

STAFF MEASURE SUMMARY**Senate Committee On Health Care****Fiscal:** Has minimal fiscal impact**Revenue:** Revenue impact issued**Action Date:** 03/30/15**Action:** Do Pass With Amendments And Requesting Referral To Finance And Revenue. (Printed A-Engrossed.)**Meeting Dates:** 03/23, 03/30**Vote:**

Yeas: 3 - Monnes Anderson, Shields, Steiner Hayward

Nays: 2 - Knopp, Kruse

Prepared By: Zena Rockowitz, Committee Administrator

WHAT THE MEASURE DOES:

Defines “characterizing flavor” as distinguishable taste or aroma other than tobacco or menthol. Defines “flavored tobacco product” as tobacco product or component of tobacco product manufactured to impart characterizing flavor. Prohibits sale, distribution or allowance of sale of flavored tobacco product. Directs Oregon Health Authority (OHA) to impose civil penalty of up to \$5,000 for each violation. Permits OHA to adopt rules. Specifies OHA may adopt rules concerning random inspection of places that distribute tobacco. Permits Oregon Liquor Control Commission to assist OHA with enforcement. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Appeal and accessibility of flavored products to youth
- Alternative to traditional smoking
- Toxicology and safety

EFFECT OF COMMITTEE AMENDMENT:

Removes prohibitions on flavored inhalant delivery system products and inhalant delivery systems.

BACKGROUND:

In 2009, under the Family Smoking Prevention and Tobacco Control Act, the sale of cigarettes containing flavors other than menthol became illegal. The same regulations do not apply to other tobacco products, such as cigars, chewing tobacco and hookah tobacco, which have become increasingly popular in the United States. These products contain flavors such as orange, coffee and vanilla. The federal Food and Drug Administration (FDA) reports that flavored tobacco products are addictive and carry the same health risks as regular tobacco products. Scientists have found that all tobacco products contain nicotine and toxic chemicals that can increase risk of lung cancer, heart disease and emphysema. Further, the FDA considers flavored tobacco as a “starter” product, which establishes smoking habits, particularly for youth who may perceive flavored products as safer and better tasting.