

WASSP Committee

From: Masulit, Arlene G. <Arlene.Masulit@doh.hawaii.gov>
Sent: Friday, November 15, 2024 10:28 AM
To: WASSP Committee
Subject: Bill 156_HTH_11-18-24_MCC
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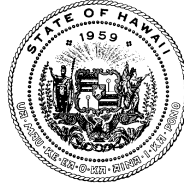
Good morning,

Attached is the testimony for Bill 156. Thank you!

Arlene G. Masulit

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STATE OF HAWAII
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Testimony in SUPPORT of BILL 156 (2024)
**A BILL FOR AN ORDINANCE AMENDING TITLE 8, MAUI COUNTY CODE, TO PROHIBIT
RETAILERS FROM SELLING OR MERKETING FLAVORED TOBACCO PRODUCTS AND
MISLABELING PRODUCTS AS NICOTINE-FREE**

MAUI COUNTY COUNCIL
WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE

Hearing Date, Time, and Room Number: November 18, 2024, 9:00 AM, Planning Conference
Room, Pakui Building

1 **Fiscal Implications:** The fiscal impact of a ban on flavored tobacco products in Maui County
2 would result in reductions in the State's tax revenues while at the same time leading to
3 reductions in chronic diseases and health care spending, including Medicaid spending in the
4 state.

5 **Department Position:** The Department of Health (DOH) supports this measure.

6 **Department Testimony:** The DOH supports Bill 156 (2024) as both a health equity and social
7 justice issue to protect the next generation in Maui County from lifelong addiction to tobacco
8 use. Bill 156 prohibits the sale of flavored tobacco products and nicotine products (including
9 menthol), prohibits the mislabeling as nicotine-free any e-liquid products containing nicotine,
10 and establishes penalties for violations.

11 The absence of protective policies to act as a preventive buffer between the promotion
12 of enticing electronic smoking devices (ESDs), also known as e-cigarettes, and youth,
13 contributed to the ongoing rise in frequent use and unrestricted access to nicotine. In 2021,
14 18% of high schoolers and 7.7% of middle schoolers in Maui County reported current use of

1 ESDs.^{1,2} Of those youth who use e-cigarettes in Maui County, it is currently estimated that 40%
2 of high school and 30% of middle school students say they vape frequently, indicating possible
3 addiction.^{3,4} The unrestricted promotion of e-cigarettes has addicted a new generation of
4 young people to nicotine, increased exposure to harmful substances and likelihood for smoking
5 cigarettes in the future.⁵ U.S. retail sales data showed that sales of the highest levels of
6 nicotine grew from 5% of total e-cigarette sales in 2017 to 81% in 2022.⁶ These data raise
7 serious public health and safety concerns because of the long-term effects of nicotine on youth
8 brain development.⁷ Nicotine is associated with reduced impulse control, mood disorders,
9 disrupting memory, learning, and sleep, according to a report of the U.S. Surgeon General.⁸
10 Comprehensive evidence-based prevention policies are needed that restrict the sale of flavored
11 tobacco products.

12 Alluring flavored tobacco products continue to drive the youth vaping epidemic. Nearly
13 88% of U.S. youth who currently use e-cigarettes use flavors.⁹ The most frequently used flavors
14 continue to be fruit, followed by candy/dessert/sweets, mint, and menthol.¹⁰ Over half (55%)

¹ *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, High Schools, County-level.* (2021). Retrieved November 13, 2024, from [Hawai'i IBIS - Query Result - Hawai'i Youth Risk Behavior Survey \(YRBS\) Data - Electronic vapor product - current use, High Schools, County-level](#)

² *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, Middle Schools, County-level.* (2021). Retrieved November 13, 2024, from [Hawai'i IBIS - Query Result - Hawai'i Youth Risk Behavior Survey \(YRBS\) Data - Electronic vapor product - current use, Middle Schools, County-level](#)

³ *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, High Schools, County-level.* (2021). Retrieved November 13, 2024, from [Hawai'i IBIS - Query Result - Hawai'i Youth Risk Behavior Survey \(YRBS\) Data - Electronic vapor product - current use, High Schools, County-level](#)

⁴ *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, Middle Schools, County-level.* (2021). Retrieved November 13, 2024, from [Hawai'i IBIS - Query Result - Hawai'i Youth Risk Behavior Survey \(YRBS\) Data - Electronic vapor product - current use, Middle Schools, County-level](#)

⁵ US Department of Health and Human Services. E-cigarette Use Among Youth and Young Adults: A Report of the Surgeon General. pdf icon [PDF – 8.47MB]. Atlanta, GA: US Department of Health and Human Services, CDC; 2016. Accessed July 27, 2018.

⁶ Ali, F. R. M., Seaman, E. L., Crane, E., Schillo, B., & King, B. A. (2023). Trends in US E-cigarette Sales and Prices by Nicotine Strength, Overall and by Product and Flavor Type, 2017–2022. *Nicotine & Tobacco Research*, 25(5), 1052–1056. <https://doi.org/10.1093/ntr/ntac284>

⁷ *The Effects of Nicotine on The Adolescent Brain—Vaping Side Effects. Get the Facts Here. - Tobacco Free CA.* (n.d.). Retrieved January 28, 2021, from <https://tobaccofreeca.com/e-cigarettes/the-effects-of-nicotine-on-the-adolescent-brain/>

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

⁹ FDA Center for Tobacco Products (2024). Results from the Annual National Youth Tobacco Survey. FDA. <https://www.fda.gov/tobacco-products/youth-and-tobacco/results-annual-national-youth-tobacco-survey>

¹⁰ FDA Center for Tobacco Products. (2024). Results from the Annual National Youth Tobacco Survey. FDA. <https://www.fda.gov/tobacco-products/youth-and-tobacco/results-annual-national-youth-tobacco-survey>

1 of students who currently use e-cigarettes reported using flavors with “ice” or “iced” in the
2 name.¹¹

3 The DOH supports Bill 156 as a measure to protect the next generation from lifelong
4 addiction to tobacco use by prohibiting the sales, distribution, and mislabeling of all flavored
5 tobacco and nicotine products in Maui County.

6 Thank you for the opportunity to testify.

7 **Offered Amendments:** None

¹¹ FDA Center for Tobacco Products. (2024). Results from the Annual National Youth Tobacco Survey. FDA. <https://www.fda.gov/tobacco-products/youth-and-tobacco/results-annual-national-youth-tobacco-survey>