

House Economics Matters Committee
HB1033: “Business Regulation - Electronic Smoking Devices Manufacturers –
Certifications”
Hearing February 20, 2024 at 1pm in the House

Dear Maryland Delegates Mireku-North, Rosenberg, and Miller:

My name is Annie Kleykamp (PhD, MA) writing as a scientist with over 20 years of experience studying the effects of nicotine and tobacco. I have also been a voter and taxpayer in Maryland for the last 16+ years. I am urging you to **reject HB 1033**, which would require the state to enforce regulations that could restrict access to safer products among people who smoke.

Tobacco smoking, the leading cause of death and disease in the world, continues to be the most commonly way people use tobacco in Maryland and the United States. Approximately 1,000 people die each day in America from its use. One of those people was my father who passed away at age 63 as a lifelong smoker who had not been able to quit despite having a medical degree and access to FDA-approved medications for cessation.

These FDA-approved medications have low success rates and people who smoke need more options for helping them quit.

E-cigarettes (“vaporized products”) are a tool for reducing the harms of smoking. Since E-cigarettes were introduced to America in 2006 there has been growing evidence demonstrating their safety and reduced harm. Leaders in science and medicine (the Cochrane Collaboration and the New England Journal of Medicine) have now published data supporting the conclusion that vapor products/e-cigarettes result in less exposure to harm chemicals than smoking and can serve as a tool for stopping smoking. These reviews of the evidence included over 20,000 patients and demonstrated that e-cigarettes were more effective than existing smoking cessation medication such as nicotine replacement therapy.

People who smoke deserve as many options as possible to stop their use of combustible tobacco/smoking to prevent early death and suffering from conditions such as lung cancer and COPD.

If this legislation is enacted, thousands of people across Maryland will lose access to smoke-free products that are helping them live smoke-free lives. To be blunt, support for these bills is sacrificing the lives of people who smoke.

In Baltimore, where I live and work, and throughout the US, these lives are disproportionately older, non-White, and living below the poverty line. This means that smoking disproportionately harms people historically marginalized groups that need help stopping smoking in whatever way possible.

Unfortunately, combustible cigarettes remain easily accessible on most shelves of convenience stores and gas stations.

Meanwhile, the FDA is failing to regulate smoke-free nicotine products in a way that protects public health. The federal regulator's delay in decision-making and arbitrary denial orders are also bogging the agency down with lawsuits and reputational damage. Enforcing a de facto ban on products that FDA is supposed to be reviewing will come at the expense of Maryland taxpayers and public health.

Our goal in Maryland should be 1) reduce or stop use of combustible tobacco use. For some people this means switching to safer, non-smoking products and not necessarily completely stopping nicotine. People die from the tar of smoking, not the nicotine.

Please reject HB 1033 and thank you for listening to my comments.

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