



Date: March 21, 2023
To: House Committee on Behavioral Health and Health Care
From: Stephanie Phillips Bridges, Policy Analyst for the Urban League of Portland
Re: Support for End the Sale of All Flavored Tobacco Products, HB 3090

Chair Nosse, Vice-Chairs Goodwin and Nelson, and Members of the Committee:

My name is Stephanie Phillips Bridges, and I am a Policy Analyst with the Urban League of Portland and I respectfully submit this testimony in support of House Bill 3090. The Urban League of Portland is one of Oregon's oldest civil rights and social service organizations, empowering African Americans and others to achieve equality in education, employment, health, economic security, and quality of life across Oregon and SW Washington.

In a 2018 article published by OPB, "Surgeon General Warns Youth Vaping Is Now An 'Epidemic'," U.S. Surgeon General Jerome Adams said "I am officially declaring e-cigarette use among youth an epidemic in the United States. Now is the time to take action. We need to protect our young people from all tobacco products, including e-cigarettes."¹ The Centers for Disease Control and Prevention issued a report in 2020, "Outbreak of Lung Injury Associated with the Use of E-Cigarette, or Vaping, Products", that "as of February 18, 2020, a total of 2,807 hospitalized e-cigarette, or vaping, product use-associated lung injury (EVALI) cases or deaths have been reported to CDC from all 50 states, the District of Columbia, and two U.S. territories (Puerto Rico and U.S. Virgin Islands)."² Youth are using e-cigarettes (vapes) with flavored tobacco that often play on common food/flavors youth like such as fruit, candy, cereal, juice, and much more. These flavored tobacco products also have marketing ads and product designs that are created to appeal to youth to resemble the common food/flavors youth like. The nation is seeing a rise in e-cigarette (vaping) use among youth via flavored tobacco. Flavored tobacco use is harming our communities and youth, and states across the nation are considering banning flavored tobacco to protect our youth.

As you may know, Washington County and Multnomah County have already placed bans on flavored tobacco sales. But a statewide ban on the sale of flavored tobacco products in Oregon is necessary to protect our youth and communities of color who are being targeted and negatively impacted. The Oregon Health Authority Tobacco Prevention Tobacco Facts website states "in 2020 tobacco use remains the number one cause of preventable death and disease in Oregon. It kills approximately 8,000 people each year. Tobacco use costs Oregonians an estimated \$5.7 billion a year in medical expenses and lost productivity. Data shows that more than half of youth and young adults who use tobacco are using flavored tobacco or vaping products. Also, the tobacco industry spends more than \$100 million every year to advertise and promote its products in Oregon's stores, targeting our youth, communities in crisis, and communities of color, particularly the African American community. The Oregon Health Authority Tobacco Prevention Tobacco Facts website reports "African American people and American Indian Alaska Natives smoke at higher rates than White people in Oregon. 51% of African American Oregonians who smoke use menthol cigarettes compared to only 16% of White, non-Latino cigarette smokers. Adding menthol flavoring to cigarettes is a common industry practice to make cigarettes seem less harsh. For decades, the tobacco industry worked to create a product preference for menthol cigarettes among minority populations. For example, the industry linked menthol cigarettes to themes of African American empowerment and identity, targeting retail stores and neighborhoods and media, music, and magazines. Studies show that neighborhoods with higher proportions of African American residents have greater numbers of tobacco advertisements, a larger presence of menthol cigarette advertising, and lower prices for menthol cigarettes."³

¹ OPB, Surgeon General Warns Youth Vaping Is Now An 'Epidemic', 2018.

² Centers for Disease Control and Prevention, Outbreak of Lung Injury Associated with the Use of E-Cigarette, or Vaping, Products, 2020.

³ Oregon Health Authority, Tobacco Prevention Tobacco Facts website, 2022.



The “Disparities in Tobacco Marketing and Product Availability at the Point of Sale: Results of a National Study” by Ribisl et al. in 2017, found that “stores in neighborhoods with the highest proportion of African Americans have more than double the odds of advertising price promotions for tobacco products, compared to stores in neighborhoods with the lowest proportion of African Americans.”⁴ Here in Oregon, we saw in one of our counties how tobacco companies target our youth and African Americans. In 2019, retailers in Multnomah County were assessed, “finding that 5 in 9 tobacco retailers advertised tobacco or e-cigarettes outside of the store, 100% sold flavored products (menthol, candy, etc), 67% advertised cigarillos for less than \$1.00, 5 in 7 offered price promotions, and 20% sold products within 12 inches of toys, candy, gum, slushy/soda, or ice cream.”⁵ Tobacco companies are putting our youth and the African American community at risk with its dangerous and deadly products through flavored products.

We can stop big tobacco from targeting and harming our communities across Oregon with the passage of HB 3090 modifies the definition of a flavored inhalant delivery system product and flavored tobacco product. This is important as there are a variety of methods flavored tobacco can be consumed, this will help close any loopholes to allow flavored tobacco to be sold. HB 3090 will prohibit distributing, selling, attempting to sell, or allowing to be sold flavored inhalant delivery system products or flavored tobacco products in this state. This means all cities and counties in Oregon will be unified in protecting our communities from flavored tobacco products. To do nothing would not only cost the state financially but result in the loss of more of lives.

Please pass HB 3090 to end the sale of flavored products as we can’t wait any longer. By banning the use of flavored tobacco and vaping, we now have an opportunity to protect our youth and the African American community.

Respectfully,

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⁴ Kurt M. Ribisl, PhD; Heather D’Angelo, PhD; Ashley L. Feld, MPH; Nina C. Schleicher, PhD; Shelley Golden, PhD; Douglas A. Luke, PhD; and Lisa Henriksen, PhD, Disparities in Tobacco Marketing and Product Availability at the Point of Sale: Results of a National Study, 2017, pg. 1.

⁵ Oregon Health Authority, Multnomah County Tobacco Fact Sheet, 2019.