

Dear Committee Members

My name is Jack Morton and I am writing today in opposition to SB 190. I am a 60 year old user of e-cigarettes. I started smoking at the age of 17 and smoked a pack a day for 42 years. I started using e-cigarettes 2 years ago after years of trying all available treatments and pharmaceutical means of quitting. I had given up hope of ever getting of cigarettes. Then at the urging of my children, who are non-smokers, I decided to maybe try with e-cigarettes. After doing extensive study on the available research on e-cigarettes, I determined this was truly a safe way to maybe quit but was still skeptical about their effectiveness. Three weeks later I threw away my last pack of cigarettes and have not had a cigarette since. My story is not unique as I know hundreds of people who have had the same success.

I live in a remote part of the state and there are not a lot of available sources of e-liquid or devices, so the only way that I could get what I needed to stop and stay off cigarettes was through internet purchases. There are a lot of potential ex-smokers in parts of our state that need to be able to order off the internet and most of them would just as soon not be considered an outlaw by the state. I greatly understand the need for the state to generate revenue, but I ask you what is more important, taxes or lives saved? In my opinion the more lives that you save by making access to e-cigarettes less restrictive will over the long term realize more taxes by keeping people alive longer. This legislation will also create a black market in the e-cigarette world that will be filled by undesirable people and possibly a criminal element.

I also appreciate the Department of Justices' concern for the sale of e-cigarettes to minors. All internet web sites I have dealt with have age verification pages. A statement was made that the Internet offers minors relatively easy access to tobacco. It also offers relative easy access to alcohol, which research shows is used three times as much as tobacco nationally and pornography which is epidemic in America. Why single out tobacco? Shouldn't we be more concerned about the ease of access to these other things? Requiring face to face sales will not remedy teen use. Research has shown that education of the perils work best to curb teen use of these things.

This bill would also seriously hurt the state economy in the fact that a lot of e-cigarette shops make and sell their e-liquid on line. One of the major ones is, I believe, EC Blends which employs around 125 employees. This bill would put a lot of Brick and Mortar and E-Commerce Stores out of business costing hundreds of jobs in Oregon and in turn costing the state thousands in tax revenue. The original draft of the FDA deeming regulations was worded to ban internet sales of e-cigarettes but the White House's Office of Management and Budget revised the original draft because of the potential economic consequences of proposed regulations. It also weakened language detailing the FDA's concerns about the safety of e-cigarettes.

In conclusion I would pose this question to you the members of the committee. Do you want to burden an industry that has the potential to save lives and make combustible cigarettes obsolete? In support of this I enclose a portion of a statement made by Dr. David Abrams P.H.D, Executive Director Schroeder Institute for Tobacco Research and Policy Studies, a tobacco-policy think tank at the American Legacy Foundation, a DC anti-smoking nonprofit formed in 1999 as part of the landmark tobacco settlement.

I quote "5.6 million children alive today are expected to die as a result of cigarette use, along with 480 000 adults annually. Moving cigarette users to safer e-cigarettes benefits adults and youth. There is little evidence that e-cigarettes are a gateway to cigarettes. A recent study suggested this possibility, but confused correlation with causation. Youth e-cigarette experimentation (2.1% in 2012) is not associated with increased cigarette use. On the contrary, youth smoking declined 10% annually between 2010 and 2013 to record lows (9.6%). In addition, concern that e-cigarettes will addict another generation is not supported by evidence. Combustion delivers freebase nicotine in its most highly addictive form. Non-combusted nicotine delivery has reduced potential for addiction; nicotine is sold over the counter in nicotine replacement products with minimal addiction. The pharmacokinetic profile of e-cigarettes is much closer to nicotine replacement products in terms of addiction risk and harm. Both nicotine replacement products and e-cigarettes are now suggested for lifetime use instead of cigarettes, and a recent randomized trial found e-cigarettes were as effective as nicotine replacement therapy at stopping smoking.

Because cigarettes make up 92% of a \$100 billion market, there is plenty of room for e-cigarettes in the market. E-Cigarette manufacturers do not need to addict youth. However, it is important to distinguish between Big Tobacco, which aims to promote cigarette and e-cigarette use, and independent manufacturers, which aim to eliminate cigarettes in favor of e-cigarettes. E-Cigarettes can create competition for entrenched tobacco products and speed the demise of cigarettes. Making it harder for independent e-cigarette manufacturers to compete with cigarettes will delay the obsolescence of cigarettes and perpetuate the status quo. Policies that recognize the differences in harm can help shift use to less harmful, less addictive e-cigarettes so that they are a gateway out of lifelong addiction to cigarettes. This approach is articulated in the 2014 Surgeon General's report: "Death ... is overwhelmingly caused by cigarettes and other combustibles ... promotion of e-cigarettes and other innovative products is ... likely to be beneficial where the appeal, accessibility ... and use of cigarettes are ... rapidly reduced."

Policy making relies on science, not dogma. The danger is that concerns about hypothetical risks will lead not to the management of such risks but to status quo policies that perpetuate cigarette use. It is not nicotine per se that kills people; it is exposure to toxic compounds generated by burning tobacco. If nicotine can be decoupled from deadly tobacco smoke, adults and youth can be saved. The public health standard need not be weighted to favor youth prevention over adult cessation."

Quite a profound statement from one of the most respected people in tobacco research and anti-smoking policy! This is one of the reasons that I urge a no vote on SB 190. Chose to save lives!

Very Respectfully

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