



February 12, 2023

To: Senator Joy A. San Buenaventura, Chair
Senator Henry J.C. Aquino, Vice Chair
Senate Committee on Health and Human Services

Jarrett Keohokalole, Chair
Carol Fukunaga, Vice Chair
Senate Committee on Commerce and Consumer Protection

Re: Testimony in Support of SB975, Relating to Health

Hrg: 15 Feb 2023, 9:30 AM, Conference room 229 & Videoconference

The Hawai'i Public Health Association (HPHA) is a group of over 450 community members, public health professionals, and organizations statewide dedicated to improving public health. Our mission is to promote public health in Hawai'i through leadership, collaboration, education and advocacy. Additionally, HPHA aims to call attention to issues around social justice and equity in areas that extend beyond the traditional context of health (e.g., education, digital equity, cultural sensitivity), which can have profound impacts on health equity and well-being. Therefore, as stewards of public health, HPHA is also advocating for equity in all policies.

We strongly support, SB975, a comprehensive tobacco regulation bill that: establishes the criminal offense of unlawful shipment of tobacco products; amends the definition of tobacco products under Tobacco Tax Laws to include electronic smoking devices and e-liquids; and addresses licensing and permitting sellers.

E-cigarettes have evaded many tobacco regulation laws for decades, leading to a sharp rise in the use of these products, especially by young people who are enticed by their unregulated marketing and lack of proper regulatory controls on an addictive drug, nicotine. E-cigarettes are the only tobacco product without a tobacco tax. Comprehensive regulation over e-cigarettes will be a major step to reduce the use of e-cigarettes among youth.

Tobacco regulation laws have already proven to be effective in Hawai'i. Comprehensive regulation has lowered adult smoking rate to 11.6%, and reduced high school smoking to 5.3% in 2019 (CDC YRBS 2017-2019). Two decades of comprehensive regulation of cigarettes and other tobacco products have helped Hawai'i save \$1 billion in healthcare costs.

This measure also restricts online sale of e-cigarettes directly to consumers. Requiring face-to-face purchases makes it harder for youth to obtain these products via the internet. Licensed tobacco retailers would still be able to receive shipments of products.

Lastly, it is important to call attention to the fact that the FDA does not approve e-cigarettes as cessation devices and that this comprehensive regulation will not stop access to FDA-approved nicotine replacement therapy (NRTs).



We **strongly support SB975** and respectfully ask that you pass this measure to ensure that Hawai'i has all the components of comprehensive tobacco regulation necessary to lower the use of tobacco. Thank you for the opportunity to provide testimony on this important public health topic that impact the health of our communities.

Respectfully submitted,

Holly Kessler
Executive Director