

Testimony from the members of the Maryland Vapor Alliance
Senate Bill 177
OPPOSED

January 28, 2021

Hon. Delores Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Dear Chair Kelley, and members of the Senate Finance 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,

Matthew Milby

January 28, 2021

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Dear Chair Kelley, and members of the Senate Finance 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 that 4 ½ 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.

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

January 28, 2021

Hon. Delores Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
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Dear Chair Kelley, and members of the Senate Finance 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

January 28, 2021

Hon. Delores Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Dear Chair Kelley, and members of the Senate Finance 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, let's 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

January 28, 2021

Hon. Delores Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Dear Chair Kelley, and members of the Senate Finance Committee,

My name is Rich Wesley and I own 3 vape shops in the state of Maryland - Two in Cecil County and one in Harford County. I was a smoker of combustible cigarettes for 25 years and had always wanted to quit smoking but just couldn't. I used every method available including all over-the-counter FDA approved methods and was not able to kick the habit. A friend introduced me to vaping, as they had used this method to quit, and I was able to quit combustible cigarettes. Before I started vaping as a method to quit cigarettes, I did extensive research into this method. I found multiple reports that it was a much better way to get nicotine that was also a much less harmful way, up 95% harm reduction actually. So, I made the decision to start vaping. From day one I never picked up another combustible cigarette. After a week of vaping, I felt 100% better. My taste came back, I was able to breath better, and I personally smelled better. As I continued to use this method to stay off cigarettes my health continued to improve. After a month I was able to do all my normal activities without losing my breath and I was back to a normal sleep routine. Plus, the greatest thing was I started out on a high nicotine percentage and was able to continually reduce my nicotine percent. Flavors made the transition possible. If it was not for the availability of flavors I would not have been able to continue vaping and would of definitely return to combustible cigarettes.

Just having tobacco flavors available would definitely have sent me back to cigarettes. Since vaping worked so well for me that is why I started my own vape shop. I wanted to give this opportunity to everyone that was a current cigarette smoker. It was such a great thing that it needed to be available to adults who desired to quit.

Now my concerns about a flavor ban. If a flavor ban was to happen people would not continue to use this life saving method to quit deadly combustible cigarettes. What I see with my customers in my shops is when a customer comes in for the first time to purchase a vape to quit smoking cigarettes, they want to start with a tobacco flavor. They do this because it is what they are accustomed to. But what I always see is on their second visit they want to switch to a different flavor. Tobacco reminds them too much of smoking cigarettes and to stay away from cigarettes they would like to get away from tobacco flavors. They claim that if they continue with tobacco flavors they are going to go back to combustible cigarettes. Right now, tobacco flavors only account for **2%** of my e-liquid sales. The majority of my customers use a fruit or candy flavor to stay off of combustible cigarettes. In conclusion if flavors were to be removed people would go back to smoking combustible cigarettes. We already have 480,000 Americans in this country that die each year from smoking and smoking related illnesses. Don't ban flavors.

Sincerely, Rich Wesley
January 28, 2021

Hon. Delores Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
11 Bladen Street
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To whom it may concern,

My name is Aaron McCracken. I am the owner and operator of Mean Street Vapor, LLC. After struggling to quit smoking cigarettes for nearly two decades, I wandered into a local vape shop. I had tried all the traditional methods to help me quit - nicotine gum, patches, and even prescription drugs. All of which were little to no help. I decided to give vaping a shot. The tobacco e-liquids were close, but no cigar. I still craved real cigarettes. After about a month of trial and error, I finally found a flavor, peaches and cream, that I enjoyed, and it really helped me stick to vaping. After another month of vaping, I found that I was completely disgusted by the smell and taste of cigarettes. I have been cigarette-free for almost a decade now. My health has greatly improved, and I have even been able to quit vaping, becoming completely nicotine-free for the last 3 years.

In 2013, I decided that I wanted to help other struggling adults quit smoking, so I opened Mean Street Vapor, LLC. I hired others who found vaping to be the only reason they were able to kick the habit of smoking. We started researching and creating our own flavors, we carried all the latest devices and we offered support to all of our customers. Mean Street Vapor, LLC soon gained a following and many customers returned solely for our e-liquid flavors and great customer support.

If my only e-liquid options were tobacco flavors, I would have never been able to quit smoking. As a vape shop owner, I have talked to many other adults that say the same. Without flavored e-liquid, many adults would not feel empowered to quit smoking and reclaim their health. Many who have already quit smoking have said they will return to cigarettes if they cannot continue to purchase the flavors they have come to know and love. We serve approximately 3,000 adults per month, of which, only roughly **3%** enjoy and purchase tobacco flavored e-liquid. If this flavor ban were to pass, we would lose roughly **97%** of our business. This would absolutely destroy the business I have spent years creating, putting my entire staff out of work. More importantly, this e-liquid flavor ban would cause so many adults to continue, or return to, smoking cigarettes.

Sincerely,

Aaron P McCracken