

Testimony from the members of the Maryland Vapor Alliance
House Bill 134
OPPOSED

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

My name is Matthew Milby and I am writing in opposition to the flavor ban bill that was proposed this legislative session. Instead of just outright opposing I would like to give you my backstory and reasons why I chose vape and open a vape shop. They are important because this flavor ban would put me out of business and cause extreme hardship on myself and my family and cause harm to the general health of many thousands of Marylanders.

I am now 42 years old and I was diagnosed with Multiple Sclerosis when I was 29. I had to leave my job at the United States Postal Service because people with MS are very sensitive to heat and I could not perform my duties any longer. I still had a desire to help people, so I went through nursing school. Also because of MS I found the duties of a nurse to far exceed my abilities as someone with MS who also suffers from chronic fatigue. This desire to help people never left my mind.

I was a smoker and tried vaping to quit where the patch, gum and other methods had failed so many times. I even went to smokeless tobacco because I knew it was still harmful but at least I could breathe. It wasn't until I found a flavor of vapor that I enjoyed that I was able to quit for good. I haven't had a cigarette or any tobacco in over six year now! I started at 24 mg/ml of e-liquid and now I'm down to 3mg/ml and barely dependent on nicotine. Flavors is what helped me quit for good!

Our customers and I depend on flavors to accomplish this goal. We are interested in harm reduction that comes from the use of electronic smoking devices instead of cigarettes. As the most educated state in the United States, it pains me to see us not following science when it pertains to electronic smoking devices. If flavors are banned, I will lose my business and all my customers will have no choice to go back to smoking cigarettes that cause death and disease because no vape shop in Maryland will survive only selling tobacco flavored electronic smoking devices. I implore you to visit a local vape shop in Maryland (we can get you names and addresses) and talk to your constituents that use vapor products and you will see firsthand how immensely helpful they are to the people of Maryland and how it has bettered their lives.

Thank you for your time,
Matt Milby

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

I am 54 years old, smoked for 35 years and quit smoking cigarettes using flavored e-liquid. I have been vaping for 7 years now. I love this industry so much, five years ago I decided to open my own vape shop to help people quit combustible tobacco. I have been able to help many, and 95% of my customers started with flavored e-liquid. If you take away flavors you will be sending people out of state, or worse back to smoking cigarettes. Adults like and want flavors. They do not want to taste tobacco which is what they are trying to get away from. That is why I am opposing HB 134.

I would also like to stress that we are an adult only vape store. We do not sell to anyone under the age of 21 which was effective October 1, 2019. We do not sell Juul or any pre-filled cartridge-based systems that convenience stores sell.

There are many avenues that can be taken to ensure that kids are not getting addicted to nicotine. Banning flavors for adults and closing law abiding business' is not one of them.

I strongly oppose the flavor ban and ask that you keep flavors in vape shops.

Respectfully

Lisa Barkhorn
B&B's Vape Café
3224 E. Joppa Rd.
Baltimore, MD 21234

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

My name is Dylan Vogtman, I am 26 years old, I live in Finksburg, Maryland and own and operate a vapor business in Finksburg. I oppose this flavor ban incorporated in HB 134.

The majority of people in this industry have had significant life improvements thanks to vapor products. You'll hear about it saving lives and altering death sentences. The stories we tell are not fabricated and we would gladly make the same statements under oath. Hundreds of millions of people have started smoking around the same young, adolescent age and many of their stories ended their death. Approximately 320 million people have died from smoking related diseases from 1980 to 2020 and this is the real issue that needs to be addressed

I spent my teenage years participating in missionary programs all across the country and even abroad. I know the power of Christ; I've seen it with my own eyes and the new life it has given people. I thought the transformations were amazing. In the Spring of 2015, I began working in a vape shop to help people quit smoking. I found that the transformations in this medium were just as amazing as Christ's. I knew I had found a calling and I wanted to help every single smoker in the world quit. New life had a whole new meaning. Watching someone transition from cigarettes to vapor products is truly a spiritual experience and I hope all of you find time to go visit a place that does this work and see it for yourself.

