

I own two Vape shops and employ 8 (majority are full time employees) and I oppose SB 702. The banning of flavored tobacco or nicotine products is an overreach and puts unfair limits on adult consumers and the businesses that offer them. The state of Oregon has shown itself to be biased against the vaping industry and it is clear they intend to do as much as possible to eliminate any options for adult Oregonian consumers.

I also believe that the revenue impacts that you are projecting are inaccurate and artificially lower than what will actually happen, should you ban flavored vapes. We sell very little traditional tobacco cigarettes or tobacco flavored vapes and most of our business is from flavored vapes. How will the state manage with what I predict to be an almost 60% drop in tobacco tax revenue? In this political and economic climate, making this decision will have far bigger negative impacts than what you are projecting.

The language of this bill indicates all flavors of tobacco and nicotine vaping products will be banned, including traditional tobacco flavors. This makes no sense. In all vaping products, the flavor, whether it be traditional tobacco or other flavors, are all additives, all flavors added to a base, and are not derived directly from tobacco. The language implies that only non-flavored or blank flavored vaping products would be allowed. This is unacceptable.

Both of my stores are 21 and older stores that require IDs to be checked with every purchase, including everyone in your party. I pay competitive wages and provide a lot of training to ensure we do not sell to minors. We require ID of the entire party for every purchase every time, selling to a minor is an immediately fireable offense and we offer a bonus when an employee passes the under-age sting/inspection. We take our responsibility of keeping vapes and nicotine products out of the hands of minors very seriously.

Approximately 60% of my business is from selling flavored vapes and vaping products to adults. The amount of tobacco flavored vapes and traditional tobacco products sold is an incredibly small part of my business. If the the state limits the ability to sell flavored vapes and vaping products to adults, I will have to shut down operations and fire all of my staff. This will drive unemployment, negatively impact the economy and anger adult consumers.

The Oregon tobacco tax collected in 2023 was over \$511 million. It seems unlikely that the state understands that eliminating flavored vapes will reduce the tax revenue drastically. If my vape sales are approximately 60% of my smoke shop's revenue, it is likely similar for all vape/smoke shops. How will the state operate on a 60% reduction in tobacco tax revenue? This money is used in a wide variety of ways, not just operating the OHA and tobacco cessation programs. Eliminating this revenue will have broad reaching negative impacts throughout the state.

It is concerning why the state seems to be so against the vape/tobacco industry, when the alcohol and even marijuana industries seem to be left alone. Alcohol is allowed to have products that are attractive to minors and have various flavors to choose from. Adults should be allowed to select variety in their smoking options, just as they are able to do with their alcohol options. Tobacco and vaping has been unfairly targeted, while other similar industries are not.

The vaping industry is not focused on attracting/selling to minors. 80% of my vape business is former smokers wanting to get away from traditional tobacco/cigarettes. This industry is not about attracting new, young customers, rather it is about providing alternatives to the adult consumer. Since tobacco is a “flavor” for vapes, adults have shown that they do not want that option, since a flavor of any sort has to be added to a vape, adults want to select from more flavor options. It is unfair to limit or assume that adults do not like flavors. The alcohol industry clearly shows that they do - you can get fruit and candy flavored liquor with no issue. This is an unfair restriction on adult consumers.

The current environment is placing the entire responsibility of minors accessing vaping products on the store owners. There should be more accountability at the parental level. Banning flavored vapes is limiting the free market options that adults should be able to choose from simply because of the concern that youth might access it. With bad parenting and oversight, youth access a lot of things they should not, including alcohol, fire arms, illicit drugs, etc. Punishing all adults simply to protect unregulated youth is inappropriate and unacceptable.

There should also be more accountability at the employee level. Alcohol and Marijuana require licensing for employees in order to maintain their employment. Why aren't the employees required to have a tobacco sales license and suffer penalties when they sell to a minor? There are so many options that the state could be taking to prevent minors from smoking, this is the worst option to choose.

Prohibiting the sale of flavored vaping products will be detrimental to adult consumers, tax revenues, business owners and employees. This measure should not be passed.