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2021 SESSION
Written Testimony

BILL NO: HB 134
COMMITTEE: Economic Matters
POSITION: Support
TITLE: Business Regulation- Flavored Tobacco Products-Prohibition

BILL ANALYSIS:

HB 134 will prohibit the sale of all flavored tobacco products, including menthol cigarettes, chewing tobacco, small cigars, and vape products.

POSITION RATIONALE:

The Anne Arundel County Department of Health supports HB 134 prohibiting the sale of all flavored tobacco products, including menthol cigarettes, chewing tobacco, flavored cigars, and vape products.

Nicotine is unsafe for the still-developing adolescent brain. The prefrontal cortex and frontal cortex of the brain which are responsible for executive functioning - things like planning and judgment, plus other areas of the brain that control rewards, emotions, and conditioned effects are not fully developed until the age of 25. That means, the normal adolescent brain does not yet have the full capacity to balance short-term rewards with long-term goals, control impulses and delay gratification, foresee and weigh possible consequences of behavior, or inhibit inappropriate behavior and initiate appropriate behavior.

The U.S. Surgeon General states that the use of nicotine in any form, including e-cigarettes is unsafe and can have potential lifelong health effects. The introduction of nicotine to the adolescent brain is especially detrimental. It causes alterations in normal brain chemistry, affecting mood, appetite, attention, cognition and memory, and establishes pathways that

increase the likelihood of neurobiological dependence, and future addiction to other drugs, including opioids.

Adolescents grow up in a rich media environment with exposure to tobacco marketing in both their homes (eg, through the Internet and television) and their communities (eg, stores and billboards). The susceptibility of teens to advertising manipulation, honed by the tobacco and vaping industry, is of great concern. According to the National Institutes of Health (NIH), adolescent never-smokers with frequent exposure to cigarette marketing on the Internet and in stores are more than two times as likely to begin smoking as young adults. Never users of e-cigarettes were significantly more likely to initiate use, if exposed to Internet, store, and outdoor e-cigarette marketing. Never users of hookah were more likely to use hookah after seeing it marketed in stores. Youth exposed to marketing of e-cigarettes, hookah, cigars, smokeless tobacco, and pipe tobacco in stores were two to three times more likely to begin smoking cigarettes even though the marketed products were not cigarettes. In 2016, about 8 in 10 middle school and high school students—more than 20 million youth—said they had seen e-cigarette advertising.

Today the focus of the industry's marketing effort is on promoting flavored products that appeal to adolescents. E-cigarettes come in fruit, candy, and other kid-friendly flavors, such as mango, fruit and crème. The Surgeon General reports, "E-cigarettes are marketed by promoting flavors and using a wide variety of media channels and approaches that have been used in the past for marketing conventional tobacco products to youth and young adults." The majority of youth e-cigarette users report using flavored varieties, most youth e-cigarette users first start using e-cigarettes with a flavored variety, and flavors are the primary reason youth report using e-cigarettes. According to the 2019 National Youth Tobacco Survey (2019 NYTS), 4 out of 5 kids who have used tobacco started by using a flavored product. Many youth also report using e-cigarettes because they are curious about these new products, and because they believe these products to be less harmful than conventional cigarettes.

The Anne Arundel County Department of Health and Anne Arundel County school staff is making every effort to educate our youth on the dangers of smoking and vaping. But we know that for decades, the tobacco industry has perfected the ability to exploit emotional and social vulnerabilities of teens. Our education, although extremely important to provide students with information to protect their health, is no match for the sophisticated techniques developed by industry that now uses flavors as bait.