You'll hear over and over and over that flavors are the reason that people are able to quit. Tobacco tastes terrible and adding menthol to tobacco barely tastes better. When an alcoholic is quitting drinking, he shouldn't be drinking O'Doul's. We are shaking the foundation of our country with the most disruptive technology since the microwave. We want to end the era of the deadly combustible cigarette. We want to end smoking related diseases. Some people will say that these products are not cessation products, but I can introduce you to a thousand people who will say that it is. Flavors are vital to nicotine gum, and flavors are vital to ENDS products.

Currently, you can access foreign-owned websites and with just a credit card number you can access hundreds of ENDS products. We have zero control over these sites selling and shipping to underage kids. A flavor ban would force adults to use the sites and increase the likelihood that kids will find them.

Cannabis has been federally illegal since 1935. After nearly a century of filling prisons, it is still federally illegal while its health benefits are just now being utilized and understood. With the introduction of vapor technology, the cannabis industry found a way to vaporize liquid cannabis. Drug dealers, with no intent to operate within the confines of the law, have produced

products containing Vitamin D Acetate that killed more than 50 people. With a flavored vapor ban I expect bad actors will arise and there will be more sickness and death as uneducated consumers turn to a dangerous black market.

Something needs to be done. Something that will work and be supported by the companies that make up this industry. We need to reach everyone trapped in an addiction with cigarettes in every part of Maryland to help them quit.

Please ensure that flavored products remain available to Maryland adults that rely on them to stay off of deadly combustible cigarettes.

Thank you for your consideration,

Dylan J. Vogtman
2822 Benson Rd.
Finksburg, MD 21048

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

My name is Chance Morehead, I am a manager at B&B's Vape Café. I am writing to you today in opposition of HB 134. Not only will it drive our customers out of our shop and all other shops in Maryland, but it will push them onto the black market. It will also put us, as well as all other shop employees out of a job, because on average 98% of adults that vape use flavored e-liquid and about 2% of adults use Tobacco flavored e-liquid. Those numbers are pretty common in all vape shops and when I ask my customers what they will do if this bill goes into effect, they all say the same thing: "there will always be a place to get it on the black market." Maryland will lose millions in taxes. A full black market on all flavored vapor products could mean the deaths of thousands because of improper ingredients used to make the e-liquid, just like we saw with the black-market THC cartridges where they would use Vitamin E Acetate instead of the more expensive Kosher Grade Propylene Glycol found in Asthma Inhalers as the inhalant. Once cooled the Vitamin E Acetate found on the black-market THC cartridges would turn back into a fat and clog the lungs of those who used it. For the people who do not turn to the black market they will most likely be sent back to the certain death of smoking cigarettes, a fate that claims 480,000 people a year from direct usage and more than 41,000 deaths a year from secondhand smoke. We as Americans deserve the freedom of choice, it is not the government's responsibility to tell me what flavors I can and can't vape. Which is exactly why the flavor ban in NYC was overturned by the Supreme Court.

I love this industry. I used it to help my mother, father, grandfather, and my aunt quit smoking 5 years ago. All of them have noticed changes in their health for the better, most of which has come from my grandfather who has been taken off 70% of his medications, breathing and high blood pressure being the most critical. Since I've been working in this industry, I've helped well over 200 people quit smoking and stay off smoking with the help of flavored nicotine e-juices.

It is essential for our industry to disassociate the sensation of nicotine with the harsh taste and smell of tobacco. Getting their nicotine satisfaction from a flavor and aroma that mimics food objects like fruit, dessert or candy aids in the process of quitting and helps them stay off cigarettes for the long term.

Respectfully,
Chance Morehead
21 Manor Ave.
Baltimore, MD 21206

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

My name is Robert Mallick and I couldn't have quit smoking without vaping flavors. As somebody who was about a 2 pack-a-day smoker, I could not have quit smoking without the use of flavors in vaping. Growing up in a time where just about everyone in my family smoked from as far back as I can remember, when I was underage, I did whatever it took to get my next cigarette. When I found vaping I knew it was the better alternative, and it tasted better. The transition from cigarettes to vaping was only easy because I had numerous options to use due to having flavors that were so vastly different from just a standard Marlboro menthol.

