

Date            February 13, 2026

TO:            The Honorable Floyd Prozanski, Chair  
Senate Committee on Judiciary

FROM:          Dean Sidelinger, MD, MSEd, Health Officer and State Epidemiologist  
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SUBJECT:    SB 1571 – Protecting Youth by Closing Gaps in Tobacco Prevention Laws

Chair Prozanski and members of the Senate Committee on Judiciary, on behalf of Oregon Health Authority (OHA), I am writing in support of SB 1571 which would align state tobacco laws to comprehensively regulate tobacco product sales and decrease youth access to addictive nicotine products.

Every year in Oregon, tobacco use causes over 8,000 deaths. It also costs \$5.7 billion in health care and lost productivity due to illness, disability, and early death. Consistent, comprehensive and equitable regulation of tobacco and nicotine products can reduce the number of Oregon children and young adults that become addicted to tobacco, help current tobacco users quit, and reduce health care costs and deaths.

Oral nicotine products, such as nicotine pouches, gum, tablets, and gummies are not currently covered by Oregon's public health tobacco retail laws and can lead to adolescent nicotine addiction. These products are heavily marketed, including in youth-friendly flavors like 'cool mint', 'citrus burst', 'refreshing chill' and 'wild berry'. Nicotine pouches are the fastest-growing product on the U.S. tobacco market. Nationally, oral nicotine pouches became the second most used tobacco product among U.S. middle and high school students in 2024. In Oregon, nearly 3% of youth ages 15-18 currently use oral nicotine pouches, and 78% of those youth reported using flavored pouches. OHA is concerned about these products following the same trajectory as e-cigarettes, as data show pouches are now the second most popular nicotine product among youth.

Oregon has the tools to effectively enforce tobacco laws, but synthetic and tobacco derived nicotine products are not included in the state's public health regulatory structure. While selling oral nicotine products to underage people violates federal law, Oregon lacks a comparable state law. OHA's enforcement of federal restrictions is limited by Oregon law's definition of "tobacco products." This means that state inspectors are unable to respond to complaints by parents and community members about these products being sold to people under 21 years old. SB 1571 fixes this gap.

In 2021, the Oregon Legislature created the Oregon Tobacco Retail License (TRL) Program to hold retailers accountable to tobacco retail sales laws. Since the program's inspections began in 2022, the state has seen significant declines in sales to underage people – from 26% of retailers selling illegally in 2022 to only 11% of retailers in 2025. In its first four years of operation, TRL has proven highly effective at reducing youth access to the products it regulates – but synthetic and tobacco-derived nicotine products are not under the program's jurisdiction. The Oregon TRL Program inspects every tobacco retailer every year to ensure they aren't selling tobacco to underage people. The program's inspections are more comprehensive than the U.S. Food and Drug Administration's (FDA) inspections. Many retailers are already following federal law, but SB 1571 would give OHA the tools to enforce sales age restrictions and make sure all retailers are held to the same standard.

Of note, tobacco derived, or synthetic lab-made nicotine products are not designed to help people quit smoking nor minimize negative health impacts. The FDA considers oral nicotine products to be commercial tobacco products and has not approved them as a medication for quitting nicotine addiction.

In addition to ensuring synthetic oral products are held to the same standard as other smokeless tobacco products, OHA has identified fixes to tobacco retail regulations that would increase clarity and consistency around tobacco retail laws. These fixes are also reflected in SB 1571.

With the -1 amendment, SB 1571 prohibits online sales of all tobacco products and inhalant delivery systems, ensuring that all sales are done face-to-face, with an exemption for online sales of cigars. Tightening remote sales regulations for all tobacco products and inhalant delivery systems will decrease access to these addictive products without proper age verification.

SB 1571 also removes individual criminal penalties on the sale of tobacco products and inhalant delivery systems to a person under 21 years of age. Ensuring that tobacco retail sales violations are civil penalties, not criminal, removes outdated statute and will reduce retailer

concerns that they could be individually charged with a criminal offense. Enforcing commercial tobacco and nicotine product sales laws and policies should focus on retailers, distributors and manufacturers, and remove the penalties on individuals, as the Legislature intended when they established the Tobacco Retail License Program.

OHA supports SB 1571 because it takes important steps toward reducing youth nicotine addiction and reducing tobacco-driven health inequities.

Sincerely,

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Office of the State Public Health Director