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## MEMORANDUM FOR RECORD

### SUBJECT: MARYLAND FLAVOR BAN AGAINST VAPING

I am writing this memo in hopes that I can give you a better understanding of vaping, the position that we support as vapers and how vaping has benefitted myself and many others.

After being a smoker for 27 years, I developed a chronic cough, I wheezed at night when I laid down to sleep, I could not walk up a flight of stairs without stopping to catch my breath and couldn't keep up the pace to walk around the block with my grandchildren.

I was desperate to stop smoking. I tried the patch, I tried Nicorette gum, Chantix and I even tried hypnosis and none of those things worked for me. Then I discovered vaping. I did some research, talked to other individuals that vaped to get a better understanding of the product and then I bought a small device to try it out. It was difficult to get use to at first because it was different from smoking.

It wasn't very long after I started vaping, that I started a new job at the VA Hospital. This was a very stressful job and my daily duties revealed many disturbing things. Mostly patients with different types of cancer, mouth, throat and lung. Patients who could no longer talk or eat because of throat cancer. Patients who could not take a breath on their own, patients on respirators, numerous cases of COPD and ALMOST ALL CAUSED BY SMOKING. This was definitely a turning point for me, I realized that if I didn't make a change this could someday be me.

So in 2014 I decided to open a small vape shop. I needed to stop smoking and although I could not help those patients that were already very sick, perhaps this was my pathway to quit and a way for me to help others find a healthier alternative to smoking.

Let me say that again, vaping is a much healthier alternative to smoking.

The center of focus seems to be that vaping has become an epidemic and addicting our youths to nicotine. Well before vaping came along our youths were addicted to cigarettes. There are plenty of statistics that show that millions of people have died from cigarettes but yet that seems to be a topic that gets brushed aside. However we grasp onto the random accusations that vaping has killed people. Even after it was confirmed that none of the lung illnesses were linked to any commercially available nicotine products, but the public is still latching on to this false news.

I am trying to understand why the industry is under constant attack.

Let's review some facts: In 2015 there was rumor that vaping was causing popcorn lung. This was attributed to a chemical called diacetyl. The use of this product was evaluated and manufacturers eliminated this chemical from all e-liquids that contained this chemical. By the way Diacetyl is still in

used in many products that we come in contact with every day but it can no longer be associated with vaping.

Let's review some additional facts: In 2016 there was a rumor concerning small children and animals were able to open and consume the e-juice from the bottles. So, the FDA recommended a need for child protective caps, and we were given a suspense date to comply. The industry jumped on board and changed all of their packaging to include child protective caps and within the required timeline, and those protective caps are still presently in place.

Let's review another fact: In 2017 there were complaints that the labeling of e-juice is appealing to younger people and that the labels needed to be changed in a way that was less appealing to younger people. Once again the industry went back to the drawing board and changed the look of their products within the time allocated for the change by the FDA.

Additional Facts: In 2018 the FDA determined that e-juice is a dangerous product and that are product should be categorized the same as tobacco and every bottle, every box, every post, every advertisement, every marketing campaign anything that is seen by the public must display this warning label. Once again, the industry went back to the drawing board and reestablished their labeling according to the specific direction of the FDA.

The FDA had also provided a timeline in which all companies were required to submit their product ingredients for further review and approval and this process will be extremely costly and with no guarantees that your product can continue to be sold.

The industry has complied with everything that has been required.

Another fact: In 2019, there was an announcement put out by the National Youth Tobacco Survey (NYTS) that indicated vaping among young people rose from 21% in 2018 to 28% in 2019 however it was also mentioned that there was an accelerated decline in **youth smoking**. This statistic is important because it reveals that basically the amount of youths smoking has really not changed that much but the paradigm has shifted and some who were smoking are now vaping, and although that may not be the ideal statistic, they have chosen a less harmful alternative to smoking.

In 2019 the age restriction of 21 was implemented. We have educated our public, posted signs, checking ID's, whatever is required. So why are we under constant attack? Why are we being held accountable at this time for the actions of these youths?

In 2019 there were bogus reports that indicated vaping was causing lung damage and killing people. Even after many investigations were conducted and concluded that the culprit was THC cartridges laced with vitamin E oil and yet the public is still latching onto random accusations that these lung illnesses are associated with products sold commercially that contain nicotine.

The center of focus seems to be that vaping has become an epidemic and addicting our youths to nicotine. Well before vaping came along our youths were addicted to cigarettes. There are plenty of statistics that show that millions of people have died from cigarettes but yet that seems to be a topic that gets brushed aside.



I sat by and listened to comments last week regarding younger people vaping in school. Why are we not implementing stricter policies in the schools? Implement no tolerance for vaping and if you are caught you are expelled. Young people today and even young people back in my day, when you tell them not to do something, they are going to find a way to do it until there is a consequence. Make them accountable for their actions and I guarantee all you will need is to carry through on one incident, uphold one punishment, make an example of one individual and see what happens.

Chipping away at the vaping industry is not going to accomplish what you think. It is just going to create a whole mirage of different problems that will be more difficult to deal with. Transporting products from other states, products being produced and sold on the black market and this is just to name a few.

You are punishing the wrong party. Our intent is to provide smokers with a healthier alternative to smoking. To improve their quality of life and reverse the ailments that plagued each of us when we were smoking, and vaping has done that.

It's unbelievable how this whole process has reminded me of a short film clip released in 1938 called "Reefer Madness". Perhaps some of you have seen it. This was a form of propaganda displayed to scare America's youths away from smoking marijuana. It portrays how one puff can plunge our youths into a web of murder, sex, suicide and lunacy. They would have never imagined that after 80 years it would become legal and would actually help people of all ages deal with all sorts of ailments and conditions.

So why are we looking at vaping in this manner. Vaping has improved my overall health. I can breath again, I can take long walks again, I can taste food again and play with my grandchildren again and they don't complain that I smell bad. Vaping has benefitted many people and it can benefit many more.

You know, every time a customer comes into my shop and says they haven't smoked a cigarette in 30 or 60 days I get so excited because I have help others change to a healthier, positive lifestyle. We don't want to go back to smoking cigarettes.

We are small businesses and we have done everything that has been asked of us and eliminating our businesses could be a choice between life and death for some of us, so why would anyone even consider taking that choice away from us? Thank you for your time.