

My name is Andrew MacLean and I work at MMR. I am here representing British American Tobacco, formerly RAI, formerly Reynolds Tobacco. Our major concern with S. 288 is that it adversely impacts adults who wish to use tobacco and vaping products. The issue of youth access has been addressed by the State of Vermont and the FDA. As of February 6, 2020, the FDA has outlawed the sale of closed system vaping products containing flavors other than traditional tobacco and menthol. Passage of S.288 is not needed to remove closed system vaping products like Juul and Vuse that contain flavors other than menthol from the Vermont marketplace.

Last year the State of Vermont passed S.86 and H.47. S.86 raised the age for the legal possession of tobacco products to 21. We supported that legislation. H. 47 doubled the cost of vaping products by imposing a 92% wholesale tax.

Many of the supporters of S.288 strongly supported the tax increase and increase in age as THE most significant actions the Legislature can enact to reduce youth smoking and vaping. The American Heart Association estimated that for every 10% increase in the cost of a tobacco product, usage would be reduced by 6.5%. Using their estimates, usage of vaping products should be reduced by 65% as a result of the tax increase. The American Heart Association testified 18-20 year olds were the major supplier of tobacco products to younger users.

S. 86 went into effect on September 1, 2019. The positive impacts of that legislation cannot be measured in 4+ months.

The 2019 Vermont Youth Risk Behavior Survey indicates:

10% of Vermont high school students chose a particular tobacco product because of flavor; 27% of high school students had tried a flavored tobacco product; 40% of high school students had tried marijuana; and 55% of high school students had tried alcohol.