



2021 SESSION POSITION PAPER

BILL: SB 177 – Business Regulation – Flavored Tobacco Products – Prohibition
COMMITTEE: Senate Finance Committee
POSITION: Letter of Support
BILL ANALYSIS: SB 177 would prohibit the sale of all flavored tobacco products, including menthol cigarettes, small, flavored cigars, and vape products, decrease health disparities among Maryland’s Black population, reduce teen vaping and nicotine addiction, and reduce health insurance costs for small and large businesses, resulting in millions of dollars of Medicaid savings.

POSITION RATIONALE: The Maryland Association of County Health Officers (MACHO) support SB 177. Prohibiting the sale of all flavored tobacco products, including menthol cigarettes, small, flavored cigars, and vape products is the most powerful step possible to reverse the recent wave of nicotine addiction. SB 177 will substantially decrease health disparities among Maryland’s Black population who have been targeted by the tobacco industry for decades with menthol products¹, and immediately begin to reverse the proliferation of teen vaping and nicotine addiction. Prohibiting flavored tobacco products will reduce health insurance costs for small and large businesses, lead to hundreds of millions of dollars in Medicaid savings over coming years, and help pave the way to a healthier and more productive workforce in Maryland.

103,000 Maryland high school students use flavored vape products.²

Small cigars, essentially flavored cigarettes in a tobacco leaf wrapper, are smoked by more high schoolers than cigarettes.³

95.6% of young people start tobacco and vape use with a flavored product.⁴

94% of African American youth and 85% African American adult smokers use menthol products⁵ compared to 26% of whites. This is primarily attributable to industry marketing.

Flavors, including menthol, make quitting tobacco products more difficult.^{4,6}

Nicotine is unsafe for adolescents. It **impairs brain development, alters mood, harms impulse control, and increases the likelihood of future addiction to other drugs, including opioids.**⁷

2013-2019, high schoolers use of e-cigarettes increased 600%.⁸ Use among adults 25 and older increased <1%.⁹

The percentage of teens using vape products (29.5%) is 10x greater than the percentage of adults using vape products (3%).^{1,9} These teens are at increased risk of conversion to cigarette smoking.

As a result of vaping, 8 adolescents begin to smoke cigarettes for every 1 adult smoker who quits.¹¹

A meta-analysis of 25 studies show *smokers who turn to vaping as a means of cessation are 27% less likely to quit* than those using FDA recommended methods.¹²

Prohibiting sale of flavored tobacco products will have an immediate impact on teen and young adult health:

- Preterm births will decline as fewer young women are exposed to nicotine, saving millions annually in Medicaid costs
- SIDS deaths will be prevented as fewer young mothers and fathers use tobacco products
- Child and adolescent asthma cases will be reduced along with associated Medicaid expenditures

Tobacco remains the leading cause of preventable death and disability in the U.S.^{13,14} **Each year, tobacco-related diseases cost the Maryland economy \$2.7 billion in direct medical expenses of which \$576 million is covered by Medicaid, and an additional \$2.2 billion in lost productivity to Maryland businesses.**

75% of parents of middle and high school students favor a ban on flavored tobacco products.¹⁵
Banning flavored tobacco products will lead to a healthier and more fiscally sound Maryland for generations to come.

For these reasons, the Maryland Association of County Health Officers submits this letter of support for SB 177. For more information, please contact Ruth Maiorana, MACHO Executive Director at rmaiora1@jhu.edu or 410-937-1433. *This communication reflects the position of MACHO.*

References:

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2. CDC, High School Youth Risk Behavior Survey, 2019
- 3 “Tobacco Product Use and Associated Factors Among Middle and High School Students — United States, 2019” Dec 6, 2019; 68(12) https://www.cdc.gov/mmwr/volumes/68/ss/ss6812a1.htm?s_cid=ss6812a1_w&deliveryName=USCDC_921-DM14806 .
- 4 Flavored Products. Public Health Law Center. Univ of MN School of Law. <https://www.publichealthlawcenter.org/topics/commercial-tobacco-control/sales-restrictions/flavored-products>; 2020.
- 5 Differences in Subjective Experiences to First Use of Menthol and Nonmenthol Cigarettes in a National Sample of Young Adult Cigarette Smokers. D’Silva J. Nicotine and Tobacco Research. Sept 2018. 20(9), 1062-68.
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- 15 Support for E-cigarette and Tobacco Control Policies Among Parents of Adolescents. Czaplicki L, Perks SN, et al. Nicotine and Tobacco Research. Dec 3 2019. <https://academic.oup.com/ntr/advance-article/doi/10.1093/ntr/ntz222/5651027?guestAccessKey=95d57f41-4ddf-4ed5-bda8-63d020632b95>