



NFIB-Maryland – 60 West St, Ste. 101 – Annapolis, MD 21401 – www.NFIB.com/Maryland

TO: Senate Finance Committee

FROM: NFIB – Maryland

DATE: January 28, 2021

RE: **SENATE BILL 177** – Business Regulation – Flavored Tobacco Products - Prohibition

On behalf of Maryland’s small businesses, NFIB-Maryland offers the following comments on Senate Bill 177 – legislation that would prohibit the manufacture, shipment, import, or sale of flavored tobacco products in Maryland.

NFIB members are concerned the prohibitions outlined in HB3 will exacerbate black market sales of otherwise legal products. Those black market sales pose a public health risk because the products are not licensed nor can their origin be properly ensured.

Financially, as indicated in the bill’s fiscal and policy note, HB3 would have an adverse effect on small retailers who sell these products. The Department of Legislative Services points out that menthol cigarettes comprised about 44% of all cigarettes consumed in the State. Additionally, menthol and flavored tobacco products comprised an estimated 40% to 60% of cigars and approximately 75% of moist snuff tobacco.

NFIB members feel strongly these products should be kept out of the hands of youths. Legal users however should have the ability to choose how they enjoy these products and not have their choice limited as a result of underage consumers getting their hands on them illegally.