

# Water Authority, Social Services, and Parks Committee (2023-2025) on 2024-11-18 9:00 AM

Meeting Time: 11-18-24 09:00

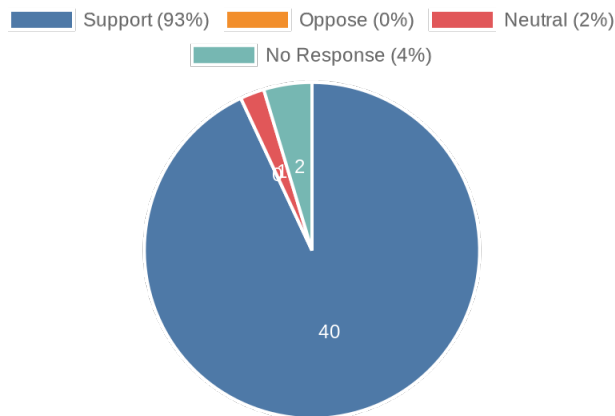
## eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Water Authority, Social Services, and Parks Committee (2023-2025) on 2024-11-18 9:00 AM	11-18-24 09:00	2	43	40	0	1

### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



# Water Authority, Social Services, and Parks Committee (2023-2025) on 2024-11-18 9:00 AM

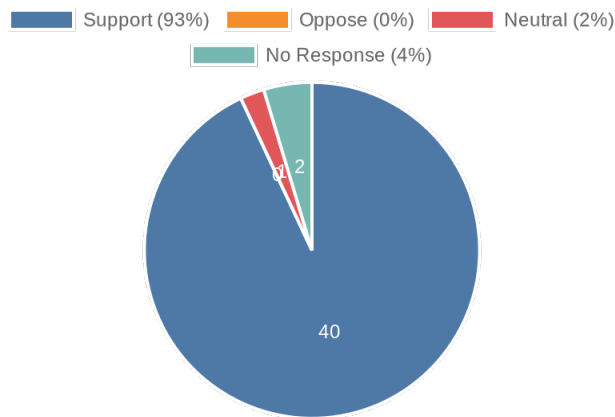
11-18-24 09:00

Agenda Name	Comments	Support	Oppose	Neutral
A G E N D A	1	0	0	1
WASSP-15 BILL 156 (2024) BILL 156 (2024), TO PROHIBIT RETAILERS FROM SELLING OR MARKETING FLAVORED TOBACCO PRODUCTS AND MISLABELING PRODUCTS AS NICOTINE-FREE (WASSP-15)	42	40	0	0

## Sentiments for All Agenda Items

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

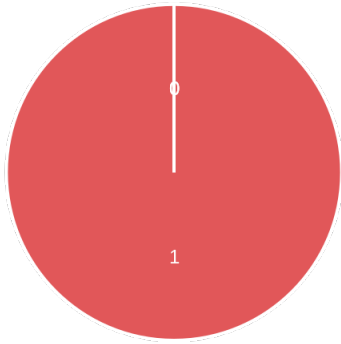
### Overall Sentiment



Agenda Item: eComments for A G E N D A

Overall Sentiment

Support (0%)   Oppose (0%)   Neutral (100%)  
No Response (0%)



**Edward Codelia**

Location:

Submitted At: 10:12am 11-17-24

I provided testimony in support of this measure, including proposed amendments and a draft ordinance to address the black market sales and distribution of vape and e-cigarette products in Maui County. I trust this committee will give these recommendations thoughtful consideration. I urge the Council to adopt a stronger approach and allocate resources to effectively bring this issue under control.

The chemicals being inhaled, such as nicotine, propylene glycol, glycerin, formaldehyde, acetaldehyde, and other harmful compounds, are causing severe health consequences. These often lead to conditions requiring extensive medical management and, in some cases, premature death. The resulting health impacts will place an increasingly significant financial burden on our community.

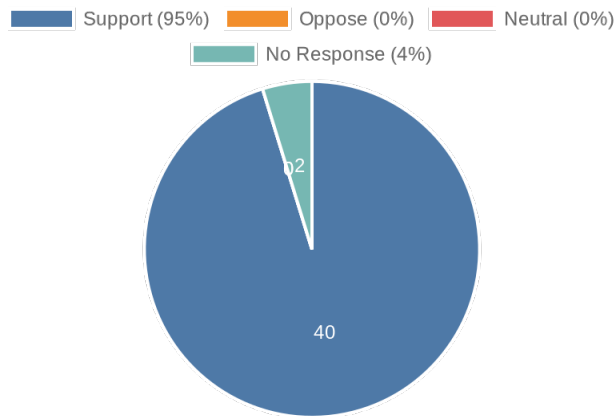
The use of vape products and e-cigarettes has escalated into a full-blown addiction crisis. Maui now has an opportunity to take control of its unique challenges with this growing epidemic. While the 2014 law was a landmark achievement, it has become outdated and underfunded for enforcement. Over the past 11 years, the problem has worsened, fueled by a thriving black market and a troubling increase in youth usage. I strongly support implementing stricter measures beyond the scope of state-level legislation. Maui County must address this issue at the local level, rather than relying solely on the State of Hawaii.

It is disheartening to note that many county employees are observed vaping on county property, including at public parks. If the County cannot effectively regulate this issue within its own workforce, how can it expect to enforce these regulations across the broader community? The County must either take meaningful control of this issue or defer the responsibility to the State.

I wish you success in addressing this critical problem and hope to see substantive action taken.

Agenda Item: eComments for WASSP-15 BILL 156 (2024) BILL 156 (2024), TO PROHIBIT RETAILERS FROM SELLING OR MARKETING FLAVORED TOBACCO PRODUCTS AND MISLABELING PRODUCTS AS NICOTINE-FREE (WASSP-15)

Overall Sentiment



**Guest User**

Location:

Submitted At: 10:31am 11-18-24

Aloha Chair Sinenci, Vice Chair Johnson, and members of the Water Authority, Social Services, and Parks Committee, I am a current student in High School and I strongly support Bill 156. As a student I know of many of my peers that have unfortunately turned to vaping. Knowing how this may affect them not only now but in the future I am in support of this bill to hopefully end this. Students vaping not only affects the student themselves but also those around them. While I have not been offered a vape myself I have had friends go to use the bathroom just to see those who are in there smoking and have been offered vapes. I know of many, myself included, who avoid bathrooms at school just so they don't have to witness those who are vaping.

I strongly urge you to also be in support of this ban, helping to end the sale of flavored tobacco and help the children of this generation to live healthy, not under the influence.

Thank you for your time!

**Guest User**

Location:

Submitted At: 11:56pm 11-17-24

To Chair Sinenci, Vice Chair Johnson, and members of the Water Authority, Social Services, and Parks Committee:

My name is Ciana Cooper and I am a current senior at Maui High School as well as a member of the Coalition for Tobacco-Free Hawai'i Youth Council. I am writing in strong support of Bill 156, which seeks to ban flavored tobacco products to protect Hawai'i's youth from the predatory practices of the tobacco industry. From an early age, I have witnessed the profound impact these products have had on friends, family, and members of my community. Many childhood friends turned to flavored tobacco products as a form of escapism from the hardships they faced at home. Tragically, rather than providing relief, these products often consumed their lives, exacerbating the challenges they sought to escape.

The targeting of flavored tobacco products towards youth has normalized their use, exposing my peers to significant health risks. As a middle schooler, I saw this issue firsthand when my closest friend began using these products as early as sixth grade. They would sneak away to school bathrooms and conceal their actions from their family and friends. Today, the issue persists, as almost any high schooler can attest to encountering students vaping in school restrooms and public vicinities.

This epidemic among Hawai'i's youth demands urgent and decisive action. The health, well-being, and future of our keiki should take precedence over corporate interests. By passing Bill 156, we can take a critical step toward addressing this pervasive issue and shielding the next generation from the harmful effects of flavored tobacco products.

I strongly urge you to consider the far-reaching consequences of inaction. Our youth deserve a community that prioritizes their health and safety, and Bill 156 represents a meaningful effort to achieve that goal.

I deeply thank you for your attention to this matter.

Ciana Cooper  
Coalition For A Tobacco-Free Hawai'i Youth Council

**Liza Ryan-Gill**

Location:  
Submitted At: 9:09pm 11-17-24

The Campaign for Tobacco-Free Kids Hawai'i  
Strong Support for Bill 156  
Support for HIPHI's language amendments  
Liza Ryan-Gill  
Campaign Manager

**Guest User**

Location:  
Submitted At: 8:19pm 11-17-24

Aloha Chair Sinenci, Vice Chair Johnson and members of the Committee.  
My name is Keshia Madriaga and I strongly support Bill 156 To end the sales of flavored tobacco products in Maui County.

I am a 6th grade student at Kanu O Ka 'Aina and also a youth advocate with Hawai'i Island Youth Academy who recently passed a similar bill in Hawai'i County.

Flavored tobacco products, such as menthol cigarettes and fruit-flavored e-cigarettes, are enticing and attractive to young people. Studies have shown that flavored tobacco products make it easier for young people to start smoking, and once they start, it becomes incredibly difficult for them to quit. This is particularly troubling as tobacco use is the leading cause of preventable death and disease in our country.

It is crucial that we take action to protect our young people from the harmful effects of tobacco use. Banning flavored tobacco products is a step in the right direction towards achieving this goal. By removing these enticing products from the market, we can prevent young people like myself from ever starting to use tobacco in the first place.

I urge our policymakers to recognize the urgent need for action and to support Bill 156. By ending the sale of flavored tobacco products, we can protect our young people, improve public health, and create a brighter future for our community. Let's work together to make Maui County a place where healthy living is prioritized and where our young people are not lured into a dangerous and addictive habit.

Mahalo for your time!

**Guest User**

Location:  
Submitted At: 7:50pm 11-17-24

Aloha Chair Sinenci, Vice Chair Johnson and members of the committee,  
I, Kealoha Madriaga support Bill 156 to prohibit retailers from selling flavored tobacco products. I strongly support

the end of flavored tobacco products because they pose a serious threat to the health and well-being of our young generation. Flavored tobacco is a powerful tool that entices young people to start smoking or vaping, often without fully understanding the long-term consequences. These products are marketed in ways that appeal to youth, masking the harshness of tobacco and making it easier for them to become addicted. Once hooked, many of these young users are set on a path that leads to lifelong dependency on nicotine, and they risk developing severe health problems, including lung disease, heart disease, and cancer.

By removing flavored tobacco products from the market, we can help protect our youth from falling into this cycle of addiction. We can prevent future generations from becoming permanent customers of an industry that profits from their poor health. The stakes are too high to ignore—this is about ensuring that our children grow up with the opportunity for a healthy, fulfilling life, free from the destructive influence of tobacco.

I strongly advise you to take this measure seriously. If you care for our future generations please make the right choice to end the sale of all flavored tobacco products.

Mahalo nui!

**Guest User**

Location:

Submitted At: 7:36pm 11-17-24

Aloha,

I am a student at Seabury Hall and I am in strong support of bill 156. As a high school student, there is a lot of vaping that I know of from other students. I can see why others are so enticed to begin vaping with all of the fruity flavors, which is what has caused most of them to start. The addictiveness has taken them away from other activities that they did, and the health risks that are associated with vaping are what scare me for the sake of my classmates. Please support this bill for the health of students so they have fewer distractions by flavored vapes and more time for school and sports.

**Guest User**

Location:

Submitted At: 7:25pm 11-17-24

Aloha Chair Sinenci, Vice Chair Johnson, and Committee Members,

The Committee is considering Bill 156 (2024), which aims to ban the sale and marketing of flavored tobacco products, including menthol and products producing cooling sensations, while preventing the mislabeling of nicotine-free products.

I am writing to express my strong support for this bill. As a parent of children at an age especially vulnerable to these products, I am deeply concerned about their potential health impacts and the role flavored tobacco plays in youth nicotine addiction.

Health research, including studies by the American Academy of Pediatrics, has shown that flavored products attract youth and often lead to nicotine addiction. The CDC has highlighted how these products mask the harshness of tobacco, making them more appealing and dangerous to our keiki (children).

By implementing this ordinance, we are taking an important step to protect our youth and reduce the appeal of harmful nicotine products. This measure also aligns with Hawaiian values such as m\_lama, reflecting our collective duty to care for our keiki and community, and kuleana, our responsibility to safeguard the health and well-being of our 'ohana (family) and future generations.

I ask for your support in passing this ordinance, ensuring transparency, accountability, and better health for our community.

Mahalo for considering this important step to protect Maui County and our keiki.

