

To the Senate Committee on Health Care,

HB 4078 is a mistake if the state is interested in improving public health in general.

■ I suppose the attorney general's primary purpose introducing this bill is to help stop youth vaping, but it's not likely to have a big impact. Kids probably aren't buying their e-cigarettes online. Most of them don't have credit cards that will allow them to even make online purchases without parental assistance.

According to the anti-youth vaping organization Truth Initiative (<https://truthinitiative.org/research-resources/emerging-tobacco-products/where-are-kids-getting-juul>), 74 percent of kids get their Juuls from a physical store. The Juul is primarily sold at convenience stores. Just 6 percent cite the Internet as a source.

This state has already prohibited vaping. The solution is to enforce it. Run stings. Check the shops. See if they sell products to youths. Fine them if they do. The consequences of the state's failure to enforce its own laws should not fall on adults who vape.

This bill will stop adults from making a good choice while allowing kids the same access to vaping products that they've had for the past three or four years.

■ HB 4078 does allow Internet sales for products approved by the FDA. Unfortunately, thanks to a cost-prohibitive path to approval, only Big Tobacco – including Juul and other cartridge products – has a realistic chance to receive that approval. The open systems, which are typically used by adults, not children, make up the rest up the rest of the vaping industry, and the adults who use those systems will have a much more difficult time as a result of HB 4078. Those are the ones currently at stake in this bill.

The FDA has already banned the sale of flavored cartridge products, like the Juul, via a new enforcement protocol. Juul and companies like it have already stopped selling the flavored products online and in stores that so many public health officials blame for youth vaping. The concern about flavored products and youth vaping is already addressed by the FDA. Oregon does not need to ban anything more than the FDA has already in order to address its concerns about youth vaping. The vaping supplies purchased online are used by adults not kids.

■ Vaping is a viable, effective alternative to smoking cigarettes that is vastly less risky, contrary to media reports and agencies that continually conflate nicotine vaping and the THC cartridges, black market most places but sold in state-approved marijuana retail stores in Oregon, that have caused the so-called vaping-related lung disease in the latter part of 2019.

It has helped millions, including me, to quit smoking. All of us can tell you about the improvements in our health. We breathe better. We have lost our smoker's cough. We have more energy. We have the benefits of not being smokers.

Internet sales provide another option for vapers to purchase their supplies. It is often less expensive, which encourages smokers to switch. It also offers choices that are simply unavailable in the physical inventories of our stores. For some, including me, making the liquid we vape is something of a hobby. Internet sales are critical to this. I personally purchase some liquid from a physical shop, but I also enjoy

making my own flavorings for my own use, which requires me to purchase products using the Internet and U.S. Postal Service.

HB 4078 will limit the choices available to adults, which will discourage smokers across Oregon from quitting cigarettes.

Thank you,

Sean C. Morgan