Having access to different dessert and fruit flavors kept both my taste buds and need for nicotine under control. Flavors allow me to keep off of cigarettes and not go back because who wants to put something gross and bad for you in your system when you can have a healthier and better tasting alternative. Banning flavors will do nothing to help anybody, if anything it will make it harder to quit smoking and force me to go to a black market for flavored vape juice. I will do what I must to, to get flavors instead of having to taste just tobacco. If I wanted that I would have stayed smoking. As somebody who has vaped flavors from just apple to different kinds of delicious cakey flavors, every time I have walked past someone smoking and the smell of the cigarette hits my nose I am instantly turned away. I don't want to go back to tasting tobacco all the time. If I don't have flavors and do not have a way to get flavors legally, I will be forced to either find it in a black-market situation or be forced to go back to smoking. I do not support banning flavors because the flavors are what makes vaping so much easier to stay away from cigarettes and keep myself healthier and happier.

Thank you
Robert Mallick
7787 Central Ave.
Pasadena, MD 21122

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

Hello, my name is Patrick Blake and I oppose HB0134. At 18, I started smoking cigarettes and was unable to quit until I purchased my first sub-ohm vape at 33 years old. I am now almost 40 and I have been off of nicotine for over a year because of flavored vape juice. I could never have made it to this point without it. Thanks for your time.

Sincerely,

Patrick Blake
1012 Mount Airy Rd
Davidsonville, MD 21035

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

Hello, my name is Rick Reese, and I am a resident of Edgewater, MD. I am in opposition to HB0134. I used to smoke cigarettes for many years, and I have been using flavored nicotine to keep from smoking cigarettes. Vaping is undeniably a safer option when compared to traditional combustible cigarettes. While I probably would start using cigarettes, I would have to source vapor products from less than legal and equally less safe, unregulated flavored vapor products. In addition, I am employed as a manager at the Vape Loft in Edgewater, MD. Such a flavor ban would hurt my ability to draw an income, further increasing the hardship on myself and my family. I appreciate your time.

Sincerely,

Rick Reese
413 Salisbury Rd
Edgewater MD 21037

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

Hello, my name is Travis Johnson, and I am a resident of Arnold, MD and I am a manager of the Vape Loft in Edgewater, MD. If you proceed with a flavor ban, it will jeopardize my source of income. Not only that, as a former smoker that uses flavored vapor products to prevent myself from smoking cigarettes, I would likely revert to using combustible cigarettes again. Which is likely the same choice many other adult vapor customers will make. If you ban flavored nicotine products, such as flavored vaporizers, it will negatively impact not only my livelihood but also my health and that of thousands of others. Thank you for your time and consideration.

Sincerely,

Travis Johnson
509 Burning Tree Dr
Arnold, MD 21012

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

I would like to state my concern and opposition to House Bill 134. I have been vaping flavored juices for about 3 years now which help me out so much getting off of cigarettes and also to help me not return to them. If this bill goes through it will hurt many people not just myself. I used to be a pack and a half day smoker for almost 6 years now I am at the lowest nicotine level I can get but am currently not ready to give up nicotine. I breath better from not smoking cigarettes, I don't cough like I use to and cough up phlegm. So please reconsider your thoughts on this bill for the hundreds of thousands of people flavored vapes have helped quit cigarettes.

Sincerely,

Austin Kreisher
1739 Jones Falls Court
Crofton, MD 21114

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

Hello, my name is Madison and I have smoked for many years and used vaping as a way to get off of cigarettes in 2015. It was an easy transition because of the flavors. The flavors are what helped me stay away from cigarettes along with drop down on the nicotine that I consume. I started at a 1.2% nicotine and slowly moved down to .3% and working on quitting all together. I oppose this flavor ban bill. I will not go back to smoking however I will likely turn to the black market.

Sincerely,
Madison Reese
413 Salisbury Road
Edgewater, MD 21037

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

My name is Melissa Hendrix and I own the Vape Loft in Edgewater, Maryland. I quit cigarettes in 2013 with the help of vape. At first it was not easy, and I was back and forth. However, I stuck with it and no longer smoke cigarettes. I am on my way off vaping because I can drop my nicotine down to zero. I just had a checkup with my doctor who said my lungs sound great along with my heart. Changing over to vape has also changed my way of living a healthier life from eating and exercising.