Sincerely

Lalaine Pasion

Parent Advocate

Maui, Hawai'i

**Guest User**

Location:

Submitted At: 9:27am 11-17-24

I am a long-time Kauai pediatrician, and I am writing in that role to strongly support Maui County Bill 156 banning flavored tobacco products . We are in the midst of a vaping epidemic in Hawaii, with startling statistics – 1/3 of high school students and about 1/5 of middle school students are regular vapers. E-cigarettes and other flavored products are purposely made attractive to our keiki by their fruit, candy, and menthol flavors. They are, in effect, attractive starter drugs for nicotine inhalation. Nicotine is one of the most addictive substances, especially for children, and by exposing young people early, they are easily hooked for life. Vaping products contain much higher nicotine concentrations than individual cigarettes, which is a strategy put forth by tobacco manufacturers to hook vulnerable teens and preteens and maintain nicotine dependence for life. Menthol is particularly harmful in vaping liquids and cigarettes because of its ability to mask the harshness of tobacco, thereby making it more palatable. This is a recipe for ever increasing medical costs to treat the long-term consequences of nicotine addiction long into the future. The most practical and expeditious way to prevent introducing vaping liquids to children is to prevent the sale of flavored tobacco products in the first place.

Menthol is also a health equity issue. In Hawaii, 78% of native Hawaiians and Pacific Island smokers use menthol cigarettes. Tobacco companies particularly target specific ethnic groups and children in advertising menthol. Shockingly, 42% of Native Hawaiian students use e-cigarettes.

Our neighbor island keiki are vaping flavored nicotine at an even higher rate than statewide, and the counties at present do not have the power to control tobacco use because of preemption, which occurred in 2018 in the State Legislature at the behest of the tobacco lobby. Once all of the counties pass flavor bans, there will be pressure on the State Legislature to finally repeal preemption. At present Kauai has been lagging at introducing a flavor ban bill to the County council, which will hopefully occur on 12/18/24. We are hoping that Maui will be the third county to pass the flavor ban, thus encouraging Kauai to follow suit.

There is a clear-cut way to greatly reduce flavored tobacco use by our most precious resource – our keiki. That is to eliminate access to all flavored vaping liquids and menthol by legislation. There is absolutely no reason to avoid this responsibility. We owe it to our children.

Sincerely,  
Linda Weiner, MD  
Kauai Pediatrician, retired

**Guest User**

Location:

Submitted At: 10:33pm 11-16-24

Aloha Chair Sinenci, Vice Chair Johnson, and Water Authority, Social Services, and Parks Committee Members:  
As a health care professional committed to disease prevention, I am strongly in SUPPORT of Bill 156. Most vapes contain nicotine, a highly addictive chemical that has numerous known adverse health effects. Not only does nicotine use put youth at increased risk of smoking cigarettes and future addiction to other drugs, it can also harm the parts of the developing brain that control attention, learning, mood, and impulse control. (CDC, 2024)

We have an epidemic in youth vaping/e-cigarette use in Hawaii and statistics show that 80% 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.

As a Nurse Practitioner trained to provide Tobacco Cessation Treatment, I've seen first-hand how challenging it is for individuals to quit once addicted. As a Nursing Instructor who teaches in our Maui hospital, I see the suffering and expense that tobacco product use has inflicted on our community, especially in its contribution to chronic obstructive pulmonary disease (COPD), heart disease, stroke, and cancer.

We have an opportunity to intervene in this unfolding public health crisis in Maui by passing a bill banning flavored tobacco products to protect our youth. As a nurse I am confident it is the right thing to do; as the parent of a 15-

year-old, I am passionate about urging you to act without delay.

Mahalo,

Kathleen Hagan, MS, APRN, ANP-BC

Paia, Maui, Hawaii

### **Guest User**

Location:

Submitted At: 5:56pm 11-16-24

Aloha Chair Sinenci, Vice Chair Johnson, and honorable members of the Water Authority, Social Services, and Parks Committee,

My name is Katie Folio and I am the mother of two girls, ages seven and ten. I am a former teenage smoker and, as a result, a strong advocate for anti-tobacco legislation, especially that which will protect youth, so I strongly support bill 156 to prohibit retailers from selling or marketing flavored tobacco products and mislabeling products as nicotine-free.

While I didn't realize it at the time, there were two primary contributing factors to my picking up smoking as a teenager - media and flavors, particularly menthol. No one in my family smoked. I was not influenced by my family to smoke in any way, if anything, I was educated on the harms of smoking and I knew it was not good for my health. However, I was raised in the era of Joe Camel, and smoking was in movies, television, and smoking ads were posted at eye level in grocery stores and gas stations. Eventually, and without my really being aware of it, the advertising worked.

The first cigarettes I ever tried were flavored and menthol. Unflavored cigarettes were not very appealing to me as a teenager and were very harsh to smoke when I did eventually try them, but flavored cigarettes, including strawberry and vanilla, were very appealing to us as teenage girls. Thankfully flavored cigarettes other than menthol were eventually banned, but I blame menthol for my nicotine addiction, which took ten years to beat. Sadly menthol is still addicting youth, and it breaks my heart that Maui has the highest rate of teen cigarette smokers who smoke menthol cigarettes (18.5%), surpassing the Hawai'i State average (15.8%).

I became an advocate for tobacco control as an adult because of my experience as a teenager. I don't want to see other kids end up in the same situation, or worse, because of nicotine addiction. I don't want to see my girls end up where I did, or die from cancer too early. I was one of the lucky ones - I was able to eventually quit. Not everyone can, and that is what big tobacco and the vaping industry rely on. It's how they are so powerful, how they make such ridiculous amounts of money by literally killing people, simply by addicting them as early as possible. It's unacceptable, and it needs to stop.

We know that tobacco control legislation works. Our youth smoking rates dropped significantly from the 90s once we started passing comprehensive legislation. But our progress is being undone by the popularity of vaping with youth. We can't allow flavored tobacco products to continue to be on the market, in any form. Vaping products are tobacco products and most often contain extremely high levels of nicotine. One cigarette contains 10 mg of nicotine in a freebase form that makes it harsh to inhale (which menthol helps to mask). Disposable vaping products popular with youth often contain up to 50 mg of nicotine in a salt formula that makes it smoother (i.e. easier) to inhale. They are designed to make it easier to get addicted to nicotine, creating lifetime users.

My friend's son, at seven years old, was carded at the Volcano vape kiosk at Maui Mall when he approached and asked for a watermelon apple juice box. He was just a little boy who wanted a juice box, and he had no idea what he was looking at was actually a highly addictive nicotine product. But the industry knows exactly what they are doing, knows that in order to have customers for life, they need to addict kids to nicotine when they are young, and they are doing it very much on purpose.

I want to see this bill passed for the sake of our kids and their futures. Please let this be the year that Maui takes this much needed step. We thank you for listening to our health experts and organizations, and to our youth who have been asking for these protections for years.

Mahalo nui loa,

Katie Folio



Kula, Maui, Hawaii

**Guest User**

Location:

Submitted At: 2:37pm 11-16-24

I support this bill and hope you do too. We need to always strive to keep the next generation nicotine free - Its a terrible addiction and way harder to beat than nearly any other I've worked with people on leaving behind.

As someone who keeps up with the Hawaii Youth Network bulletins, I've seen that the youth have been trying and trying for the past 6 years to have their bills that address these issues heard - but have been stopped by Finance not hearing them each year. (I don't even see flavored tobacco, vape etc on their list of priorities this year, so am afraid they may have given up.) I saw their disturbing discussions about seeing second graders having "vape coughs..." I am hopeful that to have these priorities addressed at the County level may prove encouraging to them in their efforts. Mahalo! Colleen O'Shea Wallace, MPH, CFLE

**Guest User**

Location:

Submitted At: 12:03pm 11-16-24

Aloha, Chair Sinenci, Vice Chair Johnson, and members of the Water Authority, Social Services, and Parks Committee, my name is Violet Kato. I strongly support Bill 156 in ending the sale and marketing of flavored tobacco products in Maui. As a current high school student, I see the adverse effects Tobacco products can have on my peers, and helping to end the selling of those products as a whole, and not just in kids, would significantly change the lives of many of those students. When I think back to my experience with flavored Tobacco products, I immediately remember the time in middle school when I had to go to the bathroom so badly that I went during my school's recess period. Ordinarily, I try not to go to the restroom during school hours because I know what I will find, yet I was still shocked at the number of artificial sick flavors that hit my nose as soon as I stepped inside. There were about four girls, all so consumed with gossiping while smoking their e-cigarettes that they did not even notice when I immediately turned around to leave. I never went to that bathroom again, but I still think about how they were smoking something they knew was not allowed in a public school bathroom. It was almost as if it was normalized in middle schools where most students are ages 11 to 14. A couple of those girls go to my high school and passing this bill will put an end to their illegal substance abuse, which in turn will lead to more students making the right choices for their bodies.

Please support Bill 156, Thank You for Reading,  
Violet Kato

**Jeremiah Jacinto**

Location:

Submitted At: 9:06pm 11-15-24

To Chair Sinenci, Vice Chair Johnson, and members of the Water Authority, Social Services, and Parks Committee:

My name is Jeremiah Jacinto, and I am a high school student attending H.P. Baldwin High School in the Maui district. I also serve as a member of the youth council for the Coalition for Tobacco-Free Hawai'i. I am writing to express my strong support for Bill 156, which seeks to protect youth from the tobacco industry's predatory marketing practices.

I have witnessed firsthand the devastating effects of vaping. A close friend, someone I grew up with and cared deeply about, turned to vaping as an escape during a difficult time in their life. It quickly became apparent that vaping offered no solace; instead, it worsened their struggles. Tragically, this friend ultimately succumbed to the mental health challenges they were facing, leading to their suicide. This heartbreak has left an indelible mark on me and reinforced the urgent need to address vaping among youth.

Beyond the personal toll, vaping has severely disrupted our schools. Many students, myself included, feel anxious even entering school bathrooms. Administrators frequently close restrooms to curb vaping, leaving us with limited options and heightened discomfort. Those that remain open often carry the fear of walking into groups of students vaping. This issue is not only distracting but also a direct threat to the learning environment and well-being of

students.

Bill 156 is essential for protecting students like me and others across Maui County. By restricting the ability of the Tobacco Industry to market and prey on young, impressionable minds, we can take a critical step toward safeguarding our health and future. Passing this bill sends a clear message that our community prioritizes the well-being of its youth over corporate profits.

I urge you to stand with us and pass Bill 156. For the sake of my peers, for the memory of my friend, and for the health and safety of generations to come, we must act decisively.

Thank you for your time and attention to this critical matter.

Sincerely,  
Jeremiah Jacinto  
Executive Student Council at H.P. Baldwin High School  
Coalition For A Tobacco-Free Hawai'i Youth Council

**Leslie Garo**

Location:  
Submitted At: 4:27pm 11-15-24

Aloha, please find attached, a copy of Hawai'i Public Health Institute's testimony in support of Bill 156. Mahalo, Leslie Garo -Maui County Tobacco-free Coalition Coordinator

**Guest User**

Location:  
Submitted At: 3:30pm 11-15-24

Aloha! I am a 24 year old college student. I support Bill 156, to prohibit retailers from selling or marketing flavored tobacco products and mislabeling products as nicotine-free.

From the time I've been in middle school, I have seen first hand the influence flavored tobacco products and so called "nicotine-free" vapes have, especially on the youth. Their "trendy" flavors named after sweets, candies, fruits, and the stylish vapes make them very appealing to young kids. Because of this, smoking and secondhand smoking have gone up and it sets them up for long lasting health side effects. By supporting this bill, we can further protect kids from the dangers of smoking flavored tobacco products and misleading products as nicotine-free.

Vapes and flavored tobacco products are also bad for the environment, from production to "decomposition". By supporting this bill, we can further protect our environment, our beaches, our oceans, our wildlife, our ocean life, and streets and keep them clean of tobacco products.

It's also clear from other testimonies that this bill will further protect kids from smoking, keep our environment clean, and hold the retailers responsible accountable. Please pass Bill 156. For our keiki, for our community, for our ocean, for our \_\_ina.

**Coalition for a Tobacco Free Hawaii Youth Council**

Location:  
Submitted At: 3:00pm 11-15-24

Please find the Coalition for a Tobacco-Free Hawai'i Youth Council's testimony in support of Bill 156 attached. Mahalo for your support.

**Deleted User**

Location:  
Submitted At: 1:49pm 11-15-24

I am submitting this testimony to urge this Committee to advise the Maui County Council to take immediate and decisive action to improve enforcement of the tobacco-free ordinance enacted in 2014. This law prohibits smoking and vaping in all county parks, beaches, and recreational facilities. While it was a landmark effort to

protect public health and our environment, its intended benefits are being undermined by widespread noncompliance and insufficient enforcement.

