



NATO®

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Topics to Cover

Youth Usage

Responsible Retailers

MA & CA Experience

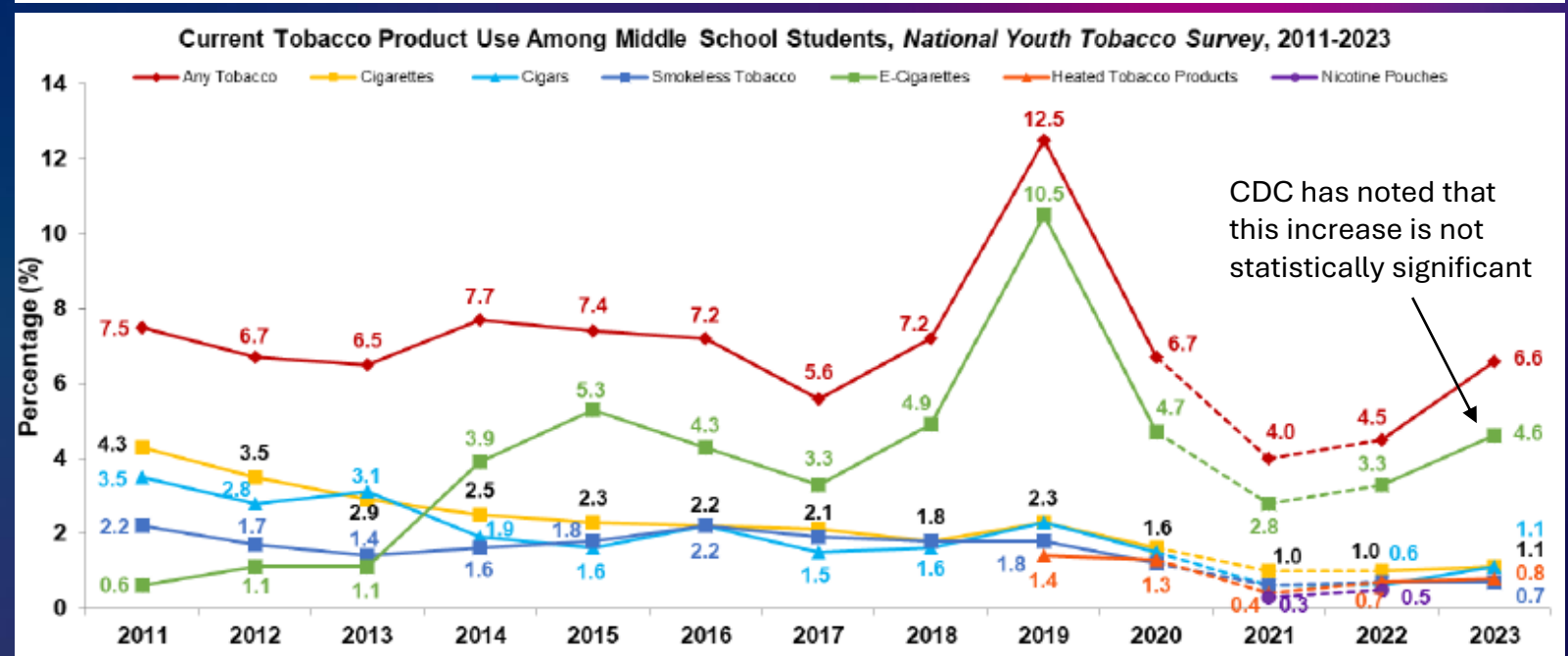
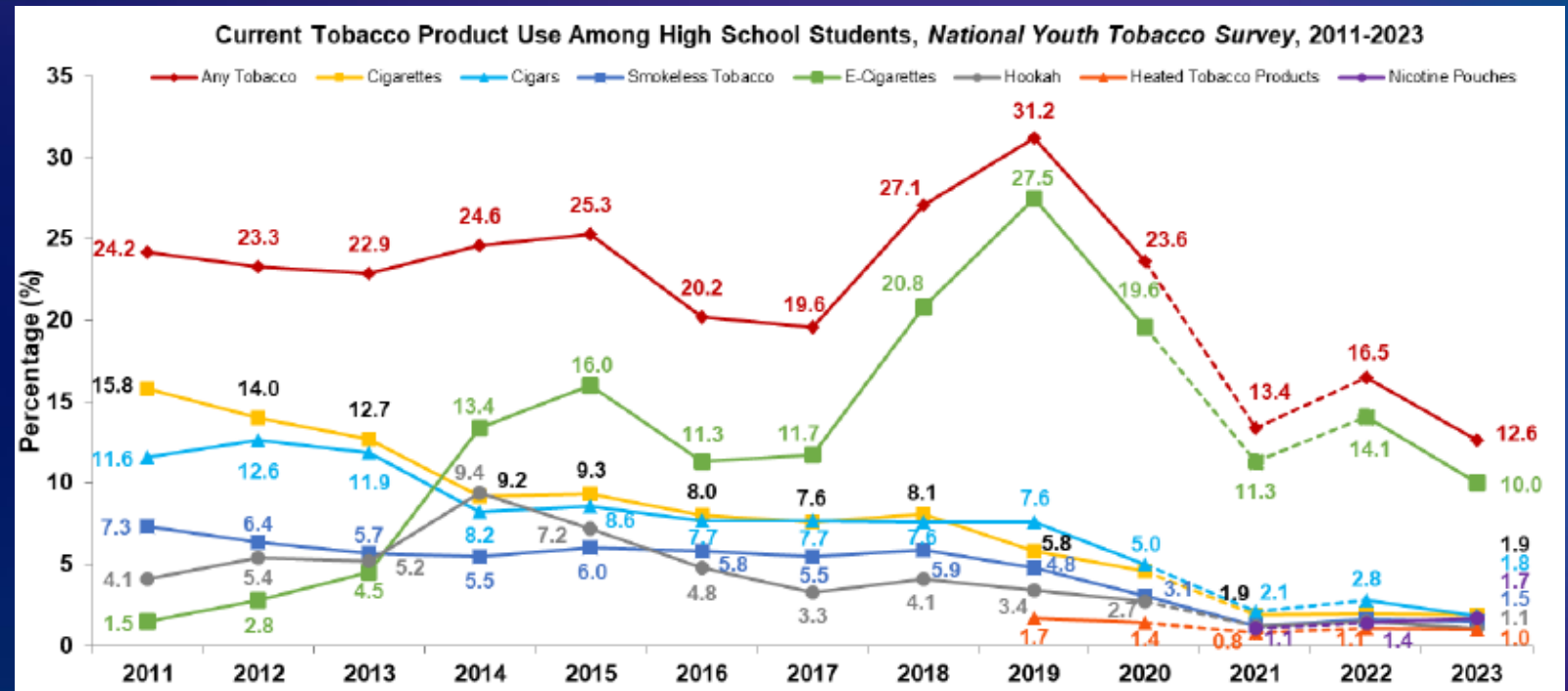
FDA Actions

