

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Without Recommendation as to Passage and Be Referred to the Committee on Rules
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Anna Braun, Counsel
<b>Meeting Dates:</b>	5/27, 5/28

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**WHAT THE MEASURE DOES:** Prohibits free samples of noncigarette tobacco products. Defines noncigarette tobacco products. Allows Department of Human Services to impose civil penalty not to exceed \$1,250 for each violation to be paid into the General Fund.

**ISSUES DISCUSSED:**

- Ban in Washington
- City of Pendleton ban

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** A 2007 Federal Trade Commission report indicated that in 2005 major tobacco companies spent more than \$13 billion to promote tobacco products; many marketing efforts directly reach children. Currently the Centers for Disease Control and Prevention states that at least 26 percent of high school students use some form of non-cigarette tobacco product. Comprehensive tobacco prevention and control programs have been shown to decrease smoking initiation. Effective state programs include paid television advertisements, community-based programs and policy interventions.

Proponents of HB 2358 assert that providing free samples of tobacco products recruits new and younger tobacco users. According to the Department of Human Services, free tobacco products are often handed out at family events such as rodeos and fairs in rural Oregon where one in three 11<sup>th</sup> grade males are regular users of smokeless tobacco. Flavored mini-cigars are heavily marketed to girls and women.

HB 2358 would eliminate free sampling of smokeless tobacco, mini-cigars and all other noncigarette tobacco products.