.

HPMA prefers language that prohibits the sale or distribution of flavored tobacco products, except menthol or mentholated cigarette, e-liquid and smokeless tobacco products, in the state of Hawaii.

In addition, while HPMA favors strict enforcement of laws regulating access to tobacco products, we are concerned that granting individual counties the ability to pass ordinances that are stricter than State law will result in varying restrictions from county to county that make compliance for retailers difficult. We respectfully recommend having a uniform statewide law and suggest deleting the following section from the Proposed HD 1: **§712 - ___ Sale of flavored tobacco products, (5), “Notwithstanding any other law to the contrary, any county may adopt a**

Opposition to HB 2347, Proposed HD 1,
Relating to Flavored Tobacco Products
House Committee on Health
Hawaii State Capitol, Room 329
Tuesday, February 4, 2020 at 8:30 a.m.
Page 2

rule or ordinance that places greater restrictions on the access to flavored tobacco products than provide for in this section. In the case of a conflict between the restrictions in this section and any county rule or ordinance regarding access to flavored tobacco products, the more stringent restrictions shall prevail.”

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

LATE

HB-2347

Submitted on: 2/3/2020 9:02:18 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alysha Cosier	Individual	Support	No

Comments:

My name is Alysha Cosier and I am a pharmacy student. I am testifying in support of bill HB2347. I feel passionate about this bill because the use of Electronic Smoking Devices among youth in Hawai'i has increased and doubled or even tripled over the national rate. This vaping epidemic was brought by a perfect combination of easy access and flavorful tobacco products. If this epidemic continues, it would pose a significant risk for major health issues to the youth. Hawai'i is already experiencing a youth vaping epidemic. With 8 in every 10 kids starting with a flavored tobacco product, a major way to address young people's use of tobacco products, including e-cigarettes, is to prohibit the sale of flavors that attract youth in the first place and discourage them from trying these products. I believe that the proposed ban on all flavored tobacco products and the increase in fines and penalties for any violations presented in this bill is essential in bringing a stop to this vaping epidemic. Again, I would like to emphasize my strong support for bill HB2347.

Thank you for the opportunity to testify.

February 3, 2020

To: Chair Mizuno
Vice Chair Kobayashi
House Committee on Health



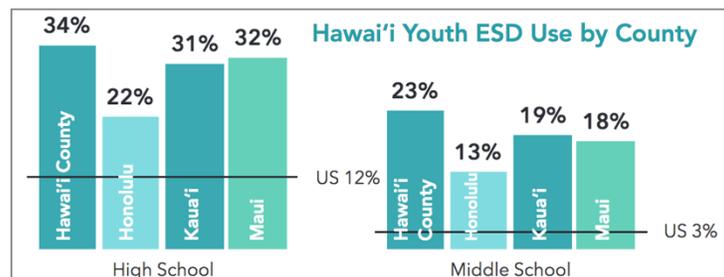
Re: **Support for HB2347**

Aloha Chair Mizuno, Vice Chair Kobayashi, members of the House Committee on Health:

Thank you for your dedication to our community and for this opportunity to provide testimony in strong **support** of **HB2347**.

Kaho'omiki, the Hawai'i Council on Physical Activity and Nutrition, is a local non-profit that supports and encourages lifelong healthy lifestyles and closely works with organizations across the state to better the lives of youth. It is clear that ESD use by youth is on an upward trend, and overwhelming data from local and national sources, including the Centers for Disease Control and Prevention (CDC), cite numerous safety and public health concerns with its use. The CDC notes that "young people who use e-cigarettes may be more likely to smoke cigarettes in the future."

We also know that flavored products target kids and lead to an increased use; in 2018, there was a 78% increase in youth vaping, a majority of which involved flavored products, and even higher increases in Hawai'i. Hawai'i must take a stand against this critical public health epidemic for the benefit of our most vulnerable populations.



CDC. Tobacco Use among Middle and High School Students - United States 2011-2017.
Hawai'i Youth Risk Behavior Survey 2017.

Thank you for this opportunity to testify in support of **HB2347**.

