



To: Oregon House Health Care Committee  
From: American Heart Association  
Re: Support for House Bill 3090

62% of Oregon voters support ending the sale of flavored tobacco. This number has been consistent over the last year and shows that the majority support for the policy cuts across all parts of Oregon and demographics of age, political ideology, gender, and race.

The power of public health is the power of prevention. Tobacco use remains the leading cause of preventable death in Oregon. Tobacco companies knowingly market harmful products to young users, spending \$115 million a year in Oregon on advertising and promotions. The result is that nearly all tobacco use begins before the age of 18 and 4 of 5 report starting with a flavored product.

One of the best ways to reduce the number of tobacco-related deaths and disease is to deter people from using these products, especially youth. It is important to remember that nicotine is a highly addictive drug that harms developing brains. Exposure at a young age can cause lasting harm.

- The 2020 Oregon Tobacco Facts, released by the Oregon Health Authority, shows that products with flavors are more popular among youth and young adults compared to older adults. Nearly 70% of Oregon youth tobacco users use flavored tobacco compared to 18% of adults over the age of 25 who use tobacco. This data supports what we have seen anecdotally, flavors are a key component for youth initiation of tobacco use.
- E-cigarettes are available in thousands of youths appealing flavors, including fruit, candy, mint and menthol. The overwhelming majority of youth e-cigarette users report using flavored products.
- Mint and menthol flavored tobacco products are heavily marketed to kids, African Americans, and Latinx. Nearly two-thirds of high school students who use e-cigarettes use mint or menthol flavors.
- Menthol products, with their cooling and soothing effects, entice kids to use tobacco products. Nationally, more than half of all youth and young adult smokers smoke menthol cigarettes.
- To ensure we don't lose a new generation of kids to nicotine, we urge the removal of all flavored tobacco products from the market. Kids will gravitate toward any flavors on the market if they are available. An exemption for 21 and over stores creates winners and losers for the sale of products that can kill half of its users.

- In my work I have some samples of flavored tobacco products to use as examples – when my then 5-year-old came across the jar in my car he asked me if it was candy. These products are designed to look exactly like their candy counterparts, by design to deceive youth.

From 2018-2020, Multnomah County conducted minimum legal sales age inspections in retail establishments as part of their tobacco retail licensing program. Establishments that are 21 and over, had some of the worst compliance rates for underage sales:

- 25%, 1 in 4, of bars/restaurants sold to a minors
- 26%, 1 in 4, of liquor stores sold to a minor;
- 55%, OVER HALF, of tobacco shops sold to a minor;

Also concerning is the inspection failure rate of establishments closest to schools.

- Of the 256 failed inspections in Multnomah County, 225 occurred within 2,000 feet of a school.
- That's 88% of all documented sales to minors occurred within 2,000 feet of a school – that is barely more than 1/3 of a mile!

We don't have the decades of science on e-cigarettes that we do on traditional cigarettes because they haven't been around long enough. BUT what we have seen is already enough to take swift action in public policy to prevent youth use.

- Fine particles found in the smoke of e-cigarettes have varying amounts of toxic chemicals, which have been linked to heart disease, respiratory diseases, and cancer.
- The FDA has previously reported an uptick in seizures in youth e-cigarette users from regular usage instead of the previously known effect of nicotine toxicity reported in cases of intentional or accidental swallowing of e-liquid.

In the past few months, you have heard from pediatricians, doctors, nurses, youth addiction serves programs, county commissioners, parents, youth, community health clinics, and non-profit health organizations, all asking you to make a stand and choose protecting kids, over profits.

The American Heart Association urges your support of House Bill 3090.