

Maryland PIRG

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SB259 Flavored Tobacco Products - Prohibition-Finance Committee
Finance
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FAVORABLE

Maryland PIRG is a state based, small donor funded public interest advocacy organization with grassroots members across the state. We work to find common ground around common sense solutions that will help ensure a healthier, safer, more secure future. That includes a long history of supporting concrete solutions to reduce tobacco use.

Maryland PIRG urges you to support SB259 to protect kids from tobacco addiction by taking all flavored tobacco products off the market.

The tobacco industry has evolved over time to create new, highly addictive products, but one thing hasn't changed--flavored tobacco products hook kids. **A government study found that [81% of youth](#) who have ever used tobacco started with a flavored product, and most tobacco users start young.**[1]

Flavored products helped fuel the e-cigarette epidemic among youth:

- E-cigarettes have been the [most commonly used tobacco product](#) among middle and high school students in the United States since 2014.[2]
- According to the Centers for Disease Control and Prevention, [more than 1 in 4 \(27.4%\)](#) high school youth in Maryland reported current use of a tobacco product in 2019. [3] That's an increase from [21.6% in 2016](#). [4]
- According to the Food and Drug Administration, [70%](#) of youth e-cigarette users say they use the products because they come in appealing flavors.[5]
- The Surgeon General [concluded in a 2016 report](#) that, "E-cigarettes are marketed by promoting flavors and using a wide variety of media channels and approaches that have been used in the past for marketing conventional tobacco products to youth and young adults." [6]

All flavored products are a problem:

All flavored tobacco products pose a threat to youth because they can lure them into a life-time of tobacco addiction. S.B.259 would help reduce overall youth tobacco use by taking all flavored products off the market, not just a select few.

- Although e-cigarettes are the most widely used tobacco product among Maryland high schoolers, 6% smoke cigars, 5% smoke cigarettes, and 4.6% use smokeless tobacco.[7]
- Menthol flavoring lessens the harshness of smoking tobacco, which makes it easier for young people to start smoking cigarettes. According to the Food and

Drug Administration, [youth smokers](#) are more likely to use menthol cigarettes than any other age group.

- In 2013-2014, [73.8%](#) of youth cigar smokers reported that they smoked cigars “because they come in flavors I like” (PATH Wave 1, 2013-2014).[8]

Nicotine is harmful to kids’ health:

E-cigarettes almost always contain nicotine, an addictive drug that can harm adolescent [brain development](#) and affect young peoples’ learning, memory and attention.[9]

- Nicotine use in adolescents can also contribute to mood disorders and increase their risk of future addiction to other dangerous substances.[10]
- Some [evidence](#) also suggests that young e-cigarette users may be more likely to smoke combustible cigarettes in the future. [11]

The benefit, if any, to the smokers who claim to be using flavored e-cigarettes as a way to quit smoking combustible cigarettes simply doesn’t outweigh the public health risk these products pose to young people in Maryland. **Moreover, [no e-cigarette company](#) has received FDA authorization to market their e-cigarette products as a safe and effective way to quit smoking.**[12]

The federal government has failed to fully address the youth e-cigarette epidemic, and it’s moving too slowly to take other youth friendly products like menthol cigarettes off the market. It’s critical that Maryland lawmakers act now to end the sale of all flavored tobacco products.

According to the Centers for Disease Control and Prevention, the rapid rise in e-cigarette use among young people has [erased past progress](#) in reducing overall youth tobacco use. Maryland lawmakers should end the sale of all flavored tobacco products. Otherwise, thousands more kids could face a future tainted by tobacco addiction.

We respectfully request a favorable report.

Notes:

[1] Ambrose, BK, et al., “Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014,” *Journal of the American Medical Association (JAMA)*, published online 26 October 2015.

[2] Gentzke AS, et al. “Vital Signs: Tobacco Product Use Among Middle and High School Students – United States, 2011–2018,” [MMWR Morbidity and Mortality Weekly Report](#) (MMWR) Rep 2019; 68:157–164. DOI:

[3] The Centers for Disease Control and Prevention, *Extinguishing the Tobacco Epidemic in Maryland*

[4] Maryland Department of Health, *Youth Risk Behavior Survey & Youth Tobacco Survey 2016*.

[5] FDA, *Guidance for Industry: Modifications to Compliance Policy for Certain Deemed Tobacco Products*, 14 March 2019.

[6] HHS, “E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General”. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

[7] Maryland Department of Health, Preliminary data from the Youth Risk Behavior Survey & Youth Tobacco Survey 2018-2019.

[8] See note 1.

[9] Office of the Surgeon General, “Know the Risks: E-cigarettes and Young People,” accessed 22 April 2019; See note 6 for additional information.

[10] Ibid.

[11] CDC, *Quick Facts on the Risks of E-cigarettes for Kids, Teens, and Young Adults*, accessed online 2 February, 2020.

[12] FDA, *Fact or Fiction: What to Know About Smoking Cessation and Medications*, accessed online 2 February, 2020.

[13] FDA, *Guidance for Industry: Enforcement Priorities for Electronic Nicotine Delivery System (ENDS) and Other Deemed Products on the Market Without Premarket Authorization*, January 2020.