

Testimony in Opposition to SB0918

Chair, Vice Chair, and Members of the Committee,

I appreciate the opportunity to testify today in opposition to SB0918, a bill that, while framed as a consumer protection measure, raises serious concerns about market fairness, public health, and economic impact. As someone who understands the importance of harm reduction and consumer choice, I urge you to consider the unintended consequences of this legislation.

First and foremost, SB0918 appears to favor Big Tobacco by restricting the market in a way that primarily benefits large corporations. This bill is part of a coordinated effort being pushed nationwide by Big Tobacco interests, leveraging concerns over consumer safety to consolidate their control. By implementing excessive regulatory barriers, this legislation would make it nearly impossible for independent businesses to compete, ultimately limiting consumer choices.

Additionally, the bill grants the Attorney General the sole authority to determine which vapor products can be sold in Maryland, yet it provides no clear guidelines or process for these decisions. Without well-defined criteria, this creates a system vulnerable to inconsistency and potential bias, making it difficult for small businesses to navigate compliance. The high costs associated with registering products would further ensure that only Big Tobacco-backed products remain available.

One of the most concerning aspects of SB0918 is the potential ban on open-system vapor products and low-nicotine devices. Many adults who have successfully reduced or quit smoking rely on 3mg nicotine options, yet this bill threatens to remove them from the market, leaving only high-nicotine (50mg) alternatives. This contradicts harm reduction principles and could push consumers back toward combustible cigarettes.

Beyond consumer impact, the economic consequences of this bill cannot be overlooked. Small vape shops, which provide regulated and responsible access to these products, would be forced to close, shifting sales primarily to convenience stores—where data shows youth access is a greater concern. Estimates suggest Maryland could face economic losses exceeding \$100 million, a conservative figure given the widespread impact of prior regulations on flavors. Additionally, restricting legal access will inevitably fuel a growing black market, as consumers turn to online sources or out-of-state retailers.

In summary, SB0918 is not a consumer protection bill—it is a measure that consolidates control under Big Tobacco, limits consumer choice, threatens harm reduction efforts, and risks significant economic harm. I respectfully urge the committee to reject this bill in its current form and consider legislation that prioritizes public health without eliminating competition and consumer access.

Thank you for your time and consideration.