Youth & Adult Products

Illicit Market

Youth Use of Tobacco is Declining

These declines show that **harm reduction policies work**. Education, cessation support, and underage prevention policies – combined with a licensed, legal system of distribution and sale to adult consumers – can continue to drive progress.



Youth Use of Tobacco is Declining

Youth Use of *Any Tobacco Product*

10.0%

middle (6.6%) & high school (12.6%)

-12% decrease

from 2022 to 2023

Youth Use of *E-Cigarettes*

7.7%

middle (4.6%) & high school (10.0%)

-18% decrease

from 2022 to 2023

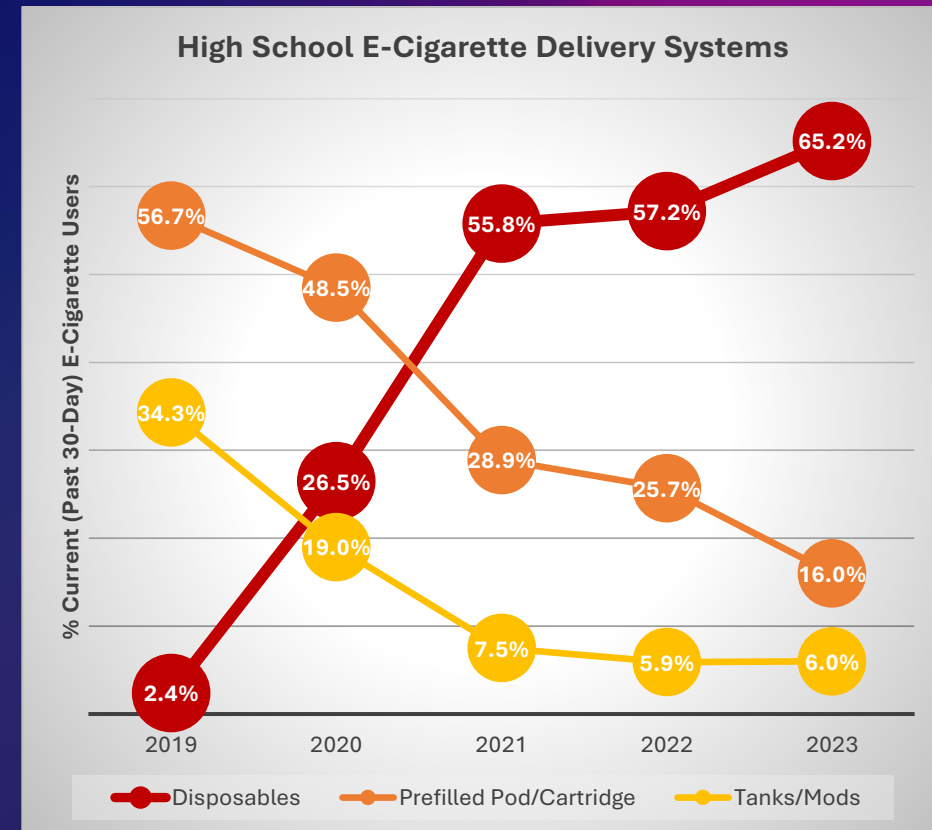
0.6% middle and high school students smoke menthol cigarettes

Youth Use of Disposables is Growing

“Disposable products were the most used e-cigarette device type among youth.”

Centers for Disease Control

No non-tobacco flavored e-cig or disposable e-cig has received a marketing granted order (approval for sale) by FDA



