

# OREGON COALITION OF LOCAL HEALTH OFFICIALS

## February 6, 2020 Testimony to the Senate Committee On Health Care SB 1577

Chair Monnes Anderson, Vice-Chair Linthicum, and Members of the Senate Health Care Committee:

My name is Sara Hartstein and I am the Interim Director for the Office of Population Health Improvement at the Benton County Health Department. I am testifying today on behalf of the Oregon Coalition of Local Health Officials (CLHO), which represents the 33 local public health authorities in Oregon who work diligently to protect the public, prevent disease, and improve health in their communities. I am here today to speak to SB 1577.

The Oregon Coalition of Local Health Officials supports a comprehensive flavor ban that prohibits the sale and distribution of all flavored tobacco products, including e-cigarettes and menthol cigarettes, as well as effective enforcement through a statewide tobacco retail licensure program. Tobacco remains the leading cause of preventable death in Oregon. In Benton County alone, 2,760 people suffer from a serious illness caused by tobacco use, and \$36 million dollars are spent on treating tobacco related illness.<sup>1</sup> Statewide, tobacco costs \$2.9 billion in direct medicals costs every year.<sup>2</sup>

Federal legislation already bans flavored cigarettes, with the exception of menthol. Research shows that flavored tobacco products, particularly menthol cigarettes, are used at higher rates by youth, LGBTQ, and racial minority smokers. Furthermore, other flavored tobacco products like grape, mango, cherry and pineapple cigarillos, mint snus and chew, watermelon hookah, and cotton candy e-cigarettes are still allowed to be sold.

Tobacco products are offered in literally thousands of different flavors and come in bright packaging. The tobacco industry has long recognized the benefits of sweet flavors in attracting new tobacco users, especially children. Their efforts are succeeding: Nationally, more than 4 out of 5 young people who use tobacco products chose flavored tobacco as their first tobacco product.<sup>3</sup> In 2019, almost 1 in 4 11<sup>th</sup> grade students in Oregon reported using smokeless tobacco, cigars, hookah tobacco, dissolvable tobacco, or e-cigarettes.<sup>4</sup> Flavorings in tobacco products can make them more appealing to youth because they mask the harshness of tobacco smoke and nicotine. The problem goes well beyond e-cigarettes only and so too must the legislation.

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<sup>1</sup> Benton County Tobacco Fact Sheet. 2019.

<sup>2</sup> Campaign for Tobacco-Free Kids. *The Toll of Tobacco in Oregon*. Retrieved from [https://www.tobaccofreekids.org/facts\\_issues/toll\\_us/oregon](https://www.tobaccofreekids.org/facts_issues/toll_us/oregon)

<sup>3</sup> Ambrose BK, Day HR, Rostron B, et al. Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. *Jama*. 2015;314(17):1871-1873.

<sup>4</sup> Oregon Healthy Teen Survey (2019)



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The Oregon Coalition of Local Health Officials urges the legislature to make sure to include other tobacco products and mint/menthol cigarettes in a flavor ban to protect children in Oregon from ever starting tobacco or e-cigarettes.

In order to more effectively monitor and enforce any flavor prohibition, the Oregon Coalition of Local Health Officials recommends a statewide tobacco retail licensing law requiring retailers to purchase a license in order to sell tobacco products, including e-cigarettes. According to the 2017 Oregon Health Authority online panel survey, almost 75% of adults support requiring retailers to have a license to sell tobacco products.<sup>5</sup>

The Oregon Coalition of Local Health Officials supports a tobacco retail licensing that, at minimum,

- requires all tobacco retailers to obtain a license and renew it annually;
- requires an annual fee high enough to support retailer education, surveillance, and enforcement costs;
- includes language that states any violation of local, state, or federal tobacco-related laws would constitute a violation of the state tobacco retail licensing program; and,
- allows local jurisdictions to maintain their local tobacco retail license program if they meet the minimum requirements mentioned here.
- In addition, there should be no preemption that restricts local jurisdictions from further regulating the time, place, and manner in which tobacco products, including e-cigarettes, are sold. This will allow local jurisdictions to have the tools needed to further restrict the tobacco retail environment where the tobacco industry spends more than 90 percent of its resources to advertise and promote its products.

Comprehensive tobacco prevention in conjunction with cessation programs plays a crucial role in the prevention of many chronic conditions. There is more evidence than ever before that tobacco prevention and cessation programs work to reduce smoking, save lives and save money.

The Oregon Coalition of Local Health Officials urges you to support a comprehensive tobacco flavor prohibition effectively enforced by a strong statewide tobacco retail licensing program.

Thank you for the opportunity to testify.

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<sup>5</sup> Online Panel Survey, 2017, Health Promotion and Chronic Disease Prevention section, Oregon Health Authority, Unpublished data

