

Rapidly Emerging Nicotine Market Puts Vermont Kids at Risk and Outpaces Regulation

Support for S.198 by the Coalition for Tobacco Free Vermont and the
Campaign for Tobacco Free Kids
Jill Sudhoff-Guerin

S.198 – “Affordability Reform”

Measures to reduce tobacco use puts more \$ into people’s wallets and the state Medicaid budget. “When the fee is insufficient to cover the costs of compliance checks and enforcement, community residents are essentially subsidizing the sale of commercial tobacco.” Public Health Law

\$404 million

Vermont’s Annual cost of treating tobacco-related health care diseases

\$93.7 million

Medicaid costs caused by tobacco use in Vermont

\$998

Per household State & federal tax burden from smoking-caused government expenditures

\$576.2 million in productivity losses due to smoking

1,000 Vermonters Die From Tobacco Use Annually
29.8% of VT cancer deaths attributable to smoking

Marketing Budget vs. Tobacco Control Budget

\$15.8 m.

Spent in VT on
tobacco
marketing

\$2.7 m.

State funding on
tobacco control

“Today, the tobacco industry continues to outspend tobacco control efforts by a factor of at least 12 to 1 annually with more than \$8.5 billion spent in tobacco-related advertising and promotion. (Campaign for Tobacco-Free Kids 2023; Federal Trade Commission 2023a,b).” - [Vivek Murthy, Surgeon General, 2024](#)

**Approx.
\$75 m.**

Raised in tobacco
tax revenue

**Approx.
\$23 m.**

In Master
Settlement dollars

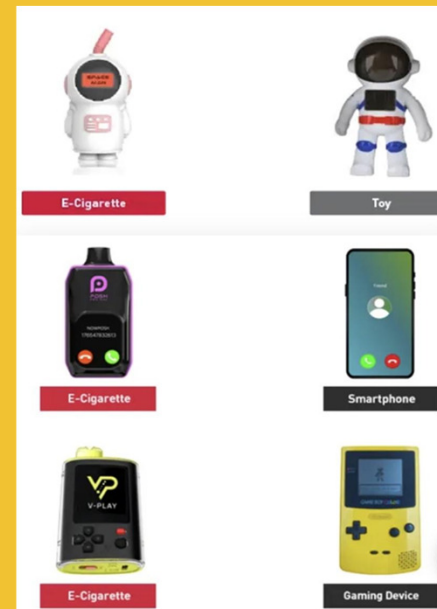
Tobacco Industry Continues to Appeal to Young People with Emerging Tobacco Products



High Nicotine Disposable Vapes

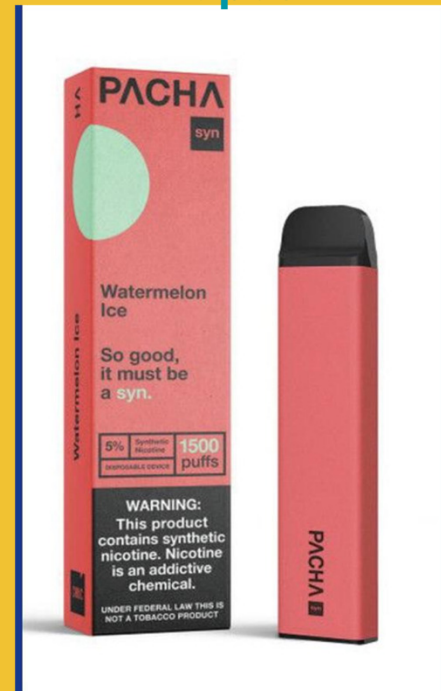


Nicotine Pouches



“Smart Vapes”

“Nicotine Free” Vapes



Impact on Vermont youth and young adults - the numbers

Tobacco/nicotine use behavior in young Vermonters (ages 12-25)



	Cigarettes	Electronic Nicotine Products (ENP)	Nicotine Pouches	Cigars
Ever use	155 (52%)	129 (43%)	57 (19%)	106 (35%)
Past 30-day use	113 (38%)	78 (26%)	37 (12%)	30 (9%)