Responsible Retailers Prevent Youth Use



**Under 21
No Tobacco
No Vapor**

**We
Card**

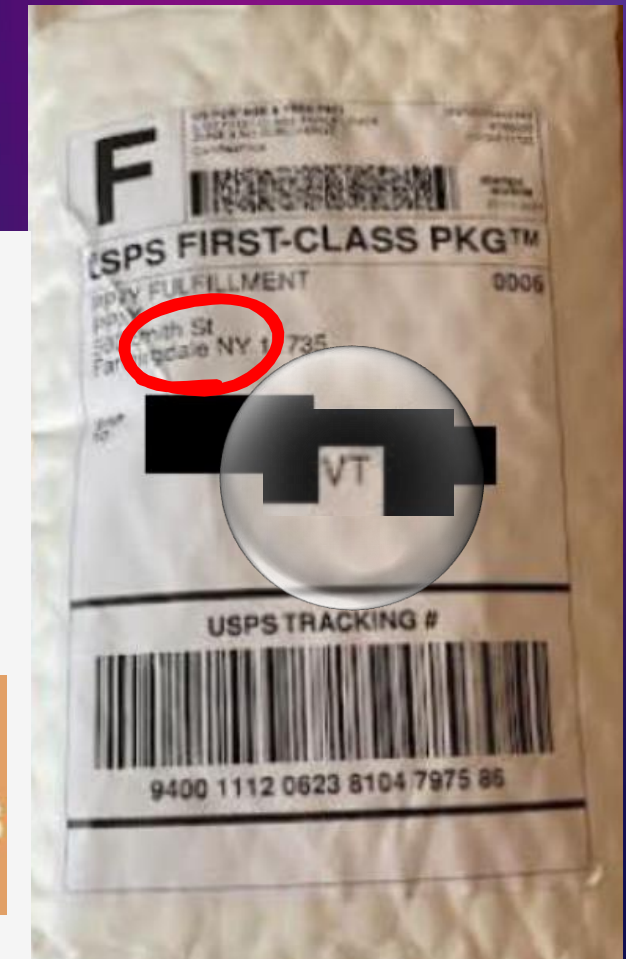
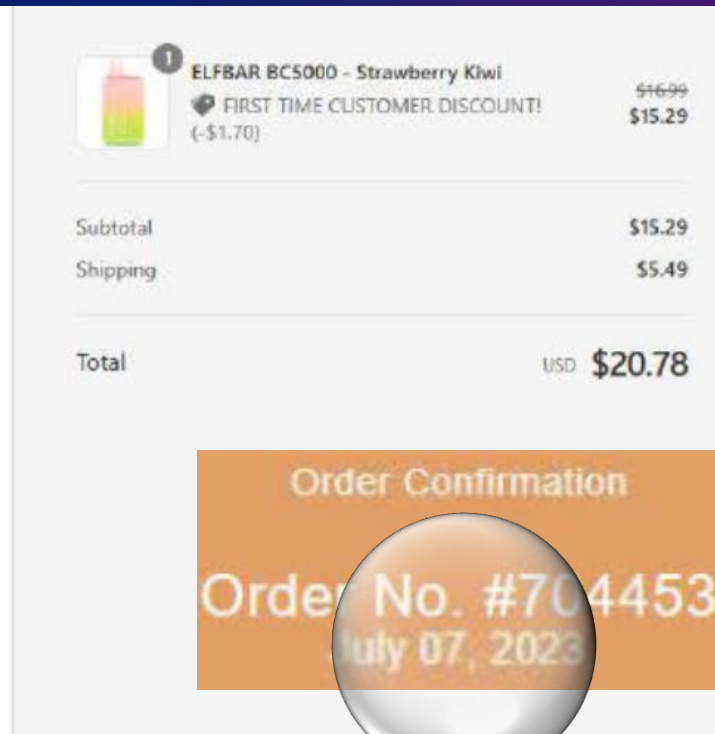
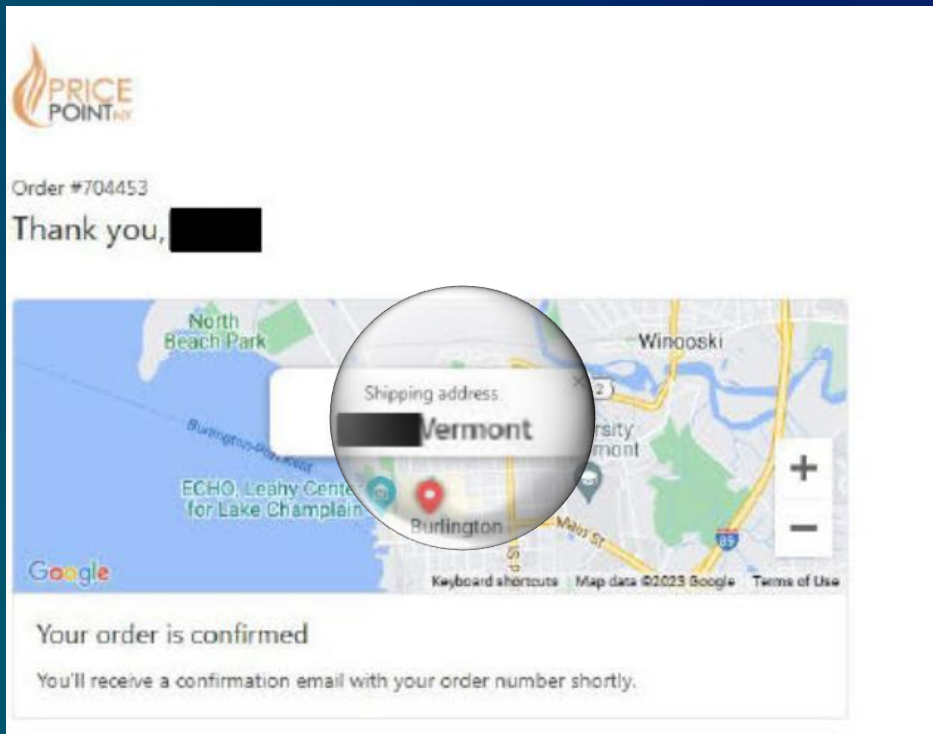
LAW PROHIBITS THE SALE OF TOBACCO TO PEOPLE UNDER 21.