I opened my store on October 10, 2014. That was a proud day for me because I am helping adult smokers like me quit smoking, and the ride that comes with starting your own business. I want for other adults like myself to have healthier options. My customers have been fighting just as hard as me to keep flavors legal in Maryland. Flavors are important to anyone who vapes. It is what helps to keep us away from cigarettes. Many customers have said that they would find other ways to continue to vape and some have said that they would probably go back to cigarettes because they still desire nicotine. When quitting an addiction, you need a process that works for the individual and this works for many.

Flavored e-liquids make up about 70% of our business, if you eliminate flavored nicotine products, we will not have a business to run. We also bring in about \$20,000 in sales tax revenue for the state of Maryland annually along with our \$150 for licensing, especially when you consider the proposed increase in sales tax on our products would potentially double our taxes. Not only would it hurt myself, my family, my employees, and my customers, but it would hurt the State of Maryland. Eliminating flavors from the vape industry when all we are trying to provide is a healthier alternative to smoking is not good public policy. Technology is leading the way, lets accept it and see the potential we can bring to our Maryland nicotine consumers.

Sincerely,

Melissa Hendrix
Vape Loft, LLC
167 Mitchell's Chance Road

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

Today marks one year since my uncle Buddy in Texas died of throat cancer, no doubt caused by smoking cigarettes every day of his life since he went into combat in the Vietnam War. This is weighing heavily on me because as a member of this industry I have access to every kind of cessation method in every flavor, strength, and variation. For five years, I tried to help him quit by offering him these products but he just couldn't quit smoking. I have inside knowledge of how most of these products are made, and intimate knowledge of the ingredient components that go into them, but I could not get my uncle to really understand that these products are NOT big tobacco products. It seems we are battling that misconception today as well.

At one point or another, smoking has claimed the life of someone we love and big tobacco has been the enemy of almost everyone... and as the saying goes, "The enemy of my enemy is my friend." We all want kids to quit using these products and we all want this young generation to see a smoke-free world. We won't get there by banning flavors. None of us produce the products that teens are using. The good stewards of this industry in this state, represented by Maryland Vapor Alliance do NOT market to children, do NOT sell to anyone underage, and can boast that there have been NO underage sales from vape shops in the FDA's compliance check inspections of tobacco product retailers. None.

We know there is a way to restrict underage access while allowing adults the freedom to quit smoking on their own terms and that's by eliminating access points like convenience stores while allowing access to flavored and high nicotine products only at age 21 and up vape shops. Instead of driving youth and adults alike into the sinister clutches of the big tobacco death machine, I urge you to work with us towards regulations that make sense. Keep the \$389 million dollars of economic activity in the State of Maryland, keep the jobs of over 1200 Maryland residents, and consider the amendments proposed by the Maryland Vapor Alliance so that our children will never have to watch a loved one die of cancer caused by smoking cigarettes.

Please do what's right for Maryland adults and preserve access to flavored vapor products.

Thank you,
Taylor Cage
2822 Benson Rd
Finksburg, MD 21048

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

I'm writing to you on behalf of the vapor industry. Please don't write us off. The regulations being proposed are specifically designed to force us out of business. I hear politicians say time and time again that small business is the backbone of our country and economy, but these regulations are actively killing thousands of small businesses. Whether through over taxation, fees, the FDA applications, or this current concern, a flavor ban. Your average vape shop, the ones being hurt the most by these laws, are NOT the places where the teens are getting their JUULS and puff bars. We market specifically to adults to help them quit smoking. That's it.

The shop I work at: The average age of our customers base is between 38-48, with a fair gender split. I've helped hundreds of people who have come in with their reasons to quit. A new grandchild, a New Year's resolution, a medical diagnosis, a promise to a spouse, or just simply wanting to FEEL better. We ID stringently, even our regulars. We adopted the 21 y/o age limit before it was even federally mandated. We LOVE our work. We LOVE what we do, and I speak for all my coworkers when I say that we DO NOT KNOW what we are going to do if we are forced to shut down. One store manager just had twins. Our district manager has a 7 m/o daughter. 70% of our staff falls under a minority/protected status (BIPOC, LGBTQ, women, etc.). Many are parents, or the sole income in their households, given the effect of the pandemic.