Despite clear prohibitions and penalties ranging from \$100 to \$500, vaping and smoking in public parks and beaches remain ongoing, visible, and unaddressed. This issue is especially troubling as it sets a poor example for our keiki (children), contributing to the normalization of tobacco use among youth and adults alike. Furthermore, the environmental damage caused by cigarette butts and vaping cartridges littering these spaces contradicts Maui's commitment to sustainability and the preservation of its natural beauty.

The enforcement of this ordinance offers numerous benefits. First, it protects public health by reducing secondhand smoke exposure, which is particularly hazardous to children and families using these recreational areas. Additionally, enforcement serves as a deterrent, discouraging tobacco use in public spaces and promoting healthier behaviors.

Second, it helps curb youth tobacco use. Public smoking and vaping normalize these behaviors, making them more appealing to impressionable youth. By ensuring compliance with the ordinance, Maui County can reinforce its stance against tobacco use and contribute to reducing vaping rates among young people.

Third, enforcement supports environmental preservation. Cigarette butts and vaping cartridges are among the most common forms of litter found in parks and beaches. This litter harms marine life and detracts from the natural beauty of Maui's public spaces. Strong enforcement would help maintain these areas in a pristine condition.

Fourth, enforcing the ordinance demonstrates accountability. The absence of citations since the law's inception highlights a lack of enforcement, which undermines public trust in the county's ability to uphold its rules. Active enforcement will restore confidence and demonstrate a commitment to the well-being of residents and visitors.

Lastly, while revenue generation is not the primary goal, fines collected from violators could support educational campaigns, enforcement efforts, and park maintenance, creating a positive feedback loop for community benefits.

I recommend allocating resources to increase enforcement through park rangers or other dedicated personnel. Launching public awareness campaigns to emphasize the tobacco-free law and its benefits for health and the environment will also support compliance. Collaborating with schools and community organizations to educate youth about the harms of smoking and vaping is crucial. Finally, periodic reporting should be introduced to track enforcement efforts and assess their impact.

By prioritizing enforcement of this ordinance, Maui County can reaffirm its commitment to public health, environmental stewardship, and community well-being. I urge the council to act on this matter and ensure that our public spaces remain safe, clean, and enjoyable for all.

Mahalo for your attention to this critical issue.

Renee P Kaiama

**Rick Collins**

Location:

Submitted At: 12:48pm 11-15-24

My name is Rick Collins and I'm a resident of Pukalani. As a father of two children, I fully support this bill. It's clearly evident that e-cig products are attractive to youth and have led to a nationwide epidemic of youth smokers. This is one of the strongest legislative policies known to curb youth e-cig/vape use. As the future of our community, we owe it to our youth to provide them with a safe environment, free from these types of harmful products that prey upon them and have lifelong, lasting health impacts. I know that this type of legislation can feel controversial for lawmakers such as yourselves. This was the same case years ago when legislation was passed that banned Fred Flinstone from smoking, banned TV commercials, and made it unlawful to smoke in hospitals, restaurants and planes. I appreciate Council member Sugimura and the committee for addressing this issue and taking courage to pass legislation that will create healthier youth and save numerous young lives for years to come. Mahalo for the opportunity to provide testimony and I'm happy to answer any questions you may have.

Mahalo, Rick Collins

### **CORI TAKESUE**

Location:

Submitted At: 11:27am 11-15-24

Aloha,

I am a writing in support of Bill 156. As a tobacco treatment specialist of eight years, health educator to youth in the schools, licensed clinical psychologist to youth clients, and as a community member of Lanai, I am seeing first-hand how youth are drawn to try e-cigarette devices as they are enticed by the flavors (flavors that are clearly marketed towards youth with their catchy names and desirable flavors) and eventually become hooked on the nicotine making it difficult for them to stop using the product. As we know, our youth are vulnerable as nicotine, as well as, other chemicals in e-cigarettes can be harmful to the developing brains in our youth. 36.6% of teens in Maui County have tried e-cigarettes in 2021, surpassing the Hawai\_i State average (32.4%) (2021 YRBS). The FDA (2024) indicates that flavored products are driving this epidemic, where 87.6% of youth e-cigarette users use flavored products. Ending the sale of all flavored tobacco will advance health equity – disparities in tobacco use are due to the tobacco industry's history of marketing menthol cigarettes to youth and people of color. In Hawai'i, 80% of Native Hawaiian smokers and 70% of Filipino smokers use menthol cigarettes (Hawai'i BRFSS, 2022). Mint and menthol-flavored e-cigarettes are the most popular flavors among youth. Please consider passing this bill. By doing so, you will be putting the health of our keiki first and letting tobacco companies know that it is not okay for them to target youth with their products. Thank you for your time. Please support Bill 156.

### **Guest User**

Location:

Submitted At: 10:43am 11-15-24

Aloha K\_kou,

I work for a youth-serving organization. Last year, a seven year old child was caught vaping near our facility in Wailuku. Upon being questioned, the child would not disclose how and where he got the device, but when asked why he likes to vape, the two-word answer was telling and simple, "Taste good". I support the passing of bill 156.

### **Keopu Reelitz**

Location:

Submitted At: 10:33am 11-15-24

Aloha,

Please find attached a copy of Papa Ola L\_kahi\_s testimony in support of Bill 156.

Mahalo.

Ke\_\_p\_ Reelitz

Director of Policy & Strategy

### **Guest User**

Location:

Submitted At: 9:52am 11-15-24

Aloha, as a tobacco treatment specialist for the last 20 years, I am sorry to say that we have a new generation that are currently impacted by flavors in tobacco. The flavors entice youth, while the nicotine keeps them hooked for life. In 2024 8 in 10 youth who currently use e-cigarettes reported using flavored products. Ending the sale of flavored tobacco products will reduce the appeal of these products and protect our keiki from a lifetime of addiction. Mahalo for considering Bill 156.

### **Karen Worthington**

Location:

Submitted At: 9:38am 11-15-24

Aloha,

I am a mother and community member who lives in Kula. I am a children's law and policy consultant and my work includes a focus on the health and well-being of our keiki. I urge you to pass Bill 156 and stop the sale and marketing of flavored tobacco products and the mislabeling of products.

The testimony already submitted includes compelling personal stories and data. It is clear that our parents, healthcare providers, public health experts, and adults who work with youth understand how dangerous these products are and want them out of our community.

I hope you will listen to the community and prioritize the health of our keiki by passing this bill.

Sincerely,  
Karen Worthington

**Guest User**

Location:

Submitted At: 5:32pm 11-14-24

I live in Wailuku Maui and I strongly support this bill. We, you, as our elected officials, need to protect our Maui Youth. The data speaks for itself and shows you, point black, that there is a problem with our children vaping on Maui. Vapes have infiltrated our schools and are even surfacing in elementary schools now - including Hana, Lanai, and Molokai. It's all over. As a parent, I am struggling to try to keep my children on the right path - away from vapes, away from drugs. Please help us parents and help in giving our Maui youth a fighting chance. To learn that 8 in 10 youth that use vapes started with a flavored product is shocking and makes me wonder, why would you not ban it? If this is the hook and possibly the gateway, as parents, leaders, community members, elected officials, you should want to protect the future of Maui. For these reasons, I strongly support Bill 156 and the ban of flavored vapes.

**Guest User**

Location:

Submitted At: 5:01pm 11-14-24

This is an important measure that will protect the health of the public, especially its vulnerable populations. Thank you.

**Guest User**

Location:

Submitted At: 4:48pm 11-14-24

Our youth must be protected from those put profits above their health!

**Edward Codelia**

Location:

Submitted At: 10:42am 11-14-24

My name is Edward Codelia, I fully support Bill 156 but do propose some amendments to strengthen the ordinance (SEE ATTACHED). The rising use of vape products among underage individuals and the increasing availability of unregulated products here in Maui make stricter regulations necessary. By limiting the sale and transport of electronic and smokeless vape products to licensed distributors, you can ensure better compliance with age restrictions and product safety standards. These amendments would help Maui County effectively manage the distribution of vape products and ensure they meet safety requirements. The inclusion of specific language for vape products, alongside other flavored tobacco products, would close loopholes that currently allow harmful products to be sold. I believe This ordinance supports public health by reducing the availability of unregulated and potentially dangerous products. I urge the Council to pass Bill 156 with these critical amendments to protect the health of Maui County residents.

Secondly, please create a bill (SEE ATTACHED) that would address black market vape products. If you are not aware, there is a black market for vape products, and it has become a significant issue in Maui County. There are many individuals on Maui that are selling these black market products and or making their own vape product and selling them on the streets of Maui.

The Philippines also plays a significant role in the black market for vape products in Hawaii and on Maui. The Philippines has seen increased production and distribution of unregulated vape items. These products often bypass quality controls, including those ensuring safe levels of nicotine and eliminating harmful additives. The Philippines' black market vape production affects both its own population and foreign markets, more specifically, our State, presenting public health risks due to unregulated and potentially hazardous ingredients.

Black market vape products come from a variety of sources. Some of which are:

1. Overseas Manufacturers: Many black market vape products are sourced from manufacturers in countries with less stringent regulations, such as China. These manufacturers can produce vape cartridges, e-liquids, and devices at lower costs, often skirting quality and safety standards. They are then shipped to the U.S. and sold illegally online or through in-person networks.
2. Counterfeit Products: Popular brands like JUUL and Puff Bar are frequently counterfeited, and these fake products make their way into the black market. Counterfeiters replicate the packaging and branding of well-known vape products but fill them with potentially harmful ingredients or substances, sometimes without any nicotine control or quality assurance.
3. Online Marketplaces and Social Media: Some illicit vape products are distributed through online platforms and social media channels. Sellers often target platforms where they can easily reach youth and avoid regulatory oversight. These transactions bypass age restrictions, taxes, and quality checks.
4. Out-of-State Purchases and Resale: In areas with vape restrictions, individuals often purchase products legally in other states with fewer regulations and then resell them illegally in regions with stricter laws. This kind of interstate “gray market” fuels the local black market.

5. DIY and Home Production: Some black market products come from local, unlicensed individuals who mix or fill cartridges themselves. These homemade products may contain unknown or dangerous substances and are not subject to any safety testing or labeling regulations.

To combat these issues, I recommend the creation of the attached bill here in Maui County.

### **Guest User**

Location:

Submitted At: 10:27am 11-14-24

Aloha,

My name is Jody Glickman from Wailuku, Maui. I am the instructional coach at an elementary school here in Maui and a mother of four. I support Bill 156 to ban flavored tobacco products. We have found students as young as 8 years old vaping at our school for the past two years. I have taken away multiple vapes from my fifteen year old in my own home where no one else smokes. Children are attracted to the flavors of vapes as I have seen my daughter's texts to other teens requesting particular flavors. I do not believe my child or others would have a problem with this drug if it was not for the fun, delicious smelling flavors. Please, for the sake of our keiki, ban the sale of flavored tobacco products.

### **Guest User**

Location:

Submitted At: 10:02am 11-14-24

Aloha,

My name is Kristin Mills and I live in Pukalani. As a parent and health educator, I am in strong support of Bill 156, to ban the sale and marketing of all flavored tobacco products. As a Public Health Educator, I work hard to encourage folks of all ages, esp kids, to live healthier and stay away from harmful substances. But education isn't enough. Historically, strong public health policies have been at the forefront to help protect people from harms, especially our keiki.

Before the law prohibiting tobacco use in restaurants, businesses etc, we had much higher tobacco use rates. Policies work!

Once again, we need Maui County to protect our youth against the harms of tobacco products by passing a policy banning flavored tobacco product sales and marketing in Maui County.

Youth love their sweets. Further, it's normal for youth (esp teens) to “explore and try” new things. This exploration though shouldn't lead to a lifelong addiction and multiple harms to the body and brain because what they are exploring with is: (1) addictive, and (2) negatively affecting their still-developing brain. And these flavored tobacco products, with over 15,000 flavors to choose from, definitely are meant to attract our Hawaii youth! Here's just a few examples of flavored vapes... Hawaiian POG, Ono Orange Cream, Hawaiian Sweet Roll, and Halawa Guava. What age group do YOU think these are marketed for?

Now for some data: Hawaii has among the highest rates of middle school and high school e-cigarette (ESD) use in the nation:

- o 48% (nearly half) of HS students and 31% of MS students have tried vapes (averaging to 36.6% of all teens in Maui County).
- o 90% of youth started using tobacco BEFORE 18 (95% before age 21).
- o 80% of youth reported starting vaping with a flavored product. 87.6% of regular users use flavored products.
- o Age 13... is the age many youth took their first puff at.

The flavors attract kids... the nicotine addicts them. And the health effects are numerous!