TM

Licensed
ID Checks
Education
Training
Compliance

Easy to Buy Online, But Illegal

- July 1, 2019 – Vermont law prohibits online e-cig sales to consumers



MA & CA Experience

**Both states have
lost tobacco excise
revenue**

**Both states have
increased
smuggling & illicit
contraband tobacco
products seizures**

**Both states have
not achieved public
health goals of adult
reduced use of
tobacco products**

FDA PMTA Process & Regulations

FDA approves tobacco products that are
“APPROPRIATE FOR THE PROTECTION OF THE PUBLIC HEALTH”

FDA has

- Banned flavored cartridge-based e-cigs
- Approved 23 e-cig products
- Approved specific snus, modern oral & heat-not-burn flavored products
- Issued regulations to ban menthol cigarettes and flavored cigars

A total flavor ban would remove products from shelves that the FDA, after a rigorous scientific review process, has determined, or will determine in the future, *protect* the public.

Youth & Adult Products (VT Dept. of Health, 2021 YRBS)

20% high schoolers
use marijuana

25% high schoolers
use alcohol (10.5% binge drink)

Tobacco high schoolers
5% use cigarettes & 16% use E-Cigs

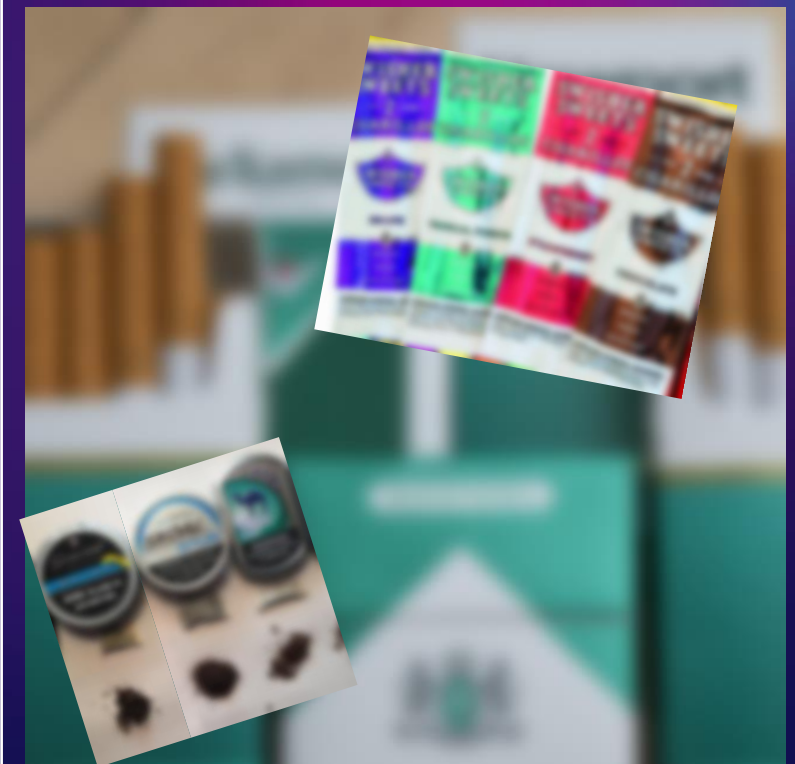
Cannabis



Alcohol



Cigarettes & E-Cigarettes



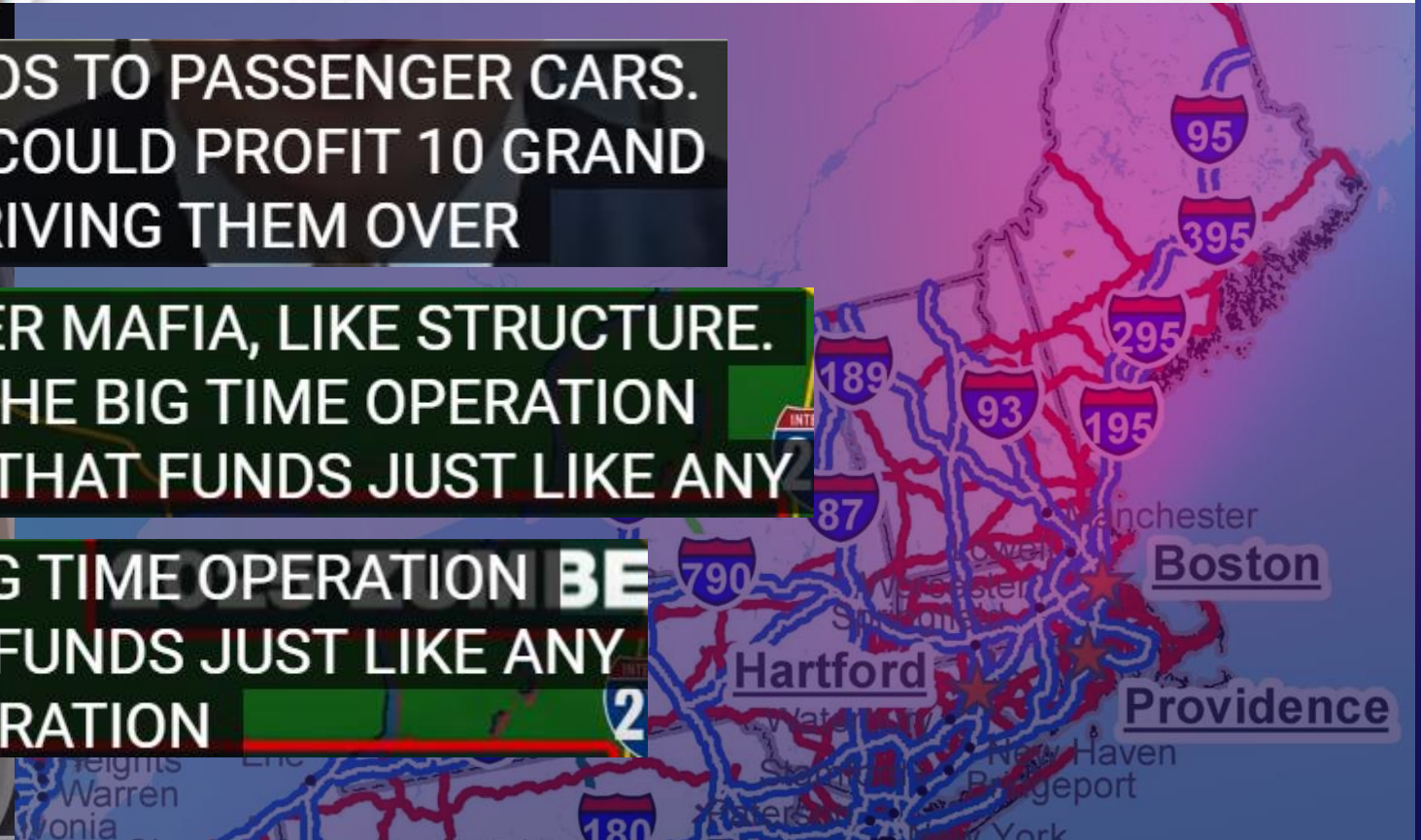
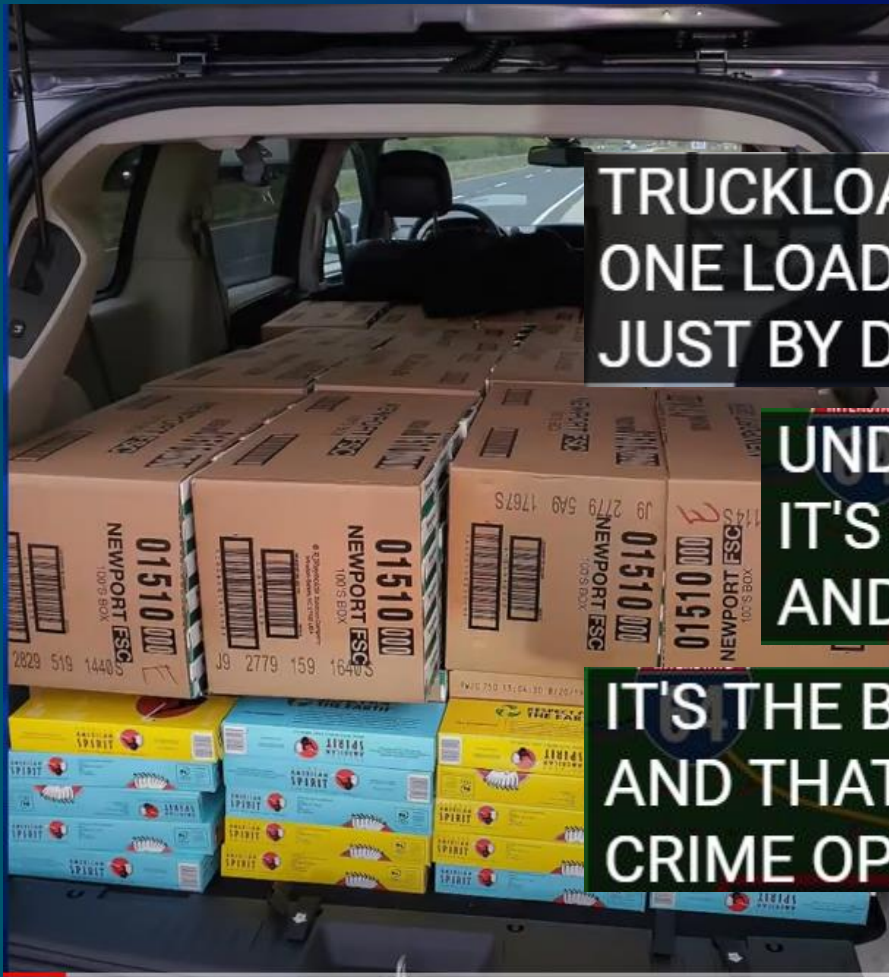
Illicit Markets Will Thrive