I want to tell you about how we run things here. We do not upsell our customers. We sell them what they NEED. Some will say the purpose of any business is to generate revenue, and that's certainly true, simply to keep the business afloat. But that focus is secondary to us. We genuinely strive to help people. We are well-trained and educated in the vapor industry, and we all possess the knowledge necessary to assist someone who has never touched a vapor product before but chooses this path to quit smoking. We're not here to sell the latest and greatest, most elaborate devices ever made. We purposely bring in products that our customers will understand, with ease of use and simple assembly, that will get them where they want to go. At times, our customer feedback is emotional and overwhelming. I can't count the number of times that I have witnessed one of our customers crying and thanking us for helping them, for not just putting a device in their hand and shoving them out the door, for taking the time to sit with them, set it up, explain the functions, making sure that when they walk out the door, they know exactly what is in their hand, how to use it, and why we recommended it. We understand that everyone's journey to quitting smoking is different; the staff is all former smokers, and we have anecdotes for days as to how we got to where we are. Honestly, the goal for MANY of our customers is to quit smoking through vaping, and then wean themselves slowly off of nicotine until they can quit altogether. That's addiction recovery. That's what we do here. We serve our military and first responders, people with the most stressful jobs on the planet, who typically quit to improve their health in order to better perform their duties. We serve quite a large elderly population, who look to extend their lifespans to see great-grandchildren. Vaping is not a dirty business. We do not

seek to cause harm. Above all, we do NOT market, sell, or condone youth usage. We actively refuse sale to anyone we even suspect of buying for a minor. IDs have to match credit cards, no "I'm buying for my wife, it's her card". We make every available effort to maintain legality and integrity in our sales. We have acquiesced to every single regulation that has been placed upon us in the last few years, trying desperately to avoid the day the doors close for good. We HELP our community, and we love doing so.

Understand that by and large, we agree with you. People under the legal age limit should not be vaping. I take no issue with that mandate, nor does any proper shop in this industry. But the ability to create, sell, and possess flavored vapor products is essential to continuing the good work I've described above. While it is true that there are those who utilize only tobacco or menthol flavors in their vapes, I can say with confidence that they are in the minority to those who have a favorite flavor that enabled them to break their smoking habits. I have spoken with many of my customers over the last year or so, and far too many have stated that without flavors, they feel they will inevitably return to smoking. While I'm sure that would bode well for Big Tobacco, it will not bode well for the health of your constituents. Those are the people I see every day, the people who have worked so hard to find a smoking cessation method that worked for them and landed in my store. Please reconsider this flavor ban. The inability to manufacture and sell flavored vapor for open-ended systems will devastate this industry, and the people who rely on it, employee and customer alike.

Thank you for your time today, and for allowing the opposition to speak with you on this matter. I sincerely hope our words will have an impact for the better.

Thank you,
Carson Evans
MSV

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

My name is Amber Hollon and I am a flavor vaper. I smoked cigarettes for over 20 years trying periodically to quit smoking but always seemed to fail at it. That's until I found vaping and now, I'm cigarette free. Vaping flavors helped me quit. Working in the vaping industry I've come across many people who have told me how vaping helped them quit smoking also. So please reconsider and say no to HB 134.

Sincerely,
Amber Hollon

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

I work for a vape shop, it is my only income. During the COVID-19 pandemic, it is extremely hard for Marylanders to find a job. I'm opposed to this bill in so many ways. Not only has flavored vapor helped me quit cigarettes for good, but it has also given me a place of employment. I am 56 years old and I feel I'm being made a criminal for choosing my preferred method of harm reduction to help save my own life. Thank you for your time and I request an unfavorable report on 134!

Sincerely,
Edward Hubert

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

I am reaching out in hopes of stressing the importance of flavors in the e-cigarette space. I am an owner of three vapes shops for over six years in my home state of Maryland. The idea of a flavor ban within HB134 is extremely concerning.