- o Nicotine addiction negatively affects kids' memory, attention, and ability to focus and learn at school.
- o It negatively affects their physical health AND their mental/emotional health, including anxiety,
- o It affects their relationships.
- o It affects their self-confidence.
- o Once youth become addicted to nicotine, it's very difficult to quit.
- o One form of addiction increases the odds of becoming addicted to other substances.

We need a flavor ban for all tobacco flavors, including menthol and other minty flavors.

Let's be part of the solution. Please support Bill 156 and prohibit the sale of ALL flavored tobacco products in Maui County! Please protect our keiki from a life of addiction as well as the multiple harms to the body, brain, and mental/emotional health. Over 360 other localities have already restricted the sale of flavored tobacco products. Let's add Maui County to that list.

Thank you,  
Kristin Mills, PhD-ABD

**Guest User**

Location:  
Submitted At: 9:54am 11-14-24

Please prohibit sales and marketing of flavored tobacco. Our children have enough health issues to deal with, without being lured by candy-flavored nicotine products. Our children, and our adults, all deserve better. Let's protect our community.

Thank you, Marie Fitzsimons.

**Guest User**

Location:  
Submitted At: 9:13am 11-14-24

Flavored tobacco products are intended to hide nicotine flavor or odor. Keep people safe from cancer. Please pass this bill, so we can be ready to enforce it when pre-emption is cancelled. Please read Bill 156 and pass it. a concerned resident of Maui county

**Guest User**

Location:  
Submitted At: 8:43am 11-14-24

As a middle school teacher, I have witnessed firsthand the growing problem of vape use among our students. It has become alarmingly common, with many students using vapes on school grounds or even in classrooms, making it incredibly difficult to regulate and keep our students safe. The flavored vapes are particularly appealing to young people, as they mask the harshness of nicotine and create a false sense of harmlessness. By banning flavored vapes, we would remove one of the key factors driving youth experimentation and addiction, helping protect our students from the harmful effects of nicotine and the long-term health risks associated with vaping. A flavor ban would make it harder for students to access these products and create a healthier, safer environment for our youth.

**Jason Bradshaw**

Location:  
Submitted At: 8:24am 11-14-24

HSTA Supports. Please see attached testimony.

**Guest User**

Location:

Submitted At: 4:53pm 11-13-24

Aloha,

I strongly support bill 156 to prohibit sales and marketing flavored tobacco products and misleading advertising of nicotine-free products. As a homegrown Lana'i resident and as a community health worker, I've seen the detrimental and harmful effects it has on our community as a whole and especially amongst our youth. I am also a Health Educator, and we've used ESD Vaping Prevention curriculum and toolkit from Stanford University to bring education and awareness to our youth. We've had reports of keiki (youth) ages 7+ through middle/high school at Lana'i High and Elementary school using flavored e-cigarette products. The sweet flavors and trendy/tech products entice youth to try these products. Students have shared that parents, relatives, friends and peers encourage them to use these products. Adults and parents are being deceived and misinformed by false advertising about flavored tobacco products (e-cigs) being nicotine-free. We must end the sale of these products because youth are now needing intervention because addiction/exposure to these products are already starting at a very young age. Our youth and their brains are still developing, and flavored tobacco use will further increase our health disparities in Maui County and Hawai'i state.

Please join us in banning these harmful products statewide and ensuring the health and wellbeing of Hawai'i and its future generations.

Mahalo,

- Thessalonica Sandi, CHW

### **Guest User**

Location:

Submitted At: 4:47pm 11-13-24

I strongly support the Bill 156 2024. As an educator and a parent, I am committed to save our children's lives from the harmful effects of flavored tobacco products. I want our community and our children to be healthy and be protected from addiction because "children are the hope for our future". Therefore, I want to ban flavored tobacco products/substances and prohibit the sale and marketing as well as mislabeling. Please support Bill 156. Mahalo Nu'i.

### **Guest User**

Location:

Submitted At: 11:08am 11-13-24

Chair Sinenci, Vice Chair Johnson and members of the Water Authority, Social Services and Parks Committee:

I am in strong support of Bill 156 to prohibit flavored tobacco products and mislabeling. As a Registered Nurse and Public Health graduate, I have seen the negative effects of these products in our communities. The data and numbers are clear indications that we need to keep our keiki a priority over profit.

Here are some things you should be very concerned about:

- More than 95% of adult smokers started before they turned 21. FDA 2024
- 36.6% of teens in Maui County tried e-cigarettes in 2021, surpassing the Hawai\_i State average (32.4%). 2021 YRBS
- Flavors in tobacco products entice youth, while the nicotine keeps them hooked for life. In 2024, 8 in 10 youth who currently use e-cigarettes reported using a flavored product (National Youth Tobacco Survey). Ending the sale of flavored tobacco products will reduce the appeal of these products and protect our keiki from a lifetime of addiction.
- Flavored products are driving this epidemic, where 87.6% of youth e-cigarette users use flavored products. FDA 2024
- Maui has the highest rate of teen cigarette smokers who smoke menthol cigarettes (18.5%), surpassing the Hawai'i State average (15.8%). 2021 YRBS
- Menthol is just as, if not more, harmful than any other flavor in tobacco. Notorious for its ability to mask the harshness of tobacco, menthol makes it easier to start and harder to quit. If our aim is to protect our keiki and reduce the burden of tobacco in our communities, we must include menthol.
- Ending the sale of all flavored tobacco will advance health equity – disparities in tobacco use are due to the tobacco industry's history of marketing menthol cigarettes to youth and people of color. In Hawai'i, 80% of Native



Hawaiian smokers and 70% of Filipino smokers use menthol cigarettes (Hawai'i BRFSS, 2022). Mint and menthol-flavored e-cigarettes are the most popular flavors among youth.

- Big Tobacco knows that in order to have customers for life, they need to addict kids to nicotine when they are young.
- At the local level, over 360 localities restrict the sale of flavored tobacco products.

Please join the rest of the counties in the quest to improve the health and quality of life for our future generations. Don't make the high incidence of youth vaping your legacy. Please support Bill 156.

Mahalo,  
Shelly Ogata, RN, MPH

### **Guest User**

Location:

Submitted At: 11:06am 11-13-24

I fully support this bill, as I am committed to protecting our keiki from the dangers of flavored tobacco products. As a concerned parent, I believe it's essential to limit young people's exposure to these products, which are often marketed in ways that appeal to youth and may mislead them about the risks. Prohibiting the sale and marketing of flavored tobacco products, as well as preventing the mislabeling of items as nicotine-free, is a crucial step toward reducing the appeal and accessibility of harmful substances to our children. By supporting this bill, we're helping to ensure a healthier future for Hawaii's next generation.

### **Guest User**

Location:

Submitted At: 10:48am 11-13-24

Aloha,

I support Bill 156 (2024) as flavors in tobacco products entice youth, while the nicotine keeps them hooked for life. In 2024, 8 in 10 youth who currently use e-cigarettes reported using a flavored product (National Youth Tobacco Survey). Ending the sale of flavored tobacco products will reduce the appeal of these products and protect our keiki from a lifetime of addiction. Please take the time to protect our keiki who are our future. -Stephanie HI

### **Guest User**

Location:

Submitted At: 10:45am 11-13-24

I am in support of Bill 156 (2024). As a Family Nurse Practitioner, I see firsthand the effects of addictive and harmful substances in the community. Tobacco products are a health issue with a direct impact on health and wellness. Prohibiting the sale of all flavored commercial tobacco products will advance public health, reduce health inequalities, and save lives. Please pass Bill 156. Mahalo. Maria Moreno-Chow, DNP, FNP-BC

### **Guest User**

Location:

Submitted At: 9:27am 11-13-24

Aloha k\_kou,

I am in strong support of Bill 156 (2024). As a Social Worker and (Episcopal) Priest/ Vicar, I know, firsthand, about the long-time negative effects of substances, both legal and illegal, on our community. Such negative and impacting effects are intergenerational. Now enters "flavored tobacco". This substance's entry into the panoply of addictive and harmful substances in our community is, in more ways than one, tragic and contributing to the dysfunctional continuum of our relationships among and relating to one another. Please pass this Bill.

Aloha me ka 'oia'i'o,

John A. H. Tomoso +, MSW, ACSW

808-280-1749

john.a.h.tomoso@gmail.com

1 Ku'ula St., Kahului, Maui Hawai'i, 96732-2906

**Guest User**

Location:

Submitted At: 8:50am 11-13-24

Aloha,

I support this bill because addiction is a genuine concern. Banning flavored tobacco in Maui County will help reduce its appeal among our youth. Many young individuals may not fully recognize the detrimental effects of tobacco due to the masking effects of flavors. By eliminating retailers from selling/marketing flavored tobacco products and mislabeling them as nicotine-free, we can decrease the likelihood of our keiki and young adults becoming interested in tobacco products. Flavors and eye-catching graphics are primarily designed to attract attention to tobacco, and they offer no positive benefits. - Alyssa NV

**Guest User**

Location:

Submitted At: 8:20am 11-13-24

It is crucial that we protect our keiki.



**Osa Tui, Jr.**  
President

**Logan Okita**  
Vice President

**Cheney Kaku**  
Secretary-Treasurer

**Ann Mahi**  
Executive Director

## **TESTIMONY TO THE MAUI COUNTY'S WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE**

Item: **Bill 156 - A bill for an ordinance amending Title 8, Maui county code, to prohibit retailers from selling or marketing flavored tobacco products and mislabeling products as nicotine-free**

Position: **Support**

Hearing: **Monday, November 18, 2024, 9:00 a.m.**

Submitter: **Osa Tui, Jr. – President, Hawai'i State Teachers Association**

Dear Chair Sinenci, Vice Chair Johnson, and members of the committee,

The Hawai'i State Teachers Association (HSTA) **strongly supports** Bill 156 which amends Title 8, Maui county code, to prohibit retailers from selling or marketing flavored tobacco products and mislabeling products as nicotine-free. This important legislation aligns with our values to protect the health and well-being of our keiki by prohibiting the sale and marketing of flavored tobacco products.

As educators, we see firsthand the harmful effects of nicotine addiction on our students. Flavored tobacco products, with their appealing smells and tastes, are a gateway to a lifetime of health problems and dependence. These products are deliberately designed to appeal to young people, hooking them on nicotine and undermining their ability to learn, grow, and thrive.

In fact, according to the American Academy of Pediatrics, flavors are one of the primary reasons young people start using tobacco. As such, this ordinance is a crucial step in protecting our keiki from the predatory tactics of the tobacco industry. By prohibiting flavored tobacco products, we can help prevent a new generation from falling victim to nicotine addiction.

HSTA firmly believes that Bill 156 is a vital step in our collective efforts to create a healthier, safer future for our youth. We strongly urge you to pass this ordinance.

## AMENDED BILL 156 (2024)

A BILL FOR AN ORDINANCE AMENDING TITLE 8, MAUI COUNTY CODE, TO PROHIBIT RETAILERS FROM SELLING OR MARKETING FLAVORED TOBACCO PRODUCTS, INCLUDING ELECTRONIC, VAPOR, AND SMOKELESS TOBACCO PRODUCTS, AND TO PREVENT MISLABELING OF PRODUCTS AS NICOTINE-FREE.

### SECTION 1. Purpose.

The purpose of this ordinance is to protect public health, particularly the health of Maui's youth, by prohibiting the sale, distribution, and marketing of flavored tobacco products. This ordinance specifically includes all electronic smoking devices (e-cigarettes and vape products), smokeless tobacco products, and any products containing flavors that appeal to young consumers, such as menthol, mint, and other additives that create cooling sensations. This ordinance also aims to prevent products containing nicotine or addictive substances from being mislabeled as "nicotine-free."

### SECTION 2. Definitions.

For purposes of this ordinance, the following definitions apply:

**Flavored Tobacco Product:** Any tobacco product that contains or produces any characterizing flavor other than tobacco, including but not limited to menthol, mint, fruit, candy, dessert, chocolate, vanilla, honey, or any cooling or warming sensations.

**Electronic Smoking Device (ESD):** Any device that can be used to deliver aerosolized or vaporized nicotine or other substances to the person inhaling from the device, including e-cigarettes, vape pens, mods, and any components, parts, or accessories of these devices.

**Smokeless Tobacco Product:** Any tobacco product intended for consumption without being combusted, such as chewing tobacco, snuff, or nicotine pouches.

**Nicotine-Free Labeling:** Claims that a product contains no nicotine or is "nicotine-free." A product may not be marketed or labeled as "nicotine-free" unless verified as containing no detectable nicotine through independent laboratory testing.

