

The Honorable Chair Senator Monnes Anderson and members of Senate Committee on Health Care

I am writing in opposition to SB 663 with the -2 amendment as it wraps tobacco and vaping together. Vaping is not smoking and is much healthier than smoking. HB 2546 if passed regulates vaping under Oregon Health Authority. This bill would regulate vaping under two agencies. This bill would also further demonize a much safer and healthier alternative to combustible cigarettes. E liquid does not contain tobacco. It contains nicotine that actually exceeds U.S. Pharmacopeia specification of quality and purity. If we are going to regulate and tax something simply because it has nicotine in it then we should tax and regulate NRT patches, gum, and nicotine inhalers.

After listening to testimony on SB 417 (-2) I would like to point out a few things in testimony I would like to comment on.

Rep. Taylor said that in drafting HB 2546 one of their high priorities was to keep e cigarettes out of the hands of kids. Why did the no sale to minors bills proposed last session, and overwhelmingly supported by the vaping community not get put to the floor for a vote? I'm sure one of the two would have passed. Why the delay of one year to protect our kids?

Rep. Taylor also mentioned that because of the high number of illegal sales to kids we are in danger of losing revenue for prevention and control. Why then are we not talking about these facts found on the CDC web site? Why are we not using these funds for what they are intended for? Wouldn't this provide funding for enforcement also?

State spending on tobacco prevention and control does not meet CDC-recommended levels.^{1,6,7}

- **States have billions of dollars from tobacco taxes and tobacco industry legal settlements to prevent and control tobacco use. However, states currently use a very small amount of these funds for tobacco control programs.**
- **In fiscal year 2015, states will collect \$25.6 billion from tobacco taxes and legal settlements but will only spend \$490.4 million—less than 2%—on prevention and cessation programs.**
- **Currently, only two states (Alaska and North Dakota) fund tobacco control programs at CDC's "recommended" level. Only five other states (Delaware, Oklahoma, Hawaii, Wyoming, and Maine) fund tobacco control programs at even half the recommended level.**
- **Spending less than 15% (i.e., \$3.3 billion) of the \$25.6 billion would fund every state tobacco control program at CDC-recommended levels.**

What percent of these funds are we using for prevention and control?

There was talk also of the high rate of sales to minors. The SYNAR figures mentioned are from the years 2011-2012, more than two years ago. What are the recent rates? Our state reports the figures to SYNAR, don't we have more current information than this. The FDA conducted from 6/3/14 – 2/27/15 a total of 1136 attempts to buy tobacco by minors in sting operations conducted by their agency in that time frame. They reported 1071 no sales and 65 sales a ratio of better than 94% in compliance. This is a more current figure to go by.

Rep. Taylor also spoke of the well documented health risks of nicotine addiction and smoking. I know of well documented health risks of smoking but in over a year research into health risks of nicotine addiction, I have found that health risks associated with nicotine to be very similar to health risks of

caffeine. I honestly believe that if we restrict e-cigarettes because of the health effects of nicotine then we should further restrict energy drinks and caffeine additives sold to minors.

Rep. Taylor also spoke of the careful process of the work group last year to carve out some of the legislation that is proposed this year, which included all the stake holders. My question is where were the vaping stake holders? We are the ones with the most to lose. They were willing to sacrifice us and our health without our input in the process? To the casual observer it would seem that they could care less about our health or our input in the matter.

Through this whole e cigarette debate I have listened to a lot of assumptions and conclusions that are stated as fact when in reality there is no research and some data that is stated is misrepresented. One of the pieces of evidence I am submitting is from the editor in chief of the Addiction Journal which clarifies some of the fraudulent misinterpretation of facts in the e cigarette debate. I would urge you to read it.

Sincerely

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