CIGARETTE SMUGGLING

TRUCKLOADS TO PASSENGER CARS.
ONE LOAD COULD PROFIT 10 GRAND
JUST BY DRIVING THEM OVER

UNDER MAFIA, LIKE STRUCTURE.
IT'S THE BIG TIME OPERATION
AND THAT FUNDS JUST LIKE ANY

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AND THAT FUNDS JUST LIKE ANY
CRIME OPERATION



Too Broad, Misdirected, Unintended Consequences

YOUTH (and adult) USE OF TOBACCO PRODUCTS IS DECLINING

Laws should address youth use of disposable e-cigs, youth should never use any tobacco product

RESPONSIBLE RETAILERS CHECK IDS, PREVENTING TOBACCO SALES TO YOUTH

Criminals don't card and online sales laws should be enforced

MA & CA INSTITUTED FLAVOR BANS

States have lost revenue with no benefit to public health

FDA Center for Tobacco Products REGULATION TO PROTECT PUBLIC HEALTH

A flavor ban is duplicative and could undermine FDA's tobacco harm reduction efforts

SALES RESTRICTED ADULT FLAVORED PRODUCTS ARE WIDELY AVAILABLE

Youth are more likely to use marijuana or alcohol than tobacco

CIGARETTE CRIME PAYS

Law enforcement doesn't need more crime to fight



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THANK YOU