I want to stress that we clearly understand the need to curb youth use of these products. I see two issues surrounding flavors. One is the need to keep flavors around for adult smokers needing them to successfully transition away from combustible cigarettes which kill almost 500,000 American every year. The other issue as I mentioned is that of youth use.

These issues aren't mutually exclusive as it should not be one or the other but rather how can we achieve success with both! We live in the most powerful and advanced nation the world has ever seen. It would be an insult to everyone's intelligence to believe we cannot curb youth use while also keeping these lifesaving products around for adult smokers. Throwing out the baby with the bathwater is not the answer, we are far too intelligent for that.

By achieving positive results in both areas, we could literally, no exaggeration, create the greatest public health breakthrough of our lifetime. As mentioned above cigarette smoking kills hundreds of thousands annually in this country, the #1 cause of preventable death and disease. Keyword being preventable. Well, our vape industry provides a major piece of that prevention.

We do not want youth using these products. Never have and never will. We are willing to do many things to assist in this fight without killing our industry. Saying a flavor ban will kill the industry is not an overreaction. Banning flavors will put all of us out of business almost instantly. Adults love and need flavors. Flavors account for over 90% of our e-liquid sales. No one (very few) wants to vape a tobacco flavor. That is the flavor many ex-smokers want to get far away from. In the event of a flavor ban expect a dangerous black market to be created to fill this void as well.

Sincerely,

Vic Vega II
5527 Highridge St
Baltimore, MD 21227

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

I am writing to express opposition to Bill 134; the ban on flavored e-liquid. As a small business owner of a tobacco shop in Frederick, Maryland (The Great Green Goat) we have been facing many hardships over the years regarding regulations, recipes, bans and COVID. While it is everyone's mission to prevent underage persons from purchasing nicotine products it is also imperative that we can remain in business successfully. Specialized shops such as vape shops and smoke shops are being penalized for the irresponsibility of gas stations and convenience stores. Smoke shops and vape shops are DILIGENT in carding customers and not selling to underage consumers. Between January 1, 2019 and December 31, 2020 my business, which is a smoke shop who also sells vape juice (flavored and tobacco flavored) we sold roughly 547 bottles of E-Juice of which only 15 were tobacco or solely menthol flavored. No one under the age of 21 can purchase nicotine or smoking products in our shop which means adults over the age of 21 prefer non-tobacco or menthol flavored liquids overwhelmingly. As someone who has personally used vaping as a means to quit smoking cigarettes I can attest to its effectiveness as well as my disgust for anything tobacco or mentholated tobacco flavored. If I wanted to vape something so similar to a cigarette or menthol cigarette I would just smoke cigarettes again. This potential ban on flavors is not a measure to ensure underage children aren't enticed to start vaping this is a measure to put small businesses like myself under. This ban is designed to aid only big tobacco and large corporations like gas stations and convenience stores. If this bill is passed small businesses will lose thousands and it will do absolutely nothing to prevent children from using nicotine or smoking products. If Maryland wants to prevent underage users, this bill is not going to be effective and instead I propose limiting what products gas stations and convenience stores can sell and force consumers to only purchase these items in specialty shops with better carding practices. Thank you for your time and considerations.

Kristen Hoffman
The Great Green Goat
1507 West Patrick ST Ste 3 Frederick, MD 21703

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

Let me first introduce myself, I am a former smoker, I have owned and operated a Vape Shop in the great state of Maryland for over 8 years and is currently active in the Maryland State Vapor Trade group.

Let me begin with some commonsense reasons why this bill should be opposed and removed. First and foremost, these flavored products have been proven to help millions globally and hundreds of thousands of adults in our state to reduce the negative health effects of combustible tobacco and to quit smoking altogether. It has shown to be a proven method of smoking cessation and just as importantly, a less harmful alternative to help quit and smoking. These consequences further reduce the health costs and improve the personal health of Marylanders. I would like to reiterate, these are federally regulated products working their way to become FDA approved products as a harm reduction resource and have also been identified as per the FDA itself as a safer alternative on the continuum of risk to some of the other approved methods, therefore, it just does not make sense to remove this choice for adult Marylanders. Prohibition legislation such as this, has, as has been proven in other states, and as this bill will guarantee, to only serve to create a dangerous black market. It will further increase the sales of cigarettes, it will guarantee the loss of businesses, employees, tax revenues, and again, more importantly, as has been proven with other municipalities, drive smokers back to cigarettes and the states that have enacted such prohibitive measures as they recognize, as the FDA and all other health organizations on a global scale, that these flavored products DO and are used, as a successful method to help quit cancer causing combustible tobacco and a safer alternative with lower risk side effects.

