

Chair Wilson, Vice-Chair Crosby, and esteemed members of the House Committee on Economic Matters,

My name is Brian Blevins, and I represent the George J. Falter Company, a full-line distribution company in Maryland. Our company, owned and operated by a fifth-generation family, has been in business since 1878. Among our many products, we sell vapor products, and I am here today to discuss the importance of establishing a vapor directory in Maryland.

Our company is committed to complying with FDA regulatory guidelines on vapor products, particularly regarding the Pre-Market Tobacco Application (PMTA) process. We ensure that the vapor products we sell have either received a marketing granted order or are pending a final decision on their PMTA from the FDA. Unfortunately, there continues to be a lack of clarity from the FDA on which vapor products can or cannot be legally sold. This has led to a very large number of retailers and some wholesalers unknowingly carrying illegal products, including hundreds of flavored disposable vapes from China. These are the products that are impacting our youth, and these are also the products that are circumventing the PMTA process.

A vapor directory is crucial to address this issue, but it needs to be established correctly. It should list products that have submitted a PMTA to the FDA by the required deadline in 2020 and are either approved OR are still under review by the FDA. We also urge the state to establish a specific deadline by which the directory should be first published as well as require regular monthly updates to the listing. This will ensure that retailers and wholesalers always have the most up-to-date information when a vapor product is either added or removed from the directory.

The George J Falter Company fully supports the establishment of a vapor directory in Maryland, but I do not believe that language of HB 1033 is expansive and clear enough. For that reason, I would like to direct your attention to HB 1197; this bill includes some additional details and specifics that are truly needed for a directory to be effective and successful from the onset.

Today, I urge this committee to vote against HB 1033. As an alternative, I am asking that you put your full support behind HB 1197 when that vapor directory bill comes before you in early March.

Thank you for your attention to this important issue.

Christopher Warthen