Sincerely,

Colby Takeda
President, Kaho'omiki

LATE

HB-2347

Submitted on: 2/3/2020 7:08:06 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kourtney Kwok	Individual	Support	No

Comments:

To Whom it May Concern,

The sale of flavored tobacco should be banned in Hawaii. My name is Kourtney Kwok and I am a senior at Punahou School. I was always aware of the problem around tobacco, but it wasn't until a year ago that I first realized how troublesome the issue was becoming. When I learned that more than half of my younger cousin's class vaped, I knew this was a serious issue. She was only in middle school and yet kids her age were using drugs. A couple months later, news regarding e-cigarette related illnesses and deaths were happening almost every week. It was surprising and concerning to see the numbers skyrocket on TV. I remembered those kids my cousin mentioned and felt a need to do something about it. I didn't want them to get sick, and I definitely didn't want any of my younger siblings or relatives to be involved with tobacco.

Tobacco, whether it's in the form of a cigarette or vaping liquid has significant effects on a child's brain development and overall health. There are hundreds of different carcinogenic and dangerous chemicals found in tobacco products, such as arsenic, formaldehyde, cadmium or lead. Young kids end up using these products mainly because of the various flavors offered. E-cigarettes, for example, offer over 16,000 unique flavors. For kids unaware of the harmful effects, this is what can hook them into using this dangerous product. Big Tobacco companies use this to their advantage by marketing flavors in ways that are familiar to children. They use packaging and designs similar to name brand candies and cereals to appeal to a younger audience.

By banning the sale of flavored tobacco, it would prevent kids from getting hooked into using these products. The law may state you need to be 21 and over to purchase these items, but those who are underage still manage to get a hold of them. In fact, Hawaii has one of the highest vaping rates in both middle and high school for the United States. Ending the sale of these addicting and enticing flavors would stop kids from continuing or joining. Educating others does play a role in prevention, but so does stopping the source as well. Without cool flavors to choose from, many youth would be discouraged from starting in the first place. This is why completely stopping the sale of flavored tobacco is important.

Whichever side of the argument you fall on, at the very least this action should be taken. Yes, this decision will affect businesses and adults who choose to use tobacco, but it

will also save the lives of children in our community. Placing this bill into law will prevent kids from ever getting the opportunity to try using tobacco. While it is inevitable for there to be economic repercussions, I believe it is a necessary sacrifice we should all be making. When it comes to the health of those around us, especially of those in the next generation, it is an issue we should take seriously. Therefore, I ask everyone reading this to take action in their community. Talk to your local representative or simply those around you about this problem. By spreading awareness, educating others, and advocating for this bill, we can be one step closer to ending this epidemic.

Sincerely,

Kourtney Kwok

LATE

HB-2347

Submitted on: 2/3/2020 11:19:00 PM

Testimony for HLT on 2/4/2020 8:30:00 AM

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

Comments:

My name is Cyd Hoffeld and **I strongly support** the passage of HB 2347. I have been a health educator for 19+ years on Hawai'i Island and it has been a pleasure working with our youth from grades 4th to 12th. As lawmakers, please protect our youth from harmful candy flavored vaping products that are created to be addictive and priced as low as \$0.99.

- Hawaii has one of the highest rates of youth e-cigarette use in the nation.
- Hawai'i County youth are ranked as having the highest use of ESD's in the state.
- With 8 in 10 kids starting with flavored tobacco products.
- Restricting online sales to retailers only will help to limit access to underage youth.
- Restricting the sale of kid-friendly flavors including menthol is necessary to protect our youth from a lifetime of nicotine addiction.

I will do my part to teach them the importance of making healthy choices. Please do your part in limiting their access to harmful ones.

Mahalo for keeping our keiki safe and healthy!



Testimony in Support of RE: Relating to Flavored Tobacco Products

Hawaii Dental Hygienists' Association

Feb 4, 2020

Dear Chair Mizuno, Vice Chair Kobayashi and Respected Members of the Committee on Health:

The Hawaii Dental Hygienists' Association (HDHA) strongly **supports House Bill 2347** which proposes to amend Chapter 712, HRS by prohibiting the sale or distribution of flavored tobacco products, as well as the mislabeling and selling such products as nicotine-free.

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

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

As the largest association representing Hawaii's licensed dental hygienists', HDHA strongly **supports HB2347** to ban the sale of flavored tobacco products in Hawaii. Dental hygienists strive daily to educate patients on ways to improve their oral health, which includes discussing the harmful effects of smoking and tobacco related products. We look forward to working with lawmakers toward our common goal of increased health and decreased dental disease in our great State.

Thank you for your time and consideration.