

MD State Written Testimony February 8, 2021: HB0134 Flavored Tobacco Products – Prohibition
Small Business Against Big Tobacco Learn the Facts not the Stories made up by Big Tobacco to keep your kids & adults Smoking

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My name is Eric “Frit” Fritschler, I am the owner of Vapor Worldwide in Gaithersburg Maryland. We have been on Shady Grove road for more than 7 years now serving the community and **helping adults get off of combustible tobacco cigarettes**. I have worked, lived and employed people in Montgomery County for more than 25 years. I am a proud father of 2 teenagers age 19 and age 15 neither of which vape at all.

As vape shop owner and someone who is helping people remove the shackles of tobacco and nicotine addiction, I strongly oppose this legislation as written. For example, your e cigarette legislation would close my vape shop, however you would leave open the 711, the beer and wine store, and the tobacco cigar shop in the same shopping mall and allow them to continue to sell big tobacco vapor/tobacco products to teenagers.

Moreover, **7 elevens, Walmarts, gas stations, and beer and wine outlets were all found to be the biggest offenders of underage selling of e cigarettes. The FDA did a sting operation across the country this year, and in the state of Maryland there were 136 violations of underage selling of e cigarettes.** Of those 136 violations, not a single one was a vapor store. Instead every single violation was related to a 711, A beer and wine store, a convenience store, a Walmart and they were only selling big tobacco E cigarettes products like JUUL and My Blu.

In my vapor store and many others in the state, we do not sell the JUUL products or My Blu, or Logic, or Vuse; because they are made with way more nicotine than you need and are marketed and pushed by big tobacco companies not vapor stores. In our shop for the last two years and featured on Fox news; we give adult vapors a 15% discount to turn in their JUUL device, and switch off of the high nicotine, high cost products like JUUL that are marketed by big tobacco to our children.

Vapor Worldwide and the vapor business owners of Montgomery County and Maryland are deeply concerned about youth vaping and youth tobacco cigarette use. We believe there are common sense legislative actions that the state can take if their main concern is to curb the use of E cigarettes and tobacco cigarettes among youth.

The 1st step that the state has taken was to raise the age from 18 to 21 years old. Vapor Worldwide and the vapor community as a whole supports this kind of common-sense legislation. Although this change has caused a 10% drop in the revenue for my store and I am sure many of my fellow store owners, **we still support this change because our main**

goal is to eliminate big tobacco and tobacco cigarettes from everyone's life, specifically everyone in Maryland.

Now since the hysteria of the so-called vapor epidemic began around September 11th 2019, our shop and many of my fellow shop owners have seen an additional 35% drop in revenue. I need to make myself clear, the reason for this additional drop in revenue is the dishonest reporting by the big media outlets and the misrepresentation of the facts by tobacco lobbyists and by politicians; either unaware or unwilling to seek and repeat the facts and the truth behind these vaping illnesses. These sources are not looking into the facts of why people are getting sick or why or who currently vapes and for what purpose. Instead they are demonizing nicotine vaping as the cause of these illnesses and deaths which is 1000% incorrect, not based on available scientific evidence, and just not based on the facts that are being produced by the FDA and the CDC on this matter.

The CDC reported on October 31st, 2019, 37 deaths and 1,888 cases of illness in the entire United states related to vaping. Not a single death in the state of Maryland, and only 3 cases of illness in Montgomery County high school kids related to THC vapes not e-cigarettes with nicotine, all 3 have fully recovered within one week.

The most current science and recommendations from the CDC are and quoted directly from their website:

"CDC recommends that you do not use e cigarettes or vaping products that contain THC."

