



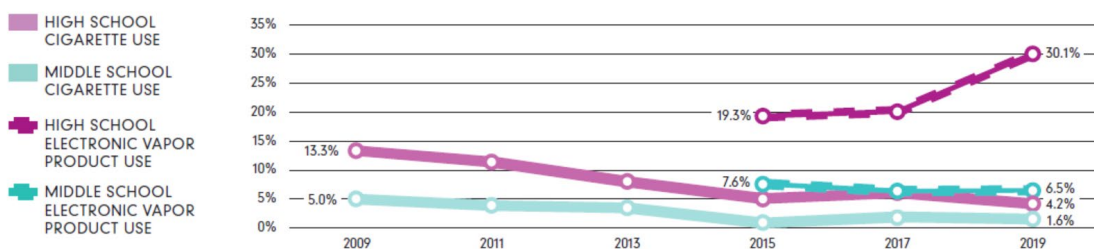
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Testimony Re: H7871 