### SECTION 3. Prohibited Sales and Marketing.

1. **Sales Restriction:** No retailer, distributor, or individual shall sell or offer for sale any flavored tobacco product, including any electronic smoking device or smokeless tobacco product that contains a characterizing flavor other than tobacco.
2. **Marketing and Promotion Restriction:** No retailer, distributor, or individual shall market, advertise, or promote any flavored tobacco product, electronic smoking device, or smokeless tobacco product in a manner that appeals to youth or young adults, including marketing tactics that imply flavors or ingredients that appeal to young consumers.

### SECTION 4. Mislabeled Prohibition.

1. **Nicotine-Free Claims:** No retailer, distributor, or individual shall market, label, or promote any tobacco product, electronic smoking device, or smokeless tobacco product as "nicotine-free" unless the product has been independently verified as containing no detectable nicotine.

2. Verification and Compliance: Retailers must maintain documentation of independent testing for any product labeled as nicotine-free and provide this documentation upon request during inspections.

#### SECTION 5. Enforcement and Penalties.

1. Enforcement: This ordinance will be enforced by the designated county health or regulatory agency. Regular compliance checks and inspections will be conducted to ensure adherence.
2. Penalties: Any retailer or distributor found in violation of this ordinance shall be subject to the following penalties:

First offense: A fine of up to \$500.

Second offense within a one-year period: A fine of up to \$1,000 and a suspension of the retailer's business license for up to 30 days.

Third and subsequent offenses within a one-year period: A fine of up to \$2,000 and permanent revocation of the retailer's business license.

3. Reporting and Public Awareness: The County shall establish a hotline or online platform to allow community members to report violations. The County shall also run educational campaigns to inform the public of this ordinance and the associated health risks of flavored tobacco products.

#### SECTION 6. Public Health Programs.

To support the goals of this ordinance, a portion of the fines collected shall be allocated to fund public health education campaigns and tobacco cessation programs specifically aimed at youth and young adults.

#### SECTION 7. Effective Date.

Immediately

Here's a draft for a Maui County ordinance addressing unlicensed sales and the transport of electronic and smokeless vape products:

## A BILL FOR AN ORDINANCE AMENDING TITLE 8, MAUI COUNTY CODE, TO PROHIBIT THE POSSESSION AND TRANSPORT OF ELECTRONIC AND SMOKELESS VAPE PRODUCTS WITHOUT PROPER LICENSING

### Purpose

To protect public health and safety by preventing the unregulated distribution and transportation of electronic and smokeless vape products within Maui County. This ordinance prohibits individuals without appropriate licensing from bringing electronic or smokeless vape products into Maui County or engaging in their distribution.

### Section 1: Prohibition on Unauthorized Transport and Distribution of Vape Products\*\*

#### 8.56.010 Definitions.

For the purpose of this ordinance, the following definitions apply:

**Electronic Vape Product:** Any electronic device that delivers nicotine or other substances to the user in vaporized form, including but not limited to vape pens, e-cigarettes, and similar devices.

**Smokeless Vape Product:** Any tobacco-derived or nicotine-containing product intended for inhalation or use without combustion, including e-liquids and similar products.

**Licensed Distributor:** A business or individual holding a valid retail or wholesale license issued by the County of Maui and/or the State of Hawaii authorizing the sale and distribution of electronic or smokeless vape products.

#### 8.56.020 Restrictions on Transport and Possession.

1. **Unlicensed Transport Prohibited:** It shall be unlawful for any individual not holding a current retail or wholesale license to bring electronic or smokeless vape products into Maui County.

2. **Non-Commercial Distribution Prohibited:** No individual shall sell, share, or otherwise distribute electronic or smokeless vape products unless they are licensed to do so in compliance with state and county laws.

#### 8.56.030 Penalties and Enforcement.

1. **Penalties:** Any person found in violation of this ordinance shall be subject to a fine of no less than \$500 per offense, up to \$1,000 for repeated violations, and may be subject to community service requirements or other penalties deemed appropriate by Maui County authorities.

2. **Enforcement:** The Maui County Department of Public Health and Safety, in conjunction with the Maui Police Department, shall be authorized to enforce this ordinance, including inspections, seizure of unauthorized vape products, and imposition of fines.

8.56.040 Exceptions.

Licensed and bonded to promote and sell these products.

This ordinance does not apply to individuals passing through Maui County in transit to other destinations or to shipments transported by licensed distributors that comply with county and state regulations.

EFFECTIVE: IMMEDIATELY

Edward Codelia



Papa Ola Lokahi  
Nana I Ka Pono Na Ma

894 Queen Street  
Honolulu, Hawaii 96813  
Phone: 808.597.6550  
www.papaolalokahi.org

**Water Authority, Social Services, and Parks Committee**

Councilmember Shane M. Sinenci, Chair  
Councilmember Gabe Johnson, Vice Chair

**Monday, November 18, 2024, 9:00 AM, Planning Conference Room, Kalana Pukui  
Building & Videoconference**

**RE: Bill 156 – TO PROHIBIT RETAILERS FROM SELLING OR MARKETING  
FLAVORED TOBACCO PRODUCTS AND MISLABELING PRODUCTS AS  
NICOTINE-FREE**

**Position: SUPPORT**

Dear Chair Sinenci, Vice Chair Johnson, and Members of the Committee,

Papa Ola Lōkahi testifies **in support** of Bill 156, which aims to prohibit the sale or distribution of flavored tobacco products. The marketing of flavored products to attract youth users must be weighed against the health outcomes of negatively impacted neural development and the potential lifetime of nicotine addiction.

One in three Native Hawaiian youth cites the availability of flavors as the reason they use vape products, according to the 2019 Youth Tobacco Survey. This data underpins the need to curb tobacco companies' ability to make these products easily accessible. Additional data from the 2021 Youth Risk Behavior Survey (YRBS) also found racial inequity in tobacco use, with one in five Native Hawaiian high school youth and one in ten Native Hawaiian middle school youth reporting they currently smoke or vape. Native Hawaiian high school students reported active use of vapor products more than nearly all other racial groups in Hawai'i. And, the same survey found that Native Hawaiian high school youth within the county of Maui report smoking or vaping at higher rates than the other counties.

The associated harms of tobacco are clear, and we support efforts that seek to lessen and prevent youth tobacco use.

Thank you for the opportunity to testify in **SUPPORT** of this critical legislation.

*Papa Ola Lōkahi, the Native Hawaiian Health Board, authorized by the federal Native Hawaiian Health Care Improvement Act, is charged with raising the health status of Native Hawaiians to the highest possible level, which we achieve through strategic partnerships, programs, and public policy.*





To: Shane Sinenci, Chair, Gabe Johnson, Vice-Chair, and Members of the Water Authority, Social Services, and Parks Committee.

On behalf of the Coalition for a Tobacco-Free Hawai'i's (CTFH) Youth Council, we support Bill 156. We, however, would like to acknowledge a preference for updated comprehensive definitions of tobacco products and defining nicotine to include:

Products made or derived from tobacco or nicotine, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means.

"Nicotine" includes natural or synthetically derived nicotine, including "nicotinic alkaloids and nicotine analogs."

And removing employee from the retailer definition.

The CTFH Youth Council is a nationally recognized group of youth leaders fighting to envision and create a Hawai'i centered on uplifting community public health beyond the reaches of Big Tobacco. Our council comprises over 40 middle, high school, and college students, with representation from across all of Hawai'i's counties.

Hawai'i is facing a youth vaping epidemic. Across the U.S., Hawai'i high school and middle school students have disproportionately high use rates of e-cigarette products. Containing toxic chemicals like nicotine and formaldehyde, these products have long-term health impacts, significantly harming the developing brain, altering nerve cell functioning, and exposing users to acute nicotine poisoning. Without necessary policy action, over 21,000 Hawai'i youth alive today will die from tobacco-related illness if smoking rates don't change.

Beyond numbers, countless youth from across Hawai'i have chronicled their experiences with tobacco—whether turning to these products for comfort when they have no support

system to confide in, witnessing the toll it takes on their family and friends through generations of addiction, or struggling to overcome the painful withdrawals and cravings of addiction themselves.

Central to the youth vaping epidemic is an industry with a troubling history in our island home. From exploiting Native Hawaiian labor on tobacco plantations to bastardizing the image of sexualized “hula girls” on cigarette advertisements, Big Tobacco has capitalized on Hawai‘i’s unique culture and legacy of colonialism to turn a profit off the backs of the most vulnerable. Of those groups, youth have often been the most targeted, in Hawai‘i and beyond. For many, commercial tobacco use has manifested into a coping mechanism, creating a temporary sense of relaxation to deal with struggles like anxiety, body dysmorphia, and even intergenerational trauma, increasing dependence on the device while preserving the underlying symptoms—making e-cigarettes a deadly tool for profit in a worsening crisis of youth mental health. Today, consistent with the countless stories of Hawai‘i youth fighting nicotine addiction or watching their friends and family do so, Big Tobacco is exploiting our people, our culture, and our vulnerabilities through the use of flavored tobacco products.

Aloha Sun Juice, Lilikoi Lychee, Pass-O-Guava Nectar, Luau Punch, POG, and Pineapple Orange are just a few of the more than 15,500 e-cigarette flavors—often explicitly designed to entice local palettes—lining store shelves. It comes as no surprise, then, that 81% of youth who ever used tobacco started with a flavored product, and 97% of youth who vape currently use a flavored product. Menthol in particular, one of the most popular flavors among Hawai‘i youth, uses added chemicals to create a cooling sensation that, coupled with its minty flavor, makes it easier to start vaping and harder to quit. The industry, which considers Hawai‘i a “Menthol State,” has invested heavily in promoting these products across the islands, driving public health disparities in Native Hawaiian and Pacific Islander communities, with 78% of smokers from these communities using menthol cigarettes. Flavors, then, are the pinnacle of Big Tobacco’s modern design for Hawai‘i—creating devices that specifically market to and addict the communities whose systemic vulnerabilities are a direct consequence of the history of exploitation they participate in.

The industry, however, won’t go down without a fight. Spending an estimated \$22 million annually on marketing and hundreds of thousands on lobbying in Hawai‘i alone, the tobacco industry’s relentless presence in daily life on the islands isn’t an accident—it’s intentional. It’s the primary reason that the Maui County Council is presently prevented from regulating the sale of tobacco in this county, a consequence of a 2018 gut-and-replace law passed behind closed doors. Big Tobacco has not only attempted to

assert control over our people, our culture, and our vulnerabilities but has actively come into our homes and dictated the duties and functions of our own government.

Banning the sale of *all* flavored tobacco products at the county level would work to end this deadly cycle of addiction, manipulation, and exploitation. Even though the State preempts the County's authority in regulating tobacco sales, the passage of Bill 156 would be an unwavering expression of defiance against the financial influence of the tobacco industry and a signal to other elected officials that the people of Maui are ready to fight the youth vaping epidemic now.

We strongly urge that Bill 156 be passed. It's time to put people over the profits of Big Tobacco. It's time to protect our keiki.

Robbiel Fronda - Lahainaluna High School  
Rya Ortogero - Maui High School  
RJ Arconado - Lahainaluna High School  
Dylan Arisumi - Maui High School  
Violet Kato - Maui High School  
Jeremiah Jacinto - JP Baldwin High School  
Lillian Chau - Maui High School  
Ciana Cooper - Maui High School  
Christian Urias - Maui High School  
Kailana Hagan - Seabury Hall

Supporters of the Youth Council Policy Priorities include:

## **HEALTH ORGANIZATIONS**

'Ohana Health Plan  
Adventist Health – Castle  
Aloha Care  
AMA/HMA Student Chapter at JABSOM  
American Academy of Pediatrics – Hawaii Chapter  
American Heart Association  
American Lung Association  
Bay Clinic Inc.  
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

Hamakua Kohala Health Centers  
Hawaii – American Nurses Association (Hawaii-ANA)  
Hawaii COPD Coalition  
Hawaii Dental Hygienists' Association  
Hawaii Health and Harm Reduction Center  
Hawai'i Nurses' Association OPEIU Local 50  
Hawaii Public Health Association  
Hui No Ke Ola Pono  
Hui Ola Pono (UH Public Health's Student Organization)  
Kaho'omiki; Hawaii Council of Physical Activity and Nutrition  
Kauai Rural Health Association  
Keiki Injury Prevention Coalition  
Na Lei Wili Area Health Education Center, Inc.  
The Queen's Health Systems  
Tobacco Prevention Project, Daniel K. Inouye College of Pharmacy  
University of Hawaii Student Health Advisory Council  
US COPD Coalition  
Waimānalo Health Center

