

February 20, 2025

Dear Chair Beidle and members of this committee:

I am writing to express my strong opposition to SB0918. This bill should more accurately be described as a gift to Big Tobacco, as it is heavily lobbied by that industry under the guise of consumer protection. The implications of this legislation extend far beyond surface-level assurances; they threaten small businesses that are vital to our local economies while shielding the interests of industry giants.

SB0918 imposes requirements that small vape manufacturing businesses simply cannot meet, leaving consumers with fewer choices and driving them toward products that often do not align with their preferences. The financial burden of compliance is exorbitant—only Big Tobacco can shoulder these costs, effectively shutting out innovative, smaller competitors. As a direct consequence, open-system vapor products and low-nicotine e-liquids will effectively be banned in the Maryland market.

Teen vaping is the lowest it has ever been, thanks to T21. Last year, teen vaping dropped another 2.2%. Ever-users between all teen groups is about 5.9% (ever-user means NOT daily use, and includes teens who've just tried vaping once). The CDC claims this is a bottom that has not been seen in 10 years. There is no youth issue to address. It would be better if the legislator revamped the business licenses and enforcement currently already in place for these products. The Maryland Vapor Alliance is working to see this happen in Chair Beidle's bill. (reference)

Customers who currently use 3mg nicotine products will be forced to switch to Big Tobacco offerings at 25-50mg of nicotine, purchase items out of state, or resort to the black market—an option fraught with risks. This legislation serves as a backdoor flavor ban and poses a severe threat to small businesses, which could cost the state up to \$100 million annually, according to conservative estimates from the 2020 flavor ban fiscal note.

Furthermore, SB0918 goes even further than the previous flavor ban, shutting down small vape shops that adhere to regulations and contribute to tax revenue. It will turn vapor products into convenience store items exclusively supplied by Big Tobacco giants, eradicating consumer choice and diversity legally.

Banning these products will not eliminate their use; instead, it will lead to a significant black market, increasing adverse interactions with law enforcement and a stark loss of tax revenue for the state. The decline of these businesses will result in reduced sales tax and Maryland state payroll tax revenue.

In summary, SB0918 poses a multi-faceted threat to small businesses, the state's economy, and public safety. I urge you to oppose this detrimental legislation for the sake of our local economy and the health of our communities.

Please do not shut down my small business and take my family's livelihood.

Candice Gott

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<https://www.cdc.gov/media/releases/2024/p0905-youth-ecigarette.html>