We have worked hard with Maryland to ensure these adult products are kept from youth access. We have proven, as can be seen in the State's enforcement data, we are the responsible merchants of these products, and have insured they are not accessed by children. This bill only serves to take backward steps to great progress this industry, and member shops have made working together with state and local lawmakers, to ensure legitimate FDA registered adult products are available to adult users looking to quit smoking and improve their health by switching to much less harmful alternative and use as a tool to quit nicotine altogether. This bill, again, as proven in other states, WILL create dangerous black market products, dangerous black market sales, close Maryland businesses, and the loss of jobs and revenue.

I would like to invite all our state delegates and senators, to visit our members shops in their districts, and learn firsthand the positive effects our stores have on local community, the economy, and again, more importantly, the health of all members as we work to end smoking altogether.

Sincerely,
Elmer P. Bailey III

February 10, 2021

Hon. Dereck Davis
Chair, Economic Matters Committee
231 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Chair Davis, and members of the Economic Matters Committee,

My name is Sarah Roberts and I'm a 43-year-old small business owner that smoked over a pack of cigarettes a day for 20 years. Since I was 19 years old, I had countless battles with pneumonia. After many hospital stays and doctor visits, every single year, the doctors were telling me if I didn't quit I would die as the antibiotics were no longer working. Over those 20 years I tried gum, the patch and Chantix. Some worked for short amounts of time, but nothing has worked for long stints until vaping flavors. The last time the doctors told me I was going to die, and in a much more serious tone, I finally tried vaping. I first tried tobacco flavors. I was able to cut down but was not able to quit fully until I found flavors like strawberry, chewing gum, candy or coffee flavors. Flavors saved my life, literally. Since starting to vape, I have not had a single case of pneumonia in over 7 years. I do not get sick nearly as much and have not had a hospital visit since starting to vape. At my last doctor's appointment, she couldn't even tell I smoked a day in my life or currently vaped.

When I was younger and smoking and I would end up with pneumonia, I needed assistance financially to pay for those visits to the hospital. The state helped me greatly! I'm sure there are countless people that use the system every year because of similar stories but if vaping can prevent those hospital stays in the first place, why are we trying to ban it! The cost to our state health care programs outweighs any tax money from cigarettes, yet those will remain on the market. Vaping flavors is helping ease health care costs.

Instead of looking at vaping like "the new cigarette" let's look at it like it's solving a problem in our society and helping the older generations and preventing the newer generations from choosing analog cigarettes. This is a new form of nicotine that has less risks, saves the state on health care costs, and helps the community in the long run. Let us move on to the newer and much safer alternative for the older and newer generation and hopefully get rid of the analog cigarette that is killing millions worldwide and hundreds of thousands of people just in Maryland.

I will not go back to cigarettes and I will not vape tobacco flavored vapes. It reminds me of a cigarette and makes me crave cigarettes. I'm choosing my life by vaping flavors! I believe in this product so much my husband and I opened our own vape shop in Pasadena, 10 minutes from my home in Glen Burnie to help others quit smoking. For over 6 years I have helped adults quit smoking (thousands and thousands of people). I have seen people that could barely walk 50 feet into my store skip into my store after switching to vaping. If flavors are banned thousands of people will be affected and those are just my customers in my little shop. I worry that many of my customers will turn to the black market, or driving a few hours into another state, or simply having it shipped. They are simply choosing their life; can you blame them? Let's work on a

solution that will work for the entire community, together, instead of banning or taxing what IS the future, whether you believe in it or not.

Thank you for your time,

Sarah Roberts
BS Vapes LLC
Pasadena MD