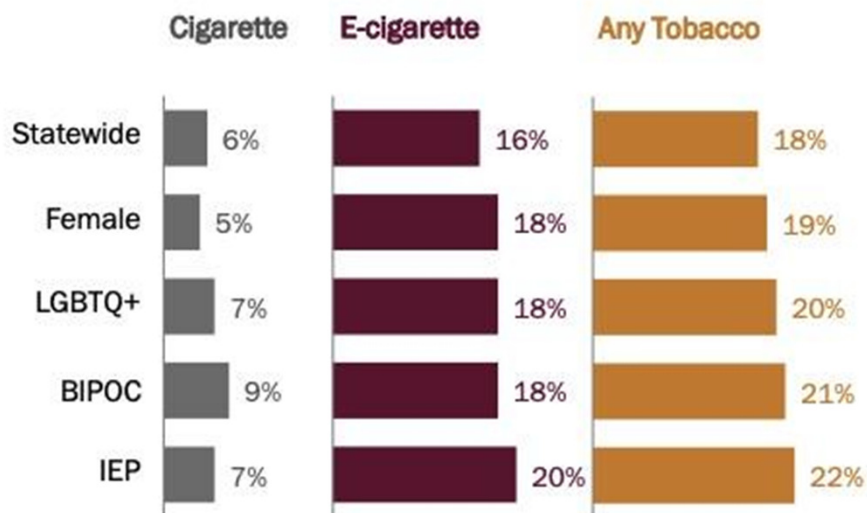
Wave 11, Fall 2025

Preliminary data. Please do not distribute or cite.

Impact on Vermont adolescents - the numbers

High School Rate 16.1%,
Middle School 7% - 2023 YRBS

High school **e-cigarette** and **any tobacco** use is statistically higher for Vermont high school students who are female, LGBTQ+, BIPOC and/or have an IEP*.



Source: VT YRBS, 2023

37%

of the high school students who reported use of e-cigarettes **use daily**

Impact on Vermont young adults - the numbers

	2014 (N=2867)	2016 (N=3062)	2018 (N=2365)	2020 (N=2340)	2022 (N=1538)	2024 (N=1308)
Tobacco and nicotine delivery products use in past 30 days						
Used cigarettes			21.5	19.9	17.4	14.3
Used cigars, cigarillos or little cigars			4.7	3.1	3.8	4.9
Used chewing tobacco, snuff, dip, snus, nicotine pouches, or dissolvable tobacco products ¹¹			4.9	2.8	4.7	9.1
Used electronic vapor products containing nicotine			20.8 ¹²	20.0	27.4	27.3
Used electronic vapor products containing nicotine (ages 18-20 only)			30.4	22.9	26.9	24.5
Used any of the above products			37.7	33.8	35.7	36.7
Used flavored tobacco or nicotine product ¹³						80.6

Use of any tobacco product among 18-25 yr olds

New, discreet, high-nicotine products are hard for youth to quit

“Nicotine, alcohol, heroin, or any drug of abuse works by hijacking the brain’s reward system,” says Yale researcher Nii Addy, PhD, who specializes in the neurobiology of addiction.

Once nicotine binds to the receptor, it sends a signal to the brain to release a well-known neurotransmitter—dopamine—which helps create a ‘feel-good’ feeling. Dopamine is part of the brain’s feedback system that says “whatever just happened felt good” and trains the brain to repeat the action. But nicotine, unlike other drugs such as alcohol, quickly leaves the body once it is broken down by the liver. Once it’s gone, the brain craves nicotine again.

When an addicted teen tries to quit nicotine, the problem of cravings is of course tied to the drug that causes the dopamine rush, Addy says. What’s more, recent animal study research and human brain imaging studies have shown that “environmental cues, especially those associated with drug use, can change dopamine concentrations in the brain,” he says. This means that simply seeing a person you vape with, or visiting a school restroom—where teens say they vape during the school day—can unleash intense cravings. “In the presence of these cues, it’s difficult not to relapse,” Addy says. [Yale Medicine](#)

What products are in our schools? Public Health Response to Research

Over two school years (2023-2025) we collected *512 confiscated nicotine vapes and vaping products* from high schools and middle schools across VT.



