



American Lung Association Testimony Senate Bill 259
Finance Committee
February 16, 2023
Support

Chair Griffith, Co-Chair Klausmeier and Members of the Committee:

Thank you for the opportunity to provide comments on Senate Bill 259, Flavored Tobacco Products Prohibition sponsored by the Senator Lam. The American Lung Association strongly supports this bill with no amendments as an integral way to address the youth tobacco epidemic and encourage current smokers to make a quit attempt.

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education and advocacy. The work of the American Lung Association is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

In new data from the [2022 National Tobacco Youth Survey](#), e-cigarette use among high school and middle school students continue to show epidemic levels. The data shows that more than 2.55 million middle and high school students reported that they had used e-cigarettes in the last 30 days, and nearly 85% of them are using flavored products, including 26.6% using menthol and 29.4% using mint-flavored e-cigarettes. The data also underscores how addicted youth are to these products, 42.3% of youth who use e-cigarettes are vaping regularly (20 or more of the past 30 days), and 27.6% are vaping daily. In Maryland, 23% of high school students report using an electronic smoking device in the last 30 days and 27.4% report using any kind of tobacco product. The tobacco industry has continued to target youth users with marketing of flavored products which have made them appealing for youth users to initiate tobacco use, with many youth not realizing that these products contain nicotine and then struggling with a lifetime of addiction.

The Lung Association is encouraging states to look at evidence-based policy measures to address this epidemic, including the measure before you which would remove all flavored tobacco products from the market. It is critical that all flavored products are included in any legislation as if you leave one product on the market youth may just switch to that product. Any legislative measure must include all flavors and all products, which include but are not limited to e-cigarettes, menthol cigarettes, hookah, cigars and smokeless products.

While much attention has been focused on how e-cigarettes are now attracting and addicting Maryland residents, many other flavored tobacco products have been on the market for decades. The tobacco industry has a long history of targeting communities of color, LGBTQ communities and communities of low socioeconomic status with the sale of menthol cigarettes and flavored cigarillos.

Flavors are a marketing weapon the tobacco manufacturers use to target youth and young people and hook them for a lifetime of addiction. Adding flavors to tobacco products can improve the ease of use of a product by masking the harsh taste of tobacco, facilitating nicotine uptake, and increasing a product's overall appeal. Candy, fruit, mint, and menthol flavorings in tobacco products are a promotional tool to lure new, young users, and these products are aggressively marketed with creative campaigns by tobacco companies. Products with flavors like cherry, grape, cotton candy, and gummy bear are clearly not aimed at established, adult tobacco users and years of tobacco industry documents confirm the intended use of flavors to target youth. Furthermore, youth report flavors are a leading reason they use tobacco products and they also perceive flavored products as less harmful. The data shows us that more than 95% of smokers start before they are 21. Passage of comprehensive tobacco control legislation would be a tremendous victory for Maryland's kids and families and will protect them from tobacco addiction and other health risks associated with the use of tobacco products.

Removing all flavored tobacco products would be a critical component to a comprehensive strategy to reduce tobacco use and prevent initiation and lifelong addiction. Ensuring that all flavored tobacco products are included in any policy measure will benefit Maryland communities of color, LGBTQ communities, and communities of lower socioeconomic status by reducing tobacco use and saving lives. We urge you to make sure no communities are left behind.

As with the passage of Tobacco 21 and increases to the tobacco tax rate during previous sessions of the General Assembly, these measures are all pieces of the puzzle to address the youth tobacco epidemic in a comprehensive way, as tobacco control policy cannot be done in isolation. The Lung Association believes that in light of the federal government's unwillingness to act swiftly, it is up to states like Maryland to take action and move forward comprehensive policy approaches to address this epidemic.

The Lung Association thanks the Maryland General Assembly for their continued commitment to the health and wellbeing of the residents of Maryland and the desire to protect Maryland youth from a lifelong tobacco and nicotine addiction. With action on this bill Maryland is making a commitment to having the first generation of never smokers. The Lung Association strongly supports Senate Bill 259 as drafted with no amendments and encourages swift action to move the bill out of committee and passage by the General Assembly.

Sincerely,

A handwritten signature in black ink that reads "Aleks Casper". The signature is written in a cursive, flowing style.

Aleks Casper
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