

House Economics Matters Committee
HB1197
Hearing March 5, 2024

Dear Maryland Delegates:

My name is Annie Kleykamp (PhD, MA) writing as a scientist that currently researches the effects of tobacco and other substance use in marginalized populations. I also have 20 years of experience studying and publishing the effects of nicotine and tobacco including my PhD dissertation which examined nicotine replacement therapy - one of only a few treatment options available in the US for people who smoke.

I have also been a voter and taxpayer in Maryland for the last 16+ years. I am urging you to **reject HB 1197**, which would require the state to enforce regulations that could restrict access to safer nicotine products among people who smoke.

I have three main reasons for this request and have included links to scientific support for my arguments:

1. This bill does not address tobacco smoking, the leading cause of death and disease in the world. Smoked tobacco is the most common form of nicotine use in Maryland and it kills nearly 7,000 Marylanders every year. Most people who smoke are not able to stop using approved therapies such as nicotine replacement therapy. Fewer than [1 in 10 people](#) who smoke actually quit each year. This bill does nothing to reduce the rows of cigarettes that fill local convenience stores.

Instead, 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 this and related e-cigarette bills is sacrificing the lives of people who smoke.** In Baltimore, where I live, and throughout the US, these lives are disproportionately older, non-White, and living below the poverty line. This means that [smoking disproportionately harms people from marginalized groups](#) and these people need help stopping smoking in whatever way possible, as soon as possible. We are learning that for many people, stopping smoking = picking up vaping.

2. Science now confirms that e-cigarettes are safer than continued smoking and can help people stop smoking. Vaping nicotine (e-cigarettes) or other “non-combustible” forms of nicotine delivery are *not* associated with the same harms as smoking. This has been stated by the [American Society of Addiction Medicine](#) and the [National Academies of Science](#). E-cigarettes 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 evidence reviews 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/smoked tobacco to prevent early death and suffering from conditions such as lung cancer and COPD.

3. This bill would give tobacco companies a monopoly on the e-cigarette market and it will harm Marylanders in the process. This bill would be a gift to companies that continue to profit off of smoking and the deaths that it causes. Tobacco companies understand that the burdens that this bill would place on e-cigarette manufacturers would be so extreme that only the wealth and resources of existing tobacco companies could comply. This bill is asking Maryland to do the work of the US FDA which is currently 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.

The primary tobacco regulation goal in Maryland should be to reduce or stop use of combustible/smoked tobacco use. For some people this means switching to safer, non-smoking products and not necessarily completely stopping nicotine.

Please reject HB 1033 and thank you for considering my comments.

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