First yr 34.7% of confiscated vapes - Loon

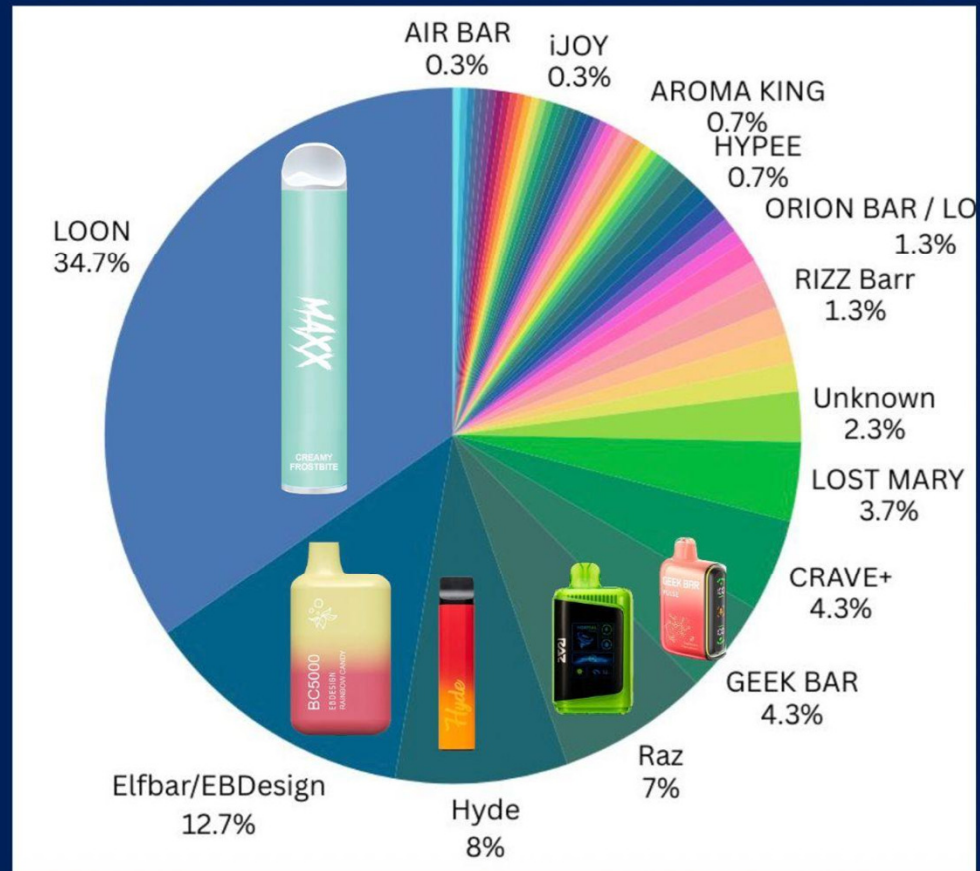
Collection Results (2023-2024 School Year)

Disposable Vapes
249 - 83%

Not Tobacco Flavored:
298 - 99%

THC vapes:
34 (10% of total collection)

