

WASSP Committee

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Aloha!

I am not sure if our testimony was received. Attached is the testimony of RMH for Bill 156

If you have any questions or concerns, please feel free to ring my bells.

A Hui Hou Kakou!

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**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII
November 18, 2024**

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

Aloha, Chair Sinenci members of the Maui County Council's Water Authority, Social Services, and Parks Committee. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii is a statewide not-for-profit trade organization committed to supporting the retail industry and businesses in Hawaii. The retail industry is one of the largest employers in the state, with 27% of the jobs in Hawaii supported by the retail industry.

We respectfully oppose BILL 156 (2024) – To Prohibit Retailers from Selling or Marketing Flavored Tobacco Products and Mislabeling Products as Nicotine-Free (WASSP-15). This measure prohibits retailers from selling or marketing flavored tobacco products - including products with menthol and products that produce cooling sensations - and mislabeling products as nicotine-free.

It is our understanding that **e-liquid available worldwide are “flavored.” Because many do not contain tobacco, e-liquids have no “natural tobacco” taste, or any taste for that matter, without the addition of flavorings.** These flavored e-liquids are enjoyed by many adults as well as menthol cigarettes, cigars, chewing and pipe tobacco.

This bill would **essentially ban all e-liquids as well as flavored tobacco products and compel people to purchase these goods online or on the black market or on military bases or try to make it themselves and essentially force many small local businesses who sells these items to shut down, thus leaving many of our family, friends, and neighbors out of work.**

If this is to deter underage use, Hawaii currently has a law in place that states that it is unlawful for a person under the age of 21 years to purchase electronic vaping devices, e-liquids, and tobacco products. However, adults that are 21 and older are able to purchase these items and enjoy them like menthol cigarettes or an electronic vaping device with their favorite flavored e-liquid.

We also want to make it clear that retailers are not the ones selling the vaping devices to those who are under 21 years of age. **Many of whom are underage are obtaining their cigarettes and vaping devices from their parents, family members, older of age friends or purchasing them on the black market.** We have seen a significant spike in theft and tobacco and vape products are a favorite to be stolen. Those selling the stolen goods do not care to see how old someone is.

We wonder why are there NOT more stricter laws and consequences aimed at the minors who are vaping or those who purchase the products for the minors? Why is the Department of Education not cracking down on those who vape on campus if so many students are doing this? Why are adults who can legally purchase these items going to be denied if the aim is at minors?

In addition, vapor products and e-liquids are NOT the same as a tobacco product. The New England Journal of Medicine published found that **electronic vaping devices were nearly twice as effective as conventional nicotine replacement products, like patches and gum, for quitting smoking.** The study was conducted in Britain and funded by the National Institute for Health Research and Cancer Research UK.

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