

Submitter: Mark Kemmerer

On Behalf Of:

Committee: House Committee On Behavioral Health and Health Care

Measure: HB3090

Chair Nosse and members of the committee my name is Mark Kemmerer and I'm from Roseburg.

If this flavor ban were to pass we don't have to guess at the consequences, we can simply look to Massachusetts and see the results of their 2019 ban. If we examine the annual report from Massachusetts Multi-Agency Illegal Tobacco Task Force, we will be able to see the trends that are likely to follow in Oregon. In Massachusetts black markets have surged. Seizures of illegal tobacco products went from 10 in 2020 to over 300 in 2022. That's a 2,900% increase. We can assume Oregon will see something similar. Where in 2024 there will barely be any black markets operating in Oregon but by 2026 we will face a new pandemic that inevitably will lead to harsher and harsher punishments. Oregon will lose an excessive amount of missed tax revenue that could be used for enforcing already existing regulations, education, and addiction treatment. Not to mention the fact that the black market will increase the amount of underage purchases made, the exact opposite of this bill's intentions.

As the ACLU stated in their letter in 2021 in response to the FDA contemplating prohibiting menthol cigarettes and I quote "policies that amount to a prohibition for adults will have serious racial justice implications, such a ban will trigger criminal penalties, which will disproportionately impact people of color, as well as prioritize criminalization over public health and harm reduction". Instead of a ban we need policies that promote education, for both children and adults, and increase funding for healthcare. For the sake of Oregonians health across the state we cannot approach this with a closed fist of criminalization but with an open hand, encouraging education, outreach and accessible healthcare. IF you truly care about the lives of Oregonians vote no on HB 3090. Thank you.