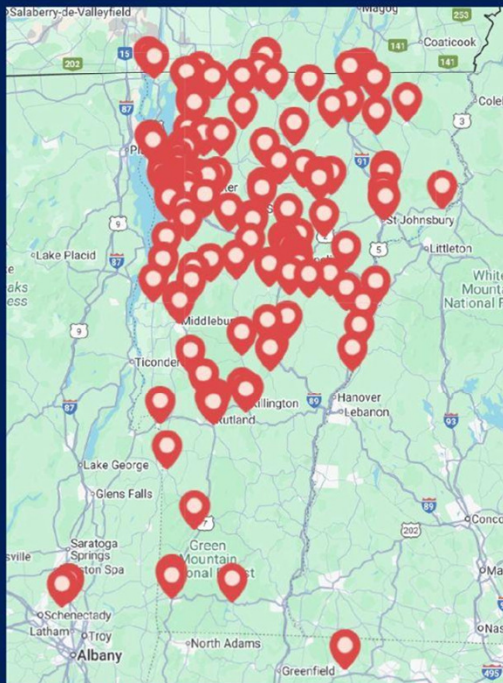
One Off Vapes
37 - 12%



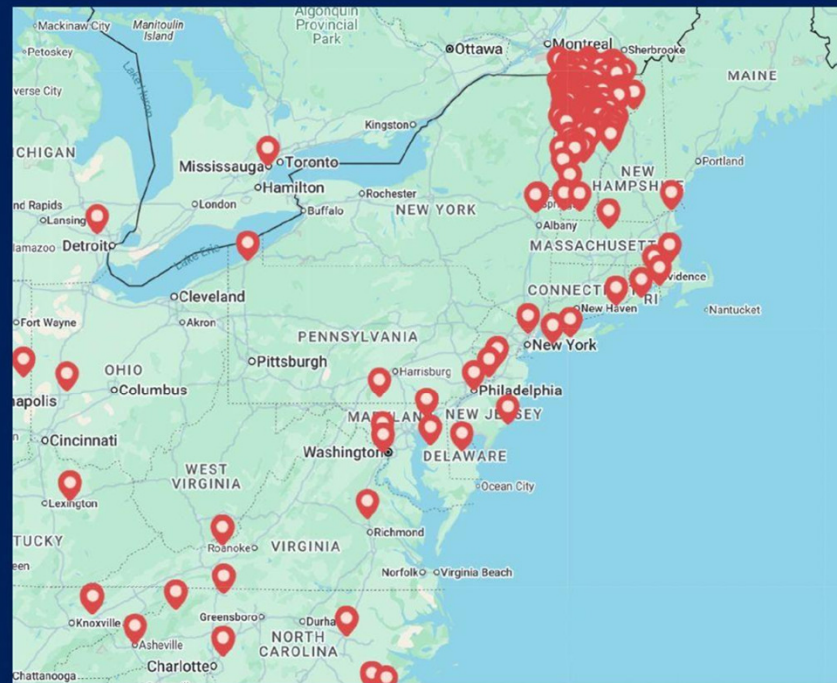
Loon - VT retail favorite?

Loon Retail Map

Map of Loon Retailers in VT



Map of Loon Retailers in Eastern US



Second yr 40.1 % of confiscated vapes - Geek

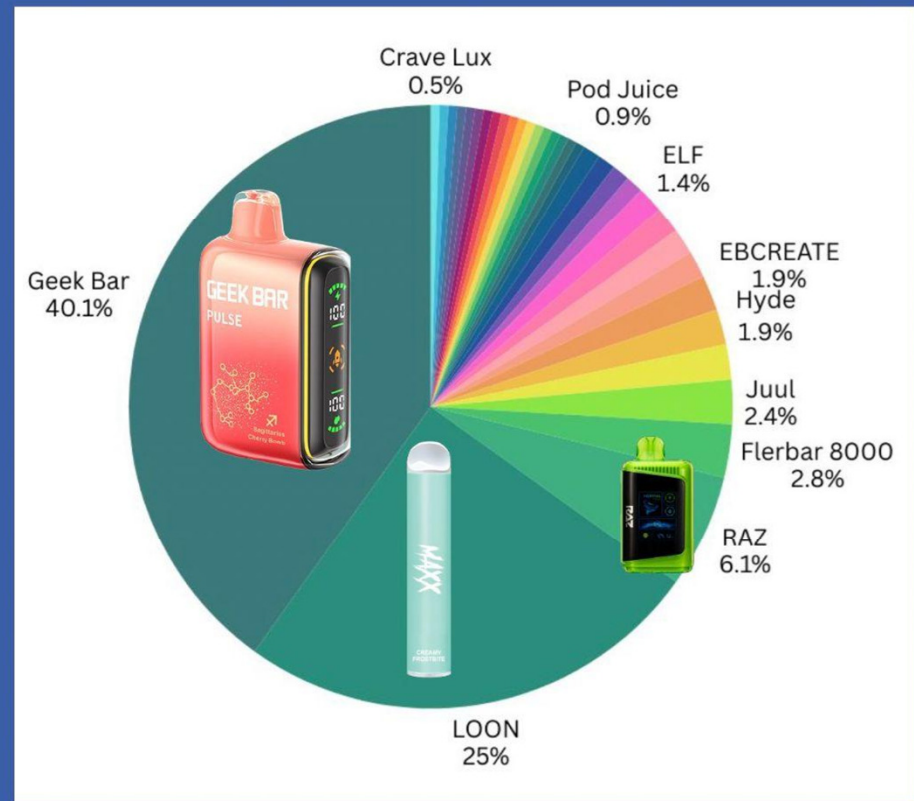
Collection Results (2024-2025 School Year)

