

Candice Gott

Opposition to HB1033

Good evening, Chair and Committee. My name is Candice Gott, and I am a board member of the Maryland Vapor Alliance. Our group exists to promote fair regulation for vapor products, and to help protect small businesses.

This is a bill being lobbied by big tobacco in all states across America and for the most part, legislators have done an excellent job at seeing right past the same old tactics used by big tobacco and their lobbying teams.

This bill leaves twenty big tobacco products on the shelf and bans everything else. We are talking about the products from the corporations who created an issue with teen use, who marketed their products unethically. I have owned my business for 10 years and there was never any issues until big tobacco stepped in and sunk their claws into our industry.

If this bill passes as is, there will be no more open systems vapor products on the market. My customers using 3mg of nicotine will be forced to use products that are high in nicotine, 50mg+. That is, unless they decide to go back to smoking cigarettes, another great win for big tobacco, or get products on the black market. If they decide to get their products on the black market or another state, there will be no taxes collected for the state of Maryland. In fact, Maryland stands to lose ninety million dollars annually if this bill passes.

Next, small businesses vape shops and manufacturers sued the FDA for the shortcoming of the pre-market tobacco application (PMTA) process, and the FDA lost. First, the circuit court issued an injunction to the FDA to allow products to continue being sold, then the final decision was handed down a few weeks ago. This judge's decision included calling the FDA arbitrary and capricious towards small businesses in their handling of the Pre-market

tobacco applications, as well as saying the FDA sent these small businesses on a wild goose chase. Therefore, the circuit court shot down the PMTA process while Maryland is trying to make it the gold standard.

This bill is bad for business, and we are asking for an unfavorable report.