

Submitter: Andrew Wikner
On Behalf Of: Self and Non-smokers
Committee: Senate Committee On Early Childhood and Behavioral Health
Measure, Appointment or Topic: SB702

Dear Members of the Oregon State Legislature,

I am writing to formally oppose Oregon Senate Bill 702, which seeks to ban flavored nicotine products, including flavored nicotine pouches. While the intent of the bill is to protect public health and reduce youth exposure to nicotine, I believe it unjustly limits access to a significantly less harmful alternative to smoking and vaping.

Flavored nicotine pouches are not only a more effective harm-reduction tool for adults who are trying to quit smoking, but they also offer a safer alternative to the inhalation of harmful substances found in traditional tobacco products and e-cigarettes. According to studies from the National Institute on Drug Abuse (NIDA) and other public health organizations, smoking-related diseases remain the leading cause of preventable deaths in the U.S. Nicotine pouches, which are used orally and do not require inhalation, eliminate many of the associated risks of smoking and vaping, including lung disease and cancer. For those who have struggled with quitting smoking, flavored nicotine pouches have proven to be an essential tool in reducing overall harm.

Legally, the proposed bill oversteps by restricting access to a product that has been deemed substantially safer than traditional smoking. Existing research shows that harm-reduction products, like nicotine pouches, serve as an important option in reducing the public health burden caused by smoking. By banning flavored options, SB 702 could inadvertently push adult smokers back toward more dangerous forms of nicotine delivery, thus undermining the principle of personal choice in public health law. Adults should have the autonomy to make informed decisions about harm reduction, especially when those alternatives present fewer risks than smoking.

Furthermore, by applying a broad ban to all flavored nicotine products, the bill risks creating an unconstitutional overreach that could limit the availability of a safer, legal product for adult consumers. This type of one-size-fits-all regulation is often challenged in the courts, particularly when it does not account for individual rights and the proven benefits of harm-reduction strategies.

Instead of a blanket ban, I urge the legislature to focus on age restrictions, robust regulation, and education aimed at preventing underage access while still allowing adult consumers access to safer alternatives. For many individuals, flavored nicotine pouches represent a significant step away from smoking, offering a path to reduce nicotine dependence without the dangers associated with smoking or vaping.

In conclusion, while I fully support efforts to protect public health, I believe SB 702 undermines the availability of a much-needed harm-reduction tool. By banning

flavored nicotine pouches, you risk pushing adults back to harmful practices like smoking, which would be a step backwards in our fight to reduce tobacco-related illnesses.

Thank you for your time and consideration. I respectfully urge you to reconsider the impact of this bill and support the continued availability of flavored nicotine pouches as a safer alternative to smoking and vaping.

Sincerely,
-Andrew Wikner