Disposable Vapes
194 - 92%

Not Tobacco Flavored:
212 - 100%

THC vapes:
40 (17% of total collection)

One Off Vapes
23 - 11%



Nicotine Content is Super High, Geekbar has a light up display

“With brighter lights and more advanced controls, PULSE X delivers a starry screen. The dots of light accompany you throughout vaping time.” [Click here for Geek website](#)

Nicotine Content Comparison

Model	Geek Bar Pulse	LOON Maxx	Geek Bar Pulse X	Raz TN9000
Nicotine Strength	5%, 50 mG of nicotine salt	5% 50 mG of nicotine salt	5%, 50 mG of nicotine salt	5% 50 mG of Nicotine Salt
E-liquid capacity	16 mL	6.5 mL	18 mL	12 mL
Nicotine Content	16mL * 5% = 0.8g (800mg) of nicotine	6.5 mL * 5% = .33 g (330mg of nicotine)	18 mL * 5% = 0.9g (900mg) of nicotine	12 mL * 5% = .6g (600mg) of nicotine
Puff Count	Up to 15,000 in regular mode and 7,500 in pulse mode	2,000 puffs	Up to 25,000 in regular mode and 15,000 in pulse mode	9,000 puffs
Amount in 2024-2025 collection	51/242 - 21%	40/242 - 17%	16/242 - 7%	11/242 - 5%
Price		\$25		\$22.25

How are kids getting it?

Perceived access (full sample)

If you wanted to get [...] products, how hard or easy would it be for you to get some?

