

From:
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To:
House Committee On Health Care
Chair Mitch Greenlick
and members of the committee

Sirs:

I protest the implementation of HB2546 because it misidentifies the components of Vaping with the burning of tobacco and makes a connection with the appearance of vapor and the deleterious effects of tobacco smoke on the body as a second hand product of the process.

In addition to the foregoing, the inclusion of so many changes to so many regulations related to smoking and second hand smoke to a product that isn't smoke in any way, demonizes the vaping community and paints them all with the same brush of disgust that is applied to tobacco users.

The only commonality shown by science between the smoke produced by the combustion of tobacco products and the vapor produced by "vaping" is they may contain varying levels of residual nicotine. The same science shows that the levels of nicotine remaining in the vapor from using an e-cig or vaporizer are significantly lower than that retained in tobacco smoke.

It should be noted that not all liquids used in vaping contain nicotine. Standard levels sold at most shops start at zero and rise upwards from there to a maximum of twenty-four milligrams of nicotine per milliliter of liquid. This unique system gives the user total control over the amount of nicotine that they take in and allows them to actually lower the quantity over time until they get down to zero.

I did not become a co-owner of a vape store and lounge because I thought that I would make a bunch of money. I did it as a way to help people addicted to tobacco products get off of tobacco and on to something that, when used properly, provides an alternative to smoking tobacco that isn't loaded with the level of carcinogens found in tobacco products.

I personally smoked tobacco products in a variety of forms for many years. Starting at the age of 16 I quickly went from a few cigarettes a day to a pack, then two packs and eventually consuming two and a half to three packs a day. I would awaken at night

because of my smokers cough and light up another one to make it stop. I tried unsuccessfully to quit several times but couldn't seem to succeed for more than a few days at a time. That is, until I made a pact with my wife and working together we both succeeded in quitting in 1986. Yeah for us!

I believed that I'd dodged the bullet, and trusted that my lungs would eventually recover to nearly normal. After all I was only 36 and I didn't have any symptoms other than a nagging cough that eventually went away. Unfortunately, the hidden damage was extensive and I was diagnosed with COPD and emphysema in 2009.

Living with these diseases has made me very aware of how tobacco products can change the course of your life. Other than never having smoked in the first place, I believe that if I had been able to quit sooner I would have had a healthier life later on. But, back then there were no good alternatives to tobacco. Quitting was cold-turkey or not at all.

Both my daughter and her husband were able to quit smoking tobacco using vapor. They have both reduced their levels of dependence on nicotine over the last year and are moving towards eventually eliminating nicotine all together. Up until they started vaping they were unable to quit even though they tried several times and used other approved methods.

They can vape in my car or house without leaving any residual odors or causing me any distress. My personal experience with any exposure to even the slightest whiff of tobacco smoke instantly shuts down my lungs requiring that I leave the area and resort to my inhaler, but even being in a room full of vapor has had no effect on my breathing.

I wondered how could that be? Obviously, there is something not in vapor that is in tobacco smoke that makes the difference. When people come into the shop for the first time they are surprised that it smells so good. More like a fruit or candy store than the smoke shop that this bill portends it to be.

We have customers from 18 to 85 that are no longer smoking tobacco products. Some of these have been diagnosed with even more dire consequences from their tobacco addiction than I. When they tell their doctors they quit smoking tobacco and switched to vaping, the doctors have generally been in agreement that vaping is better for them and more effective than many of the over the counter smoking cessation products out there.

People that switch to vaping from tobacco are often more successful because vaping provides a way to emulate the act of smoking without lighting up. Additionally, vaping doesn't produce a continuous stream of waste products that are scattered liberally over the landscape, impacting wildlife, polluting the environment or plugging up drains like cigarette butts do.

I have no problem with the age requirements. We decided even before we opened the store that we would not sell any product used in vaping to anyone under the age of 18.

These age restrictions are clearly posted at the entrance to the store, by the cash register, and on the wall above the cases. If you look under 21 we ask for ID.

In conclusion:

HB2546 is too broad and is excessively restrictive of a new product that hasn't been proven to be detrimental to the public health.

No scientific studies have been undertaken to warrant such action, in particular "Emergency Action" is unjustified.

The enactment of this law will adversely affect many individuals that are trying to find alternatives to tobacco. It will encourage them to return to tobacco products and their resulting consequences.

It will shut down every vape store in the state forcing them to secure licensing, inspections, and make major and expensive changes to their stores. That is, if they can even continue operations based on the restrictions in this bill in their current locations.

It will deprive current and future users the freedom to decide for themselves if these products are beneficial or detrimental based on good science, personal experience, and peer-review.

Regulate vaping in its own right if needed, but please get some science behind the regulations being proposed before hand.

I urge the House Committee On Health Care to reject this over-reaching, knee-jerk-reaction to the introduction of a new product simply because it appears to be something that it is not. Vaping is not smoking.

Thank you,

Brian Hentsch