

Testimony on Maryland's SB0259 - "Business Regulation - Flavored Tobacco Products - Prohibition"

Dear Chairs and Members of the Finance Committee,

My name is Elizabeth Hicks, I'm the US Affairs Analyst at the global consumer advocacy group known as the Consumer Choice Center, and I want to thank this committee for their time.

Simply put, SB0259 will do more harm than good if passed. Enacting a flavor ban on vaping products will push adult consumers to switch back to smoking combustible tobacco. Sadly, 7,500 citizens of Maryland lose their lives to smoking-related illnesses every year. Considering that [studies have shown vaping to be 95% less harmful than smoking](#) and that adults who use flavored vaping products are [2.3 times more likely](#) to quit smoking cigarettes, ensuring that adult consumers have access to the vaping products they prefer will ultimately lead to fewer cigarette smoking-related deaths in Maryland.

Smoking-related illnesses are serious and can lead to cancer. After being around second-hand smoke most of my life, this past year I unfortunately received my own cancer diagnosis, undergoing 12 rounds of chemotherapy, 20 sessions of radiation, 9 cycles of immunotherapy and multiple surgeries - and I can assure you that I would not wish this on anyone. Embracing vaping as a harm reduction tool here in Maryland will help ensure that your citizens are less likely to end up in a situation similar to mine.

More than 3% of Maryland's adult population uses vaping products, accounting for over 200,000 citizens throughout your districts who have switched to a less risky alternative to combustible tobacco. Banning flavored vaping products will encourage these former smokers to switch back to smoking cigarettes, and will ultimately lead to increases in smoking-related healthcare costs, which are already costing Maryland's taxpayers over \$619 million annually through Medicaid expenses.

Furthermore, while this bill is intended to protect youth from tobacco use, [data from the Journal of the American Medicine Association](#) shows that when flavored vaping products are banned, combustible smoking rates **increase** for youth aged 18 and younger. This unintended consequence would only exacerbate the problem Maryland is trying to fix, making this particular bill unviable in achieving its desired outcomes.

Additionally, if a flavor ban is enacted in Maryland, then consumers will look towards the illicit market in order to get access to their preferred flavored vaping products. This presents serious concerns for public health in Maryland as vapers will be purchasing unregulated products that could be extremely dangerous to their wellbeing. Additionally, unlike vape shops, the illicit market does not abide by age restrictions therefore making it easier for youth to acquire these products illegally.



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For perspective, Massachusetts enacted a ban on flavored vaping products in 2019 and the [results](#) have been less than desirable. Since the ban, there has been a massive influx of interstate smuggling of tobacco products which has resulted in a thriving illicit market, lost tax revenue for the state, and criminalization of adult consumers. Instead of copying Massachusetts' failed policies, I urge Maryland legislators to learn from them and do better for the consumers within your state.

I appreciate that this bill is certainly well-intentioned, but it's important to look at the evidence showing how misguided a flavor ban actually is. If this committee truly wishes to protect public health, small businesses, and consumer choice within Maryland then I strongly encourage you to reject this bill.

Thank you for your time and I'm happy to answer any questions you may have.

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