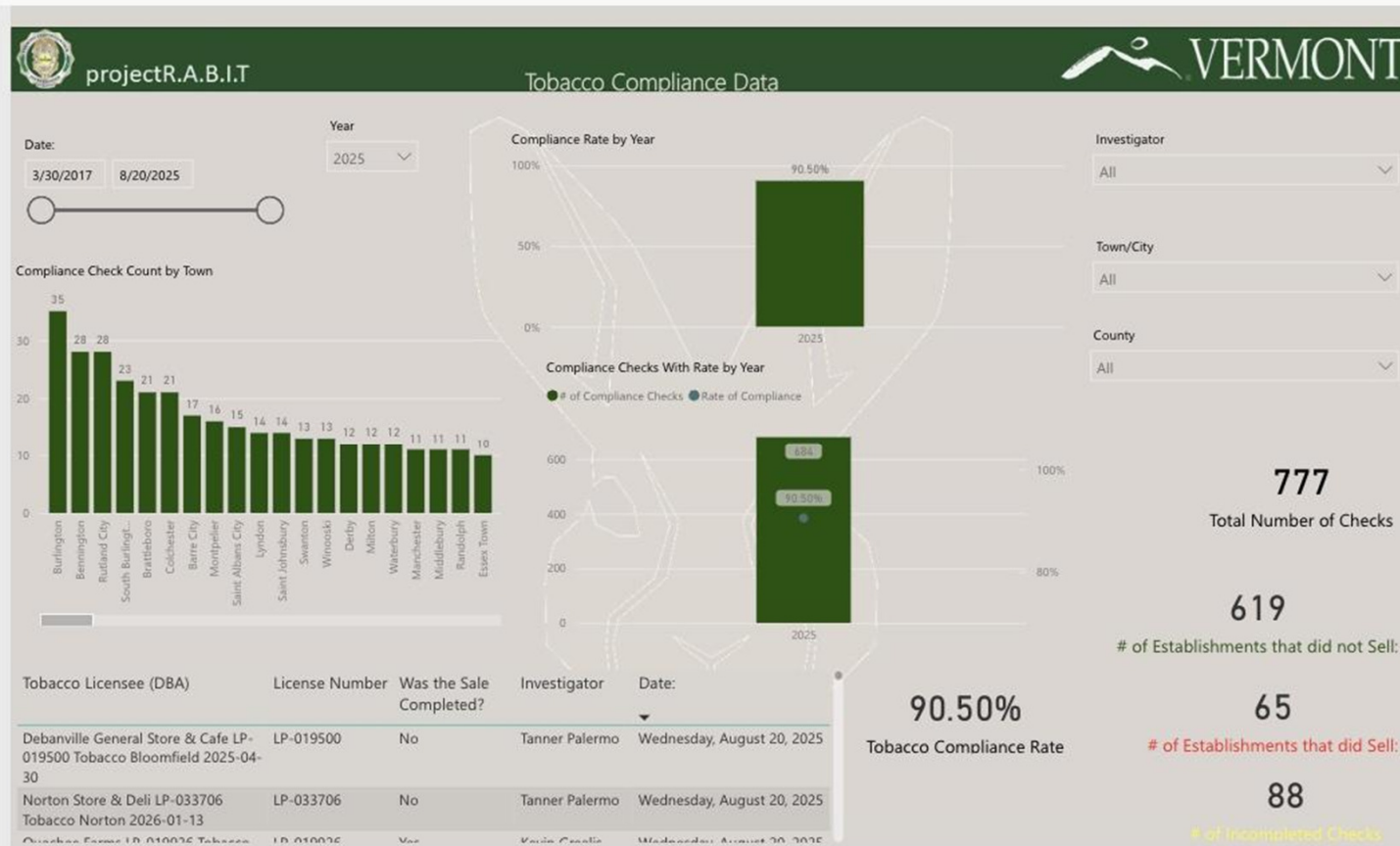
- Very hard
- Sort of hard
- Sort of easy
- Very easy

	Tobacco/nicotine	Alcohol
Age <21	99/162 (61%)	123/162 (76%)
Age 21+	124/139 (89%)	131/139 (94%)

Purchasing behavior among past 30-day users

	Tobacco/Nicotine N= 143	Alcohol N= 172
Where did you buy your own...products?		
I did not buy [product] during the past 30 days	17 (12%)	16 (9%)
A vape shop or tobacco shop	62 (43%)	-
A gas station or convenience store	48 (34%)	52 (30%)
On the internet (such as a product website,(for tobacco: online vape or tobacco store) or other online marketplace)	33 (23%)	11 (6%)
I bought them from another person (a friend, family member, or someone else)	31 (22%)	29 (17%)
A grocery store	15 (10%)	84 (49%)
A mall or shopping center kiosk/stand	15 (10%)	-
A drugstore	10 (7%)	9 (5%)
Through the mail	9 (6%)	8 (5%)
Through a delivery service (such as DoorDash or Postmates)	9 (6%)	16 (9%)
A vending machine	7 (5%)	-
Through store pick-up (such as a grocery store, Walmart or Target)	-	62 (36%)
Some other place not listed here	††	12 (7%)