## **HEALTH & COMMUNITY LEADERS**

Kathryn Akioka, RRT / TTS  
Joy Barua  
Forrest Batz, PharmD  
Frank Baum, MD  
Deborah Bond-Upson  
Dale Carstensen  
Valerie Chang  
Dyson Chee  
Danelle Cheng  
Bridgitte Daniel  
May Rose Dela Cruz, DrPH  
Andrew Fox, MD  
Shani Gacayan  
Donita Garcia  
Asaka Herman  
Pedro Haro, MPH  
Cyd Hoffeld  
Colleen Inouye, MD  
Lila Johnson  
Leilani Kailiawa  
Lehua Kaulukukui  
Ken Kozuma  
Mark Levin

Loren Lindborg  
Katherine May, PsychD  
Bryan Mih, MD  
Kristin Mills  
Shelly Ogata  
Gregg Pacilio, PT  
Matthew Prellberg  
Jordan Ragasa  
Nathalie Razo  
Keenan Reader  
Crystal Robello  
Kimberly Golis-Robello  
Mary Santa Maria  
Anne Takata, DC  
Patty Kahanamoku-Teruya  
Chien-Wen Tseng, MD  
John A Hau'oli Tomoso  
Jennifer Valera  
Cecilia Villafuerte  
Linda Weiner, MD  
Andre Weston, MDiv  
Matthew Wong

## **YOUTH AND COMMUNITY ORGANIZATIONS**

After-School All-Stars Hawaii  
American Youth Soccer Organization (AYSO)  
Association of Hawaiian Civic Clubs  
Bad Boys Football Club  
Big Island Interscholastic Federation (BIIF)  
Hale 'Ōpio Kaua'i Inc.  
Hawaii Children's Action Network  
Hawaii Interscholastic Athletic Directors Association  
Hawaii State Commission on Fatherhood  
Hawaii State Teachers Association (HSTA)  
Hawai'i Youth Climate Coalition  
Hawaii Youth Services Network  
Honolulu Youth Commission  
Kanu o ka 'Āina Learning Ohana (KALO)  
Kauai Path Inc.  
LearningBond  
Pacific American Foundation  
Parents for Public Schools of Hawai'i  
Partners in Development Foundation  
Residential Youth Services & Empowerment (RYSE)  
The Friends of Kamalani and Lydgate Park  
Waipahu Intermediate Youth For Safety

## **BUSINESSES**

Country Courier, LLC  
Hana Lima Physical Therapy  
Home Remedies Interior Design  
JCS Enterprises Inc.  
Pediatric Therapies Hawaii

## **OAHU NEIGHBORHOOD BOARDS**

Kuliouou-Kalani Iki Neighborhood Board 02  
Kaimuki Neighborhood Board 04  
Diamond Head Neighborhood Board 05  
Palolo Neighborhood Board 06  
McCully-Moilili Neighborhood Board 08  
Makiki-Tantalua Neighborhood Board 10  
Ala Moana/Kakaako Neighborhood Board 11  
Nuuanu/Punchbowl Neighborhood Board 12  
Downtown-Chinatown Neighborhood Board 13  
Liliha/Puunui/Alewa Neighborhood Board 14  
Aliamanu-Salt Lake Neighborhood Board 18  
Aiea Neighborhood Board 20  
Pearl City Neighborhood Board 21  
Waipahu Neighborhood Board 22  
Ewa Neighborhood Board 23  
Mililani-Waipio Neighborhood Board 25  
North Shore Neighborhood Board 27  
Koolauloa Neighborhood Board 28  
Kahaluu Neighborhood Board 29  
Kaneohe Neighborhood Board 30  
Kailua Neighborhood Board 31  
Waimanalo Neighborhood Board 32  
Mililani Mauka- Launani Valley Neighborhood Board 35  
Nanakuli-Maili Neighborhood Board 36

## **SCHOOLS**

Damien Memorial School  
Hawai'i Academy of Arts and Science PCS  
Hawai'i Association of Independent Schools (HAIS)  
Hawai'i Council of Private Schools (HCPS)  
Holy Family Catholic Academy  
Island Pacific Academy  
Maryknoll School  
Maui Preparatory Academy  
Mid-Pacific Institute  
Roots School  
St. Andrew's Schools  
Saint Louis School



## HIPHI Board

Misty Pacheco, DrPH  
Chair  
University of Hawai'i at Hilo

Titiimaea Ta'ase, JD  
Secretary  
State of Hawai'i, Deputy Public Defender

Carissa Holley, MEd  
Treasurer  
Hale Makua Health Services

Debbie Erskine  
ARCH-MEPS Consulting LLC, Owner

Camonia Graham - Tutt, PhD  
University of Hawai'i - West O'ahu

Jennifer José Lo, MD  
Hawai'i Health Partners

May Okihiro, MD, MS  
John A. Burns School of Medicine,  
Department of Pediatrics

Justin Puckett, CPA, MBA  
Humana

Kathleen Roche, MS, RN, CENP  
Kaiser Permanente

Dina Shek, JD  
Medical-Legal Partnership  
For Children in Hawai'i

Garret Sugai  
HMSA

JoAnn Tsark, MPH  
John A. Burns School of Medicine, Native  
Hawaiian Research Office

## HIPHI Initiatives

Coalition for a  
Tobacco-Free Hawai'i

Community-Based Research &  
Evaluation

Community Health  
Worker Initiatives

COVID-19 Response

Environmental Health

Hawai'i Drug & Alcohol-Free Coalitions

Hawai'i Farm to School Network

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective/Healthy Aging &  
Community Living

Public Health Workforce Development

Date: November 15, 2024

To: Councilmember Shane Sinenci, Chair  
Councilmember Gabe Johnson, Vice Chair  
Members of the Water Authority, Social Services, and Parks Committee

Re: Support for Bill 156 (2024), A BILL FOR AN ORDINANCE  
AMENDING TITLE 8, MAUI COUNTY CODE, TO PROHIBIT  
RETAILERS FROM SELLING OR MARKETING FLAVORED  
TOBACCO PRODUCTS AND MISLABELING PRODUCTS AS  
NICOTINE-FREE

Mtg: Monday, November 18, 2024 at 9 AM

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The Coalition for a Tobacco-Free Hawai'i (CTFH), a program of Hawai'i Public Health Institute,<sup>1</sup> is in **support of, and proposes amendments to** Bill 156, which would end the sale of flavored tobacco products in the County of Maui when the power to regulate the sale of tobacco products is restored to the counties.

**CTFH respectfully requests to amend Bill 156 to ensure the intent of the bill is effectively realized (please see Attachment A).**

Tobacco-related disease continues to be the leading cause of death in the United States, resulting in 480,000 deaths annually,<sup>2</sup> with 1,400 of those deaths happening each year in Hawai'i.<sup>3</sup> 95% of adult cigarette smokers started before they turned 21 years of age,<sup>4</sup> so it's clear that to eliminate the harms of tobacco in our society, we need to prevent youth from ever starting. 81% of Hawai'i youth who use tobacco started with a flavored product, and by ending the sale of all flavored tobacco products, including menthol cigarettes, Maui can prioritize the health and safety of our community.<sup>5</sup>

A report by the U.S. Food and Drug Administration, issued in 2013, found that menthol cigarettes led to increased smoking initiation among youth and young adults, more significant addiction, and decreased success in quitting smoking.<sup>6</sup> Candy, sweet, and menthol flavored tobacco attracts youth and makes nicotine tolerable. The widespread availability of flavored tobacco products has such a negative impact on public health that over 390 localities have passed restrictions on the sale of flavored tobacco products, and nearly 200 of those communities restrict the sale of menthol cigarettes as well.<sup>7</sup>

### Flavored products are driving youth use.

Flavors in tobacco products entice youth, and nicotine keeps them addicted. In 2024, 8 in 10 youth who use e-cigarettes reported using a flavored product. Of youth e-cigarette users, 87.6% use flavored products, and fruit, candy, and *mint*



are reported as the most popular flavors.<sup>8</sup> Most of the flavored e-cigarette products used by youth contain extremely high levels of nicotine. One 5% strength nicotine e-cigarette marketed as containing 5,000 puffs contains as much nicotine as 30 packs of cigarettes.<sup>9</sup> According to the 2021 Youth Risk Behavior Survey, Maui County teens are using e-cigarettes at the second highest rate of all other counties, and 5.5% of 6th graders, nearly 10% of 7th graders, and 8.6% of 8th graders are using e-cigarettes.<sup>10</sup> Ending the sale of **all** flavored tobacco products will reduce their appeal and protect our children from a lifetime of addiction.

### **Menthol is a significant risk to health in Hawai'i.**

Tobacco companies use menthol as a calculated tactic to hook new consumers. Menthol's cooling and numbing properties mask the harshness of tobacco. The tobacco industry aggressively targets its marketing to certain populations, including young people, women, and racial and ethnic minority groups. Menthol is one of the most popular flavors in Hawai'i, with 80% of Native Hawaiian smokers and 70% of Filipino smokers using menthol cigarettes.<sup>11</sup>

Studies show that youth and young adults are more likely to try a menthol cigarette as their first cigarette, and those who first start with a menthol cigarette are more likely to continue smoking. In Hawai'i, 63% of those who smoke use menthol cigarettes compared to 28% who smoke them nationally.<sup>12</sup> Menthol enhances the effects of nicotine, which is an addictive drug. Menthol can make tobacco products even more addictive, and in recent years, tobacco companies have increased the amount of nicotine in some menthol cigarettes. If menthol cigarettes were no longer available, an estimated 4,400 additional adults in Hawai'i who smoke would quit smoking.<sup>13</sup>

Kids have shifted dramatically to disposable and menthol e-cigarettes, two categories of products left on the market under current federal restrictions. These shifts show that the only way to end this crisis is to eliminate **all** flavored tobacco products.

### **Maui County voters want regulations.**

In a December 2023 poll<sup>14</sup> of registered voters in Maui County conducted by Ward Research Inc., 73% support a law prohibiting all flavors, including menthol, of tobacco products, and e-cigarettes. In addition, 76% of respondents said that school-aged children vaping or using e-cigarettes is a major problem and 73% believe that the use of e-cigarettes or vaping devices is harmful for Hawai'i's children, teens and families.

Thank you for the opportunity to submit testimony in **support of Bill 156**. By passing this legislation with the suggested amendments, the county sends a strong, clear message to the public that Maui County is committed to uplifting the health and well-being of its residents and showing that community health is more important than tobacco profits.

Mahalo,

A handwritten signature in black ink, appearing to read 'Leslie Garo', written in a cursive style.

Leslie Garo  
Tobacco-Free Maui County Coordinator (Registered lobbyist in Maui County)  
Hawai'i Public Health Institute



1 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.

2 Centers for Disease Control and Prevention. (2023, May 4). *Burden of cigarette use in the U.S.* Centers for Disease Control and Prevention. <https://www.cdc.gov/tobacco/campaign/tips/resources/data/cigarette-smoking-in-united-states.html>

3 *The toll of tobacco in Hawaii.* Campaign for Tobacco-Free Kids. (n.d.). <https://www.tobaccofreekids.org/problem/toll-us/hawaii>

4 Commissioner, O. of the. (n.d.). *FDA issues final rule increasing the minimum age for certain restrictions on tobacco sales.* U.S. Food and Drug Administration. <https://www.fda.gov/news-events/press-announcements/fda-issues-final-rule-increasing-minimum-age-certain-restrictions-tobacco-sales>

5 Truth Initiative. *Flavors.* June 2021. [https://truthinitiative.org/sites/default/files/media/files/2021/06/Truth\\_FlavoredTobacco\\_FactSheet2021\\_FINAL.pdf](https://truthinitiative.org/sites/default/files/media/files/2021/06/Truth_FlavoredTobacco_FactSheet2021_FINAL.pdf)

6 Commissioner, O. of the. (n.d.-b). *FDA issues final rule increasing the minimum age for certain restrictions on tobacco sales.* U.S. Food and Drug Administration. <https://www.fda.gov/news-events/press-announcements/fda-issues-final-rule-increasing-minimum-age-certain-restrictions-tobacco-sales>

7 Bach, L. (2024, October 3). *States & localities that have restricted the sale of flavored tobacco products.* Campaign for Tobacco-Free Kids. <https://assets.tobaccofreekids.org/factsheets/0398.pdf>

8 Products, C. for T. (n.d.). *Results from the annual National Youth Tobacco Survey (NYTS).* U.S. Food and Drug Administration. <https://www.fda.gov/tobacco-products/youth-and-tobacco/results-annual-national-youth-tobacco-survey>

9 Stanford University Tobacco Prevention Toolkit. (n.d.). *Factsheets.* <https://med.stanford.edu/tobaccopreventiontoolkit/take-and-teach/toolkit-factsheets.html>

10 Matters, H. H. (n.d.). *Hawaii health matters.* Hawaii Health Matters :: Indicators :: Young Teens Who Use E-Cigarettes :: County : Maui. <https://www.hawaiihealthmatters.org/?module=indicators&controller=index&action=view&comparisonId=&indicatorId=5191&localeId=602&localeChartIdxs=1%7C2%7C3>

11 Matters, H. H. (n.d.-a). *Hawaii health matters.* Hawaii. <https://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=12619&localeId=14&localeChartIdxs=1%7C2%7C6>

12 Centers for Disease Control and Prevention. (2024, March 28). *Sociodemographic and temporal differences in menthol cigarette use among us adults who smoke, 1999-2018.* Centers for Disease Control and Prevention. [https://www.cdc.gov/pcd/issues/2024/23\\_0291.htm](https://www.cdc.gov/pcd/issues/2024/23_0291.htm)

13 Centers for Disease Control and Prevention. (2024a, February 16). *State menthol fact sheets.* Centers for Disease Control and Prevention. [https://www.cdc.gov/tobacco/basic\\_information/menthol/state-menthol-fact-sheets.html#HI](https://www.cdc.gov/tobacco/basic_information/menthol/state-menthol-fact-sheets.html#HI)

14 This study by Ward Research, Inc. summarizes findings from a phone survey among n=707 Hawai'i registered voters (maximum sampling error +/- 3.7%), conducted between October 6 to November 29, 2023.

