



March 22, 2025

To: Oregon Senate Committee on Finance and Revenue  
From: Americans for Tax Reform  
Subject: **Oppose SB 270**

Dear Senator,

On behalf of Americans for Tax Reform (ATR), a non-profit organization which advocates in the interests of taxpayers and consumers throughout the United States, **I urge you to reject SB 702.** This bill would ban the sale of flavored nicotine products, including those authorized by the Food and Drug Administration (FDA) as “Appropriate for the protection of the public health,” everywhere except for authorized liquor stores and cannabis dispensaries. This misguided legislation would restrict access to lifesaving, reduced-risk tobacco alternatives that have proven critical to the process of helping adults quit smoking. **The evidence clearly demonstrates that if enacted, this bill would have a negative impact upon not only businesses and state revenue, but public health throughout Oregon, leading to a clear increase in tobacco-related mortality.**

The evidence is clear that nicotine products and nicotine pouches are 95% safer than combustible tobacco and critical in helping people switch. For this reason many are authorized by FDA as appropriate for the protection of public health. In making it more difficult for Oregon consumers to access these products, the effect will be more people smoking – and dying as a result. When cigarettes can continue to be sold at gas stations, convenient stores, and are easily accessible, making adults wishing to quit smoking and switch to less harmful alternatives travel potentially significant distances will doubtlessly lead to more people smoking deadly combustible cigarettes. Forcing people to travel longer distances imposes higher time and resource costs, which would naturally hurt poor and rural Oregonians the most. Since people of low socioeconomic status are already overrepresented among smokers, **SB 702 would make it the hardest to quit for those who need it the most.** In addition, by forcing people wishing to access these products to visit liquor stores, potentially significant opportunities for unintended public health consequences amongst the vulnerable may occur. If someone struggling with addiction has successfully quit alcohol, forcing them to choose between visiting a liquor store, or returning to smoking goes against all principles of good policy and morality.

In addition, no evidence whatsoever exists that restricting the sale of menthol cigarettes to these premises would yield any public health benefit. However, significant evidence does exist that it would cause economic hardship to small businesses such as convenience stores and gas stations, while encouraging illicit trade and tobacco smuggling. Tobacco smuggling is not a victimless crime consisting of someone purchasing a few extra cartons across state lines. Most tobacco smuggling is actually run by multi-million-dollar organized crime syndicates. These organizations, who also engage in human trafficking & money laundering, have even been used to fund terrorism—the **US State Department has explicitly called tobacco smuggling a “threat to national security”.**

Paradoxically, limiting access to flavored products in legal stores may increase youth smoking in Oregon: By definition, criminals and smugglers are unlikely to obey laws and would not follow rigorous age-verification requirements mandated at reputable outlets, nor would their products be tested for safety. The result will be the increased distribution of dangerous, illicit products to underaged users.

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Please see facts below on nicotine, tobacco, and vaping.

**About E-Cigarettes and Vapor Products:**

- Traditional combustible tobacco remains one of the leading preventable causes of death in Oregon. **The negative health effects of combustible tobacco come from the chemicals produced in the combustion process, not nicotine.** While highly addictive, nicotine is a relatively benign substance like caffeine and nicotine use “does not result in clinically significant short- or long-term harms”.
- Nicotine replacement therapies such as nicotine patches and gums have helped smokers quit for decades. In recent years, advancements in technology have created a more effective alternative: vapor products and e-cigarettes. These products deliver nicotine through water vapor, mimicking the habitual nature of smoking while removing the deadly carcinogens that exist in traditional cigarettes.
- The CDC has found that only 3.1% of youths use e-cigarettes daily, disproving the myth of an ongoing “youth vaping epidemic.”

**Benefits of E-Cigarettes and Vapor Products:**

- **Vapor products have been proven to be at least 95% safer than combustible cigarettes.** A comprehensive analysis of nicotine product harm estimates that e-cigarettes expose users to just 4% of the harm of combustible cigarettes.
- E-cigarettes are also more than twice as effective at helping smokers quit than traditional nicotine replacement therapies. According to one study, someone who smokes and is attempting to quit with an e-cigarette has an estimated 323% higher chance of achieving complete cessation compared to someone using a traditional nicotine replacement therapy like nicotine-containing patches, gum, or mouth spray.
- Vaping has been endorsed by over 100 of the world’s leading public health organizations as safer than smoking and an effective way to help smokers quit.
- When e-cigarettes entered the market in 2003, the U.S. adult cigarette smoking rate was 21.6%. Due to increased access to vaping, the U.S. adult smoking rate has plummeted to 13.7% as of 2018.
- Analysis by Public Health England demonstrated just how effective vaping is in helping people quit smoking, noting that in just one year, over 50,000 British smokers, who would have continued smoking otherwise, quit smoking with vaping.

- A study from Value in Health Journal found that legislative actions banning flavored electronic cigarettes is directly correlated with increased traditional cigarette sales.
- A University of Glasgow study showed that e-cigarettes particularly help disadvantaged people quit smoking. SB 702 will have a tremendously negative impact on public health and would fail to decrease socioeconomic disparities by reducing adult access to products shown to improve public health.
- Large-scale analysis from Georgetown University Medical Center estimates that 6.6 million American lives can be saved if most cigarette smokers switched to vaping. This could save over 8,000 lives in Oregon every year.

For the reasons outlined above, in the interests of improving public health, protecting the Oregon economy, and preventing the spread of smuggling cartels, we call upon you to **vote against SB 702**. Thousands of lives quite literally depend upon it.

Sincerely,

Tim Andrews  
*Director of Consumer Issues*  
Americans for Tax Reform