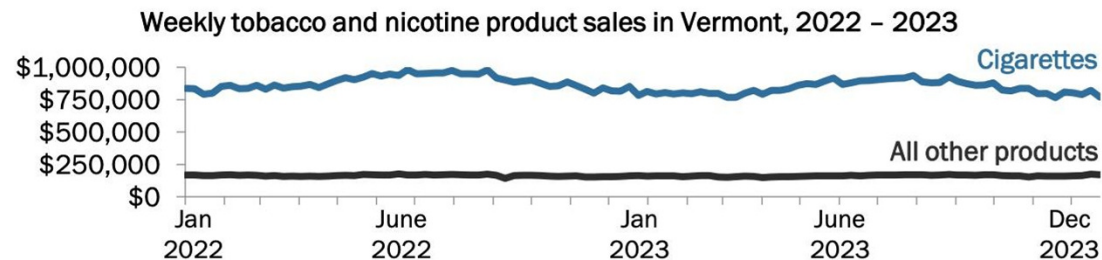
Vermont Tobacco Retailer Compliance Data



Vermont Tobacco Retailer Landscape

Combustible cigarettes are the leading tobacco product in Vermont.

Overall, tobacco product sales were stable over the two years, averaging \$1.03 million in weekly sales. Despite the accumulated evidence of the serious harms of smoking and exposure to secondhand smoke,¹ combustible cigarettes are the leading product sold, with a weekly average of 82,130 units, representing 84% of all tobacco product sales.



2025 - 777 Tobacco Retailers - 90.5% Compliance rate:

- DLL has done one compliance check per store per year but they are now moving to a sample model;
- Vermont is the only State that allows a “2 for 1” tobacco license
- Enforcement allows for non-consecutive penalties
- Loophole allowing retailers to register as wholesalers to purchase e-cigarettes online to decrease tax burden provides rationale for online compliance investigator

Online Compliance Data

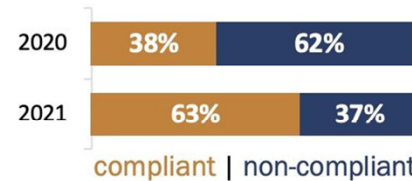
Online Retailer Compliance with Delivery Sales Ban

Rising compliance means online access has decreased, with room to improve.

📈 Online retailer compliance increased markedly over the previous year.

Through funding from the Vermont Tobacco Control Program, DLL maintains a comprehensive list of online tobacco retailers and tests them for compliance with the delivery sales ban. Between 2020 and 2021, DLL tested **273 unique retailers**, some multiple times.

In 2021, 63% of tested online retailers were in **compliance**, compared to only 38% in 2020.⁸



The partnership between VTCP, DLL & AGO strengthens enforcement.

The online retailers that DLL finds to be non-compliant with Vermont's delivery sales ban are referred to the Office of the Vermont Attorney General (AGO).

As of November 2021, the partnership between VTCP, DLL and AGO has resulted in **21 settlements with non-compliant online retailers, bringing in \$618,000 in penalties** to the state and contributing to improved compliance.⁹ The vast majority of these funds went to the State of Vermont general fund.

Removing PUP Laws+Strong TRL=Health Equity Policies

What are “PUP laws”? Laws that penalize purchase, use, and possession, commonly referred to as “PUP laws,” seek to punish youth for buying, using, or having tobacco products if they are under 21 years old.



- PUP laws can undermine tobacco prevention efforts
- PUP laws are counterproductive in combating nicotine addiction
- PUP laws shift focus from the industry and its targeted marketing
- PUP laws perpetuate inequities and contribute to high incarceration rates

“Rather than holding individuals, especially youth, accountable, we support holding business and industry accountable for violations. Through aggressive marketing by the tobacco industry, the use of menthol by Black people has grown from 5% in 1953 to 85% of black adult smokers and 7 out of 10 black youth smokers today. In schools, restorative justice principles should guide responses to student violations as an alternative to “appropriate referrals to law enforcement authorities”. Student violations should not result in physical force, suspension or expulsion. We recommend eliminating the youth purchase, use, and possession penalties from this bill. - Letter to Sen. Econ in 2022 from Windham Cty NAACP