



Senate Health and Welfare Committee
Proposed Amendment to S.24 - Banning flavored tobacco products and e-liquids
February 24, 2021

The Vermont Cannabis Trades Association (VCTA) is a coalition of medical marijuana dispensaries in Vermont.

Over 20% of our registered patients utilize some form of vape product for their symptom relief. All of our vape cartridges include either cannabis derived or botanically sourced terpenes as active ingredients and flavor components.

A consistent percentage of our patients are cannabis naive (using cannabis for the first time) and are adverse to the flavor/aroma of cannabis. They want the benefits of inhalation without smoking. Having a flavored vape option that makes the products palatable is of great service and comfort to these patients.

Mild flavorings can also mask the aroma of cannabis vapor within a closed environment, like a home, so as not to intrude on others in the household and to protect the privacy of the patient. It is our experience that as a whole, registered patients are very private about their use of medical cannabis.

Lastly, with recent illicit vaping deaths the best way to ensure patient safety is by allowing the medical program to offer devices and liquid formulations which have been tested thereby displacing the counterfeit cartridges and demand on the illicit cannabis market.

While we wholeheartedly support the intent of S.24, we would like to ensure S.24 will not ban the e-liquids that patients use for their medicine.

Current law defines tobacco substitute to include products that contain or deliver nicotine or ***other substances*** which are not approved by the FDA for tobacco cessation or other medical purposes. Because medical marijuana has not been approved by the FDA, it would be included in the definition of ***other substances/tobacco substitute***. The term “tobacco substitute” appears throughout S.24.

Therefore, we would like to propose an amendment to the definition of tobacco substitute to exclude medical marijuana from being considered ***other substances*** (our amendment is the addition of the last sentence in bold and underlined)

Sec. 2. 7 V.S.A. chapter 40 is amended to read:

CHAPTER 40. TOBACCO PRODUCTS

§ 1001. DEFINITIONS

As used in this chapter:

* * *

(8) "Tobacco substitute" means ~~products~~ any product, including an electronic cigarettes cigarette or other electronic or battery-powered ~~devices~~ device, or any component, part, or accessory thereof, that ~~contain or are~~ contains or is designed to deliver nicotine or other substances into the body through the inhalation or other absorption of aerosol vapor, or other emission and that ~~have~~ has not been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes. Products that have been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes shall not be considered to be tobacco substitutes. **Other substances, as used in this section, shall not include substances sold by a dispensary registered under 18 V.S.A. chapter 86 or 7 V.S.A. chapter 35 to registered patients and registered caregivers, as those terms are defined in those chapters.**

Thank you for your consideration.