



# Oregon Public Health Association

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

The Oregon Public Health Association (OPHA) is writing to ask you to support HB 3090: The Preventing Nicotine Addiction bill. OPHA was founded in 1944 by a coalition committed to the promotion of public health in Oregon. Ever since, the OPHA has been Oregon's public health leader, bringing together professionals and volunteers to speak and act for health in Oregon. Our mission is to advocate for policies that protect and promote health and health equity for all people in Oregon. HB 3090 aligns with our belief that the opportunity to live a healthy life is a human right because it will reduce life-long nicotine addiction and health inequities exacerbated by nicotine and tobacco use. **HB 3090 would ban the sale of all flavored tobacco in all locations for all ages - with no exceptions.**

**Despite declines in commercial tobacco use, tobacco remains Oregon's No. 1 preventable cause of death and disease.** It is responsible for killing nearly 8,000 Oregonians each year. In addition, it costs Oregonians an estimated \$5.7 billion every year in lost productivity and medical costs. Youth are accessing flavored tobacco at alarming rates. Oregon has taken steps in the right direction by strengthening tobacco retail licensure requirements to limit youth access to tobacco. However, in 2022, the new Oregon Tobacco Retail License program conducted 500 minimum legal sales age inspections, and 26% of retailers sold tobacco to underage persons.

Youth vaping is an epidemic driven by tobacco companies knowingly marketing harmful products to youth. In Oregon, the tobacco industry spends more than \$100 million a year on advertising and promotion. The unrelenting marketing of flavored products is an insidious attempt to regain customers following the decline in youth cigarette smokers. They intentionally market and sell flavored products like Cool Mint, Watermelon Ice, Pumpkin Spice, and Gummy Bear to attract and hook new young users. **And with great success. 85% of youth e-cigarette users started with a flavored product, and nearly all tobacco use begins during youth and young adulthood and begins with flavored tobacco.**

Menthol flavor is included in this bill for good reason. Menthol is the stealthiest flavor/additive. Because it masks the nasty taste of early tobacco use and blunts the initial mouth and throat soreness and cough, it is the perfect starter tobacco additive product. **28.8% of youths using e-cigs use those with menthol.** Women have also been a target of menthol cigarette manufacturers since the 1930s, with the production and marketing of "Virginia Slims" equating these "slim" cigarettes with feminism and women's right to vote with their slogan, "you've

come a long way, baby.” In addition to the usual nicotine/tobacco consumption risks, women who smoke have a higher rate of cervical cancer.

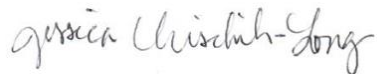
Since the 1950s, Big Tobacco has aggressively marketed and targeted Black communities with menthol cigarette advertising. In addition to advertising to Black people in newspapers and magazines, tobacco advertising and retail promotions are more prevalent in stores located in predominantly Black neighborhoods. Menthol brands are cheaper in Black communities, making them more appealing to price-sensitive customers. As a result, 85% of Black smokers smoke menthol, compared to 29% of white smokers. For decades, Black leaders and advocates nationwide have fought to ban the sale of menthol as the continued health disparities related to menthol use in the Black community continued to stack up. **Thanks to predatory marketing, 45,000 Black people die each year from tobacco-related illnesses.**

Those who oppose HB 3090 argue that this bill would dramatically hurt small tobacco retailers. However, in states such as New York that have already banned the sale of flavored tobacco, corner stores continue to operate. There is no reason to think Oregon would be an exception to this. We recognize that many tobacco retailers have a great track record of not selling to underage persons. Unfortunately, many retailers do sell to underage persons. 95% of adult smokers report they started smoking before they could legally purchase tobacco, indicating that we need to take further action to ensure that products like flavored tobacco are not intentionally attracting and targeting youth.

OPHA urges you to support HB 3090. A flavor tobacco ban is critical to advancing health equity, creating healthier generations, and reducing avoidable costs. Oregonians deserve better. Join the over 300 communities nationwide and several states that have banned the sale of flavored tobacco in pursuit of a tobacco-free future.

**Thank you for your commitment to the health and wellbeing of Oregonians.**

Sincerely,

A handwritten signature in cursive script that reads "Jessica Nischik-Long".

Jessica Nischik-Long, MPH  
Executive Director  
Oregon Public Health Association