



Chair Hass, Members of the Committee:

My name is Mel Rader, the Executive Director of Upstream Public Health, a non-profit dedicated to promoting the health of all Oregonians.

Thank you for working to address the issue of illegal sales of cigarettes to minors. It is scandalous that Oregon has the highest rate of cigarette sales to minors in the country, according to the latest CDC report. Tobacco retail licensing is a common sense approach to create a system to license retailers, and enforce restrictions on no sales to minors. We owe it to our youth to make sure that a few renegade retailers are not selling addictive products to youth that don't have the life experience to make an informed choice.

But, I would emphasize that this is one of those policies where the devil is really in the details. A poorly thought-out licensing system is worse than no licensing system at all, but a good system is highly effective at preventing the next generation of smokers from starting an addictive habit.

I believe the key details that this policy gets right are that:

- (1) It specifies an escalating scale of fines for retailers that sell tobacco products to minors
- (2) It allows the licensing fee to be determined by the Oregon Health Authority, thereby allowing the fee to adjust to future inflation.
- (3) It allows for on-site inspections to make sure that retailers are not selling to minors
- (4) It does not stop counties from being key partners in enforcing the law

Key areas where I think that the policy does not best support the health of Oregon's children and future generations include:

- (1) It allows for an exemption for sampling in vape shops. No where else in Oregon law is it allowed to sample highly-addictive products in any business or public space. Other exemptions for tobacco retailers are a different character, allowing use on site, after purchase, but no sampling. I would encourage you to restrict options for sampling of any addictive product.
- (2) The policy should require more proactive education and training of retailers. Licensing systems work best when educational materials are provided by mail and in-person about the current tobacco laws and procedures. In-person trainings allow for additional information and answering of questions to ensure all retailers as well as sales clerks understand the current law, and understand the consequences if they don't follow the law. In addition, OHA should ensure that all education and training resources are responsive to cultural and language barriers.
- (3) We need to be very careful about any limitations on localities to adopt smart, locally-appropriate policies to regulate tobacco products. We know from the recent enormous increase in e-cigarette use that sometimes legislation takes a long time to respond to changes in the marketplace. Local authority allows for more opportunities to craft smart policies that respond to new changes in the market related to the tobacco industry, and the state should not restrict county health

departments in this authority. The proposed language in the -8 amendment is acceptable to us, but any further restriction on county authority may face significant opposition.

But, in general, I believe this law would provide a critical improvement of current licensing regulation, and I strongly support it. We simply must change course and find ways to ensure that we stop selling so many addictive products to children. Thank you for your leadership in this area, and we look forward to working with you to passage this bill or to craft any future amendments.