Also CDC, says, "people should not buy any type of e cigarette or vaping products, particularly those with THC, off the street." Finally, CDC's direct recommendation is "If people continue to use e cigarettes or vaping to quit smoking, do not return to smoking cigarettes"

The additional 35% drop in revenue for our shop is solely based on the hysteria created by the media and by political bodies that are not reviewing the facts. **This 35% drop is directly related to current adult tobacco smokers, tobacco users, not transitioning to vapor products and instead continuing to smoke combustible known deadly tobacco cigarettes. In the state of Maryland last year alone; tobacco killed more than a 7500 people, just last year. Vaping nicotine killed no one in Maryland last year and very likely not this year or ever.**

In my store alone in Gaithersburg last year, we converted at least 1500 Maryland residents and others who work in the Maryland, off of deadly tobacco cigarettes. We do this every day with adult smokers in our shop. **I invite all of state representatives and MC council members to our shop to meet and see what vaping is doing for adults in our community and how we hate and want to stomp out big tobacco more than anyone.**

To relate this fact to the so called hysteria around the so called vapor epidemic, there have been no deaths in the state of Maryland related to black market THC cartridges that have been proven to be responsible for 88% the deaths across the United States and honestly reported by our Federal FDA and CDC. Moreover, outside the USA more than 10 million people vape worldwide, not a single illness or death have been reported in 10 plus years. These illnesses have nothing to do with nicotine vaping. **Kids are looking for JUUL, My Blu, Logic, Vuse; all sold with 20 times or more nicotine than what we sell, and all made and marketed by big tobacco companies, not vapor companies like mine.**

We hate big tobacco and tobacco cigarettes more than anyone. We are aiming to eliminate burning tobacco forever and we were well on our way until this fake vaping hysteria began. Point of reference, vaping has taken more than \$100 Billion from big tobacco this year alone worldwide. Big tobacco is still the enemy not 250 plus small businesses in the state that are saving adult lives every day.

The average age of my customers is 33.5 years over more than 5 years. We have converted people to vaping off of tobacco for good after 20, 30 even 40 years of smoking and after trying all other cessation methods. Finally, big tobacco companies want to limit the flavored vapes so people go back to smoking; it's not to save lives like we do in our vapor shop every day. Think about it, State representatives, why would big tobacco companies agree to ban vape flavors? So, they can wipe out the most effective cessation method to date, e-cigarettes. If one industry was costing the tobacco industry \$100 billion a year, they could be lying or trying to manipulate you again. Think, read, research, don't believe what the tobacco lobby is trying to feed you again. Don't forget these same big tobacco companies didn't even admit cigarettes were killing people until the early 1980s, don't get fooled again by big tobacco's tricks.

Just to reiterate, we have seen a 35% drop in revenue which has caused the layoff of 2.5 full time employees and Montgomery County residents. This drop off is directly related to current tobacco users not switching to vaping and instead telling me things like "vaping kills you", so they continue to smoke tobacco and killing themselves and those around them. We have ample scientific evidence that tobacco cigarette smoking is at least 95% to 98% worse than vaporizing nicotine.

In conclusion, we would propose, along with the Maryland Vapor Alliance (MVA), the Vapor Trade Association (VTA), and others for common sense regulations to curb youth vaping and tobacco smoking. For example, instead of closing the vape shops of which there are 24 in the county. You should consider controlling all vapor products from 24 stores or more, that are adult only 21 and over stores so that no one can enter these stores unless they are 21 years old.

Currently, tobacco cigarettes and vaping products are the only adult items available in non-adult only stores in Montgomery County. Why? By allowing 7 11s, beer and wine stores, and gas stations to continue to sell vapor products to minors; sold by, marketed by, and produced by big tobacco companies is a terrible idea. The FDA sting operation shows us that children are getting these devices from gas stations and convenience stores not from vapor stores. As I have in the past, and as I will say today. I invite all the county council members to come to our shop and meet the county residence that are using flavored vapor products to get off of combustible cigarettes and they feel better, their family is happier, their lives are better, and it helps everyone from the parents to the children. By closing the vape shops or banning flavors you are not going to save children, but you are going to kill their parents.

If we are trying to protect children, which is my goal, then ban the sale of JUUL and big tobacco from non-adult stores like 7 11s and gas stations; it has nothing to do with the flavors. Please understand that our vapor stores are leading the charge to eliminate tobacco smoking for good. Only big tobacco is trying to hook kids on nicotine again; not vapor stores like mine. Big tobacco companies are the ones you need to go after to

control youth Vaping not shut down small businesses in the state that employ hundreds of people and that pay a 30% wholesale tax to the county already for saving lives every day.