## ATTACHMENT A: Requested Amendments

(underline additions, strikethrough removals)

**Amendment #1:** Clarify the definitions of “E-liquid,” “electronic smoking device” and “tobacco product” and add a definition for nicotine in **Section 8.22.010** to mitigate any loopholes the tobacco industry and/or e-cigarette manufacturers can exploit.

[Remove the definition of “E-Liquid,” which will be covered under Electronic Smoking Devices]

~~“E-liquid” means any liquid or similar substance, which may or may not contain nicotine, that is designed or intended to be used in an electronic smoking device, irrespective of whether it is packaged in a cartridge or other container. “E-liquid” does not include prescription drugs, cannabis for medical use under chapter 329, Hawai'i Revised Statutes, or manufactured cannabis products under chapter 329D, Hawai'i Revised Statutes.~~

[Expand the definition of “Electronic Smoking Devices”]

“Electronic smoking device” means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. ~~device that may be used to deliver any aerosolized or vaporized to the person inhaling from the device, including an electronic cigarette, electronic cigar, electronic pipe, vape pen, or electronic hookah. “Electronic smoking device”~~ The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, vape pen, dab rig or e-hookah or under any other product name or descriptor. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act. ~~component, part, or accessory of the device and any e-liquid that may be aerosolized or vaporized by the device, irrespective of whether the substance contains nicotine. The term does not include drugs, devices, or combination products authorized for sale by the United States Food and Drug Administration.~~

[Expand the definition of “Tobacco Product”]

“Tobacco product” does not include drugs, devices, or combination products approved for sale by the United States Food and Drug Administration. “Tobacco product” means:

1. Products made or derived from tobacco or nicotine, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means ~~Any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by other means, including a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus;~~



2. Any electronic smoking device and any e-liquid that may be aerosolized or vaporized by the device, irrespective of whether the substance contains nicotine; or
3. Any component, part, or accessory listed in this definition's numbered paragraphs 1 or 2, including filters, rolling papers, blunt or hemp wraps, hookahs, flavor enhancers, or pipes.

[Add a definition for "Nicotine"]

**"Nicotine" means natural or synthetically derived nicotine, including nicotinic alkaloids and nicotine analogs.**

**Amendment #2:** Revise the definition of "retailer" in Section 8.22.010 to clarify the liability for selling flavored tobacco products is on the owners or agents who determine what is sold in retailers instead of the individual employee.

"Retailer" means an entity that sells, offers for sale, exchanges, or offers to exchange tobacco products to consumers for any form of consideration.

"Retailer" includes an owner, ~~or agent, or employee~~ of a tobacco retail location.

**Amendment #3:** Add "distributors" and "importers" to Section 8.22.020 to ensure all types of businesses that sell tobacco products are covered.

- A. A rebuttable presumption exists that a tobacco product is a flavored tobacco product when:
  1. Any communication is made by or on behalf of the importer, distributor, manufacturer, or retailer of a tobacco product that the product imparts a taste or odor other than the taste or odor of tobacco; or
  2. Any communication is made by or on behalf of the importer, distributor, manufacturer, or retailer that the tobacco product imparts a cooling or numbing sensation.
- B. A rebuttable presumption exists that a tobacco product is a flavored tobacco product when a tobacco importer, distributor, retailer, manufacturer, or any employee or agent of a tobacco retailer or manufacturer has:

**Amendment #4:** Revise the definition of "mislabeling" in Section 8.22.030 for clarity.

- C. ~~Mislabel~~Label as nicotine-free or sell or market for sale as nicotine-free an e-liquid product that contains nicotine.



November 17, 2024

To: Councilmember Shane Sinenci, Chair Councilmember Gabe Johnson, Vice Chair Members of the Water Authority, Social Services, and Parks Committee

Re: Support for Bill 156 (2024), A BILL FOR AN ORDINANCE AMENDING TITLE 8, MAUI COUNTY CODE, TO PROHIBIT RETAILERS FROM SELLING OR MARKETING FLAVORED TOBACCO PRODUCTS AND MISLABELING PRODUCTS AS NICOTINE-FREE

Mtg: Monday, November 18, 2024 at 9 AM

Dear Councilmembers,

The Campaign for Tobacco-Free Kids **strongly supports Bill 156** to end the sale of flavored tobacco products in Maui County.

**We also support the AMENDED language suggested by the Hawai'i Public Health Institute (HIPHI) and the Coalition for Tobacco-Free Hawai'i.** The tobacco industry is quick to tweak products so that they avoid regulation. The definitions provided by HIPHI address some of the issues we have seen in other states and make the bill stronger.

The Campaign for Tobacco-Free Kids & the Tobacco-Free Kids Action Fund are pleased to submit this letter in support of a **comprehensive** ban on the sale of flavored tobacco products in Maui County to reduce tobacco use, particularly among youth. The Campaign for Tobacco-Free Kids is the nation's largest non-profit, non-governmental advocacy organization solely devoted to reducing tobacco use and its deadly toll by advocating for public policies that prevent kids from using tobacco and help smokers quit. It is encouraging to see cities and counties continue to take thoughtful, evidence-based steps to reduce the number of kids who start using tobacco and help tobacco users quit.

We understand that this bill would not take effect unless the state repealed the preemption on tobacco sale regulation by the counties. The counties of Hawai'i have a long history of enacting tobacco control before the state takes action and we hope that the state will allow the counties to resume their role in protecting their residents against pernicious actors like Big Tobacco. Hawaii County and the City and County of Honolulu have already passed similar trigger ordinances in the last year.



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 Hawai'i and the nation, killing 480,000 Americans annually, including 1,400 in Hawai'i. **As you discuss policy options, we stand with dozens of other national health organizations to urge you to end the sale of *all* flavored tobacco products including *candy-flavored e-cigarettes, sweet-flavored cigarillos, menthol cigarettes, and hookah products.***

**Prohibiting the sale of all flavored tobacco products 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. **Eight out of ten youth who have ever used a tobacco product started with a *flavored* product.<sup>1</sup>**

### **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 smokers using *menthol* cigarettes (the only remaining flavored cigarette) has been increasing.<sup>2</sup> Menthol cigarettes comprised 37 percent of the market in 2020.<sup>3</sup>

The Tobacco Control Act's prohibition on characterizing flavors did not apply to other tobacco products, and as a result, tobacco companies have significantly stepped up the introduction and marketing of flavored non-cigarette tobacco products. In fact, the overall market for flavored tobacco products is actually growing. In recent years, there has been an explosion of

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<sup>1</sup> Ambrose, BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014," *Journal of the American Medical Association*, published online October 26, 2015.

<sup>2</sup> 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.

<sup>3</sup> U.S. Federal Trade Commission (FTC), Cigarette Report for 2020, 2021, <https://www.ftc.gov/system/files/documents/reports/federal-trade-commission-cigarette-report-2020-smokeless-tobacco-report-2020/p114508fy20cigarettereport.pdf> [data for top 4 manufacturers only].



sweet-flavored tobacco products, especially e-cigarettes and cigars. These products are available in a wide assortment of flavors – like mango, blue razz, pink punch and mint for e-cigarettes and chocolate, watermelon, and cherry dynamite for cigars. Tobacco companies are making and marketing deadly and addictive products that look and taste like a new line of flavors from a Ben and Jerry’s ice cream store.

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.”<sup>4</sup> The 2021 National Youth Tobacco Survey found that 70.3% of middle and high school students—17.77 million youth—had been exposed to e-cigarette advertisements from at least one source.<sup>5</sup>

Sales of cigars (i.e., large cigars, cigarillos, and small cigars) have more than doubled between 2000 and 2020, and much of the growth is attributable to smaller types of cigars, many of which are flavored and inexpensive.<sup>6</sup> Nielsen convenience store market scanner data showed that over half (53.3%) of cigar sales in 2020 were for flavored cigars. Among flavored cigars sold in these stores in 2020, the most popular flavors were sweet or candy (30.6%) and fruit (29.5%).<sup>7</sup> Earlier data show the number of unique cigar flavor names more than doubling from 108 to 250 over the same time period.<sup>8</sup> The top five most popular cigar brands among 12- to 17-year olds who have used cigars – Black & Mild, Swisher Sweets, White Owl, Backwoods, and Dutch Masters – all come in flavor varieties.<sup>9</sup> These products are often sold singly or can be priced as low as 3 or 4 for 99 cents, making them even more appealing to price-sensitive youth. Note that

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<sup>4</sup> HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

<sup>5</sup> Gentzke, A, et al., “Tobacco Product Use and Associated Factors Among Middle and High School Students—National Youth Tobacco Survey, United States, 2021,” *MMWR* 71(5): 1-29, March 10, 2022, <https://www.cdc.gov/mmwr/volumes/71/ss/pdfs/ss7105a1-H.pdf>.

<sup>6</sup> U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB), Tobacco Statistics.

<sup>7</sup> Delnevo, CD, et al. “Cigar Sales in Convenience Stores in the US, 2009-2020,” *JAMA* 326(23):2429-2432.

<sup>8</sup> Delnevo, CD, Giovenco, DP, & Miller, EJ, “Changes in the Mass-merchandise Cigar Market since the Tobacco Control Act,” *Tobacco Regulatory Science*, 3(2 Suppl 1):S8-S16, 2017.

<sup>9</sup> SAMHSA’s public online data analysis system (PDAS). National Survey on Drug Use and Health, 2015, [https://pdas.samhsa.gov/#/survey/NSDUH-2015-DS0001/crosstab/?row=CGR30BR2&column=CATAG2&weight=ANALWT\\_C&results\\_received=true](https://pdas.samhsa.gov/#/survey/NSDUH-2015-DS0001/crosstab/?row=CGR30BR2&column=CATAG2&weight=ANALWT_C&results_received=true).



cigar smoke is composed of the same toxic and carcinogenic constituents found in cigarette smoke.<sup>10</sup>

Although tobacco companies claim to be responding to adult tobacco users' demand for variety, it's clear that flavored tobacco products play a key role in enticing new users, particularly kids, to a lifetime of addiction. This growing market of flavored tobacco products is undermining progress in reducing youth tobacco use.

### **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 **eight out of ten kids who have ever used tobacco products started with a flavored product.**<sup>11</sup> 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.

Nationally, e-cigarettes have been the most commonly used tobacco product among youth since 2014. Today, youth e-cigarette use remains a serious public health concern, with over 2.5 million youth, including 14.1% of US high schoolers, reporting current e-cigarette use in 2022, according to the National Youth Tobacco Survey (NYTS).<sup>12</sup> According to the 2019 Hawai'i Youth Risk Behavior Survey, 30.1% of Hawai'i high school students and 17.7% of middle school students are current e-cigarette users.<sup>13</sup>

Kids are not just experimenting with e-cigarettes, but are using them frequently, leading to an addiction that is difficult to break. According to the 2022 NYTS, 46% of high school e-cigarette users reported vaping on 20 or more days/month, and 30.1% reported daily use.<sup>14</sup> This youth addiction crisis has been fueled by the growth of high nicotine e-cigarettes—many contain as much or more nicotine as a pack of twenty cigarettes. Nicotine is a highly addictive drug that can have lasting damaging effects on adolescent brain development—the brain keeps

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<sup>10</sup> National Cancer Institute (NCI), *Cigars: Health Effects and Trends. Smoking and Tobacco Control Monograph No. 9*, 1998, [http://cancercontrol.cancer.gov/Brp/tcrb/monographs/9/m9\\_complete.pdf](http://cancercontrol.cancer.gov/Brp/tcrb/monographs/9/m9_complete.pdf). Chang, CM, et al., "Systematic review of cigar smoking and all cause and smoking related mortality," *BMC Public Health*, 2015.

<sup>11</sup> Ambrose, BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014," *Journal of the American Medical Association*, published online October 26, 2015.

<sup>12</sup> Cooper, M et al., "E-Cigarette Use Among Middle and High School Students—United States, 2022," *MMWR*, 71(40): 1283-1285, October 7, 2022, <https://www.cdc.gov/mmwr/volumes/71/wr/pdfs/mm7140a3-H.pdf>.

<sup>13</sup> Centers for Disease Control and Prevention (CDC). 2019 High School Youth Risk Behavior Survey Data. Available at <http://nccd.cdc.gov/youthonline/>.

<sup>14</sup> Cooper, M et al., "E-Cigarette Use Among Middle and High School Students—United States, 2022," *MMWR*, 71(40): 1283-1285, October 7, 2022, <https://www.cdc.gov/mmwr/volumes/71/wr/pdfs/mm7140a3-H.pdf>.



developing until about age 25. In particular, nicotine use can harm the parts of the adolescent brain responsible for attention, learning, mood and impulse control.<sup>15</sup> The Surgeon General concluded that, “The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.”<sup>16</sup>

Youth e-cigarette users are also at risk of smoking cigarettes. A 2018 report from the National Academies of Science, Engineering & Medicine found that “There is substantial evidence that e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults.”<sup>17</sup> More recent research confirms this finding.<sup>18</sup> Therefore, it is critical for any policy restricting sales of flavored tobacco products to include e-cigarettes.

In February 2020, the FDA restricted some flavors in cartridge-based e-cigarettes, but exempted all menthol-flavored e-cigarettes and left flavored e-liquids and disposable e-cigarettes widely available in every imaginable flavor, including flavors that uniquely appeal to Hawai’i’s children – like luau punch and lychee ice. New data show that the market share of these products has grown substantially and that youth quickly migrated to the flavored products that were exempt from the FDA’s policy. In 2022, 55.3% of US youth e-cigarette users reported using disposable e-cigarettes and 26.6% of users of flavored e-cigarettes reported using menthol e-cigarettes.<sup>19</sup>

While the FDA recently announced that it had denied marketing applications for certain flavored e-cigarettes, many of the flavored products most popular among kids, like Juul, are still on the market. Every day these products remain on the market, our kids remain in jeopardy. Because of the delays and gaps in the FDA’s actions, it is critical that states and cities step up their efforts to eliminate ALL flavored e-cigarettes, as well as other flavored tobacco products. The evidence is also clear that as long as any flavored e-cigarettes – including menthol-flavored products – are on the market, kids will shift to them and we will not end this public health crisis.

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<sup>15</sup> HHS, *The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General*, CDC, Office of Smoking and Health (OSH), 2014, <http://www.surgeongeneral.gov/library/reports/50-years-of-progress/index.html>. See also: CDC Office on Smoking and Health, “Quick Facts on the Risks of E-cigarettes for Kids, Teens, and Young Adults,” March 2019. Accessed August 9, 2019.

<sup>16</sup> HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

<sup>17</sup> National Academies of Sciences, Engineering, and Medicine (NASEM), *Public Health Consequences of E-Cigarettes*, 2018, <http://nationalacademies.org/hmd/Reports/2018/public-health-consequences-of-e-cigarettes.aspx>.

<sup>18</sup> Berry, KM, et al., “Association of Electronic Cigarette Use with Subsequent Initiation of Tobacco Cigarettes in US Youths,” *JAMA Network Open*, 2(2), published online February 1, 2019; Pierce, JP, et al., “Use of E-Cigarettes and Other Tobacco Products and Progression to Daily Cigarette Smoking,” *Pediatrics*, 147(2), published online January 11, 2021.

<sup>19</sup> Cooper, M et al., “E-Cigarette Use Among Middle and High School Students—United States, 2022,” *MMWR*, 71(40): 1283-1285, October 7, 2022, <https://www.cdc.gov/mmwr/volumes/71/wr/pdfs/mm7140a3-H.pdf>.





Hawai'i must close the gaps left by the FDA and protect our kids from these dangerous and addictive products.

### **Menthol Cigarettes and Flavored Cigars Increase Youth Smoking and Exacerbate Health Disparities**

No other flavored product contributes more to the death and disease caused by tobacco use than menthol cigarettes. 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 the only flavored cigarette left on the market, it's also no surprise that menthol cigarettes are popular among youth. About half of youth who have ever tried smoking started with menthol-flavored cigarettes.<sup>20</sup> 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.

According to the 2019 Hawaii Youth Risk Behavior Survey, 59% of Hawaii's high school cigarette smokers and 38% of middle school cigarette smokers used menthol cigarettes.

In addition, cheap, flavored cigars – sold in hundreds of flavors like cherry dynamite, tropical twist and chocolate – have flooded the market in recent years and fueled the popularity of these products with kids. The 2022 National Youth Tobacco Survey shows that cigars are the second most popular tobacco product (after e-cigarettes) among all high school students and are especially popular among Black high school students.<sup>21</sup>

### ***Tobacco companies have a long history of targeting communities with menthol marketing.***

Tobacco industry marketing, often targeted at minority communities, has been instrumental in increasing the use of menthol products and in the disproportionate use of menthol products by minority groups and youth. TPSAC concluded that menthol cigarettes are marketed

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<sup>20</sup> Ambrose, BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014," *Journal of the American Medical Association*, published online October 26, 2015.

<sup>21</sup> Park-Lee E, et al. "Tobacco Product Use Among Middle and High School Students — United States, 2022." *MMWR* 71(45):1429–1435, November 11, 2022, <https://www.cdc.gov/mmwr/volumes/71/wr/pdfs/mm7145a1-H.pdf>.



disproportionately to younger smokers and Black Americans.<sup>22</sup> Dating back to the 1950s, the tobacco industry has targeted these communities with marketing for menthol cigarettes through sponsorship of community and music events, targeted magazine advertising, youthful imagery, and marketing in the retail environment. Nationwide, as a result of this targeting, 85% of Black smokers smoke menthol cigarettes, compared to 29% of White smokers.<sup>23</sup> Nationally, menthol is also disproportionately high among Asian and Hispanic smokers, LGBTQ+ smokers, smokers with mental health problems, socioeconomically disadvantaged populations, and pregnant women.<sup>24</sup>

There is also evidence that the industry has targeted the Hawaiian population. In the 1980s, a marketing group strategized how to reach native Hawaiians with Kool cigarettes, a popular menthol brand. The agency recommended that Kool employ “ethnic advertising” in Hawai’i, recommending the use of models that were “fun, happy-go-lucky young people in their 20s...[who have] full social calendars and spend a lot of time outdoors at the beach... people who display what islanders call the aloha spirit.”<sup>25</sup> An assessment of tobacco advertising in Hawai’i found that Kool, a popular menthol brand, was the most heavily advertised brand across Hawai’i in the early 2000s.<sup>26</sup> The 2020 Behavioral Risk Factor Surveillance System shows that prevalence is high among ethnic groups that comprise a significant proportion of Hawaii’s population, with 79% of Filipino smokers, 78% of Native Hawaiian smokers, and 69% of Japanese smokers usually smoking menthol cigarettes.

**Action to prohibit menthol cigarettes is long overdue.** In 2011, TPSAC concluded that “Removal of menthol cigarettes from the marketplace would benefit public health in the United States.”<sup>27</sup> Over a decade after TPSAC issues its report—in April 2022—the FDA issued proposed rulemaking to prohibit menthol cigarettes and flavored cigars. However, until any FDA action is finalized, states and cities should continue their growing efforts to end the sale of menthol

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<sup>22</sup> TPSAC, *Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations*, July 21, 2011.

<sup>23</sup> Delnevo, CD, et al., “Banning Menthol Cigarettes: A Social Justice Issue Long Overdue,” *Nicotine & Tobacco Research*, 22(10): 1673-1675, 2020.

<sup>24</sup> Delnevo, CD, et al., “Banning Menthol Cigarettes: A Social Justice Issue Long Overdue,” *Nicotine & Tobacco Research*, 22(10): 1673-1675, 2020.

<sup>25</sup> Anderson, SJ, “Marketing of menthol and consumer perceptions: a review of tobacco industry documents,” *Tobacco Control*, 20(Suppl 2): ii20-ii28, 2011.

<sup>26</sup> Glanz, K, et al., “Operation Storefront Hawaii: Tobacco Advertising and Promotion in Hawaii Stores,” *Journal of Health Communication*, 11(7): 699-707, 2006.

<sup>27</sup> Tobacco Products Scientific Advisory Committee (TPSAC), *Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations*, July 21, 2011

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



cigarettes and other flavored tobacco products. It will take time for the FDA to finalize and implement the necessary regulations to prohibit menthol cigarettes and flavored cigars, and tobacco industry lawsuits could cause more delays. States and cities have an obligation to protect the health of their citizens and must act now to stop tobacco companies from targeting kids and other groups with menthol cigarettes and other flavored products. We can't afford more delay in taking action to protect kids and save lives.

**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. This issue is about protecting our kids, saving lives, and advancing health equity.

**Thank you for considering a strong and comprehensive policy without exemptions. This ordinance will save lives in Hawai'i.**

Sincerely,

Liza Ryan Gill

Campaign for Tobacco-Free Kids, Hawaii

CAMPAIGN  
for  
TOBACCO-FREE  
Kids®



DISPOSABLE E-  
HOOKAHS



CAMPAIGN  
for  
TOBACCO-FREE  
Kids®

# Not Your Grandfather's Cigar

*A New Generation of Cheap and Sweet Cigars  
Threatens a New Generation of Kids*



CAMPAIGN  
for  
TOBACCO-FREE  
Kids®

Hawai'i voters **SUPPORT**  
a proposal to **END THE**  
**SALE OF ALL FLAVORED**  
**TOBACCO PRODUCTS**



**90%** Hawai'i voters are concerned about **TOBACCO USE**  
**AND NICOTINE ADDICTION AMONG HAWAI'I YOUTH**

# **N** **FLAVORED** tobacco products

**REASONS VOTERS SUPPORT ENDING**  
**THE SALE OF ALL FLAVORED TOBACCO**  
**PRODUCTS:**

**85%**  Kids' addiction to  
candy/fruit flavored  
tobacco products

**84%**  Massive doses of  
nicotine being very  
harmful to young people

**74%**  Tobacco companies  
contributing money  
to influence elected  
leaders



**84%**

**SUPPORT A PROPOSAL** to  
**END** the sale of flavored  
tobacco products that  
can appeal to kids

**HAWAI'I VOTERS BELIEVE:**  
It is **MORE IMPORTANT** to **END THE SALE**  
**OF FLAVORED TOBACCO** products to  
prevent kids from using them



**77%**

say it is more important to  
protect kids than protect  
business/allow flavored  
tobacco products



**69%**

say it is more important to  
end flavored tobacco  
sales/prevent youth use than  
to protect rights of adults to  
use flavored tobacco



# MAUI COUNTY



# 87% SUPPORT

ending the sale of flavored tobacco

Reasons MAUI COUNTY voters support ending the sale of flavored tobacco products



**85%**

Kids' addiction to candy/fruit flavored tobacco products

**80%**

felt it is more important to end the sale of flavored tobacco products to help prevent kids from using them than to protect local small businesses



**84%**

Massive doses of nicotine being very harmful to young people

**72%**

felt it is more important to end the sale of flavored tobacco products to help prevent kids from using them than to protect adult rights

**74%**

Tobacco companies contributing money to influence elected leaders

n = 406 | margin of error = +/- 4.9%

## RESPONDENT PROFILE

### GENDER



### ISLAND

### AGE

<35	11%
35-64	60%
65+	29%

### CHILDREN <18



6%	91%
Have Kids	None

1,692 Registered Hawai'i Voters  
Via Telephone & Online Survey  
(2/7/23-3/1/23)  
Margin of Error = +/- 2.4%

### LGBTQ+

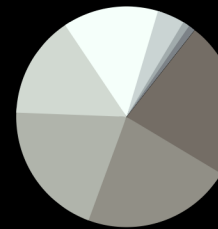


### NEXT ELECTION VOTER



Very Likely	93%
Somewhat Likely	5%

### ETHNICITY



Japanese	23%
Caucasian	22%
Hawaiian/Part	20%
Mixed/Other	15%
Filipino	14%
Chinese	4%
Hispanic	1%
Other P.I.	1%

### HOUSEHOLD INCOME

<\$50k	18%
\$50k-\$100k	31%
\$100k+	40%



### HAWAI'I RESIDENCY

63%	33%	4%
Born & Raised	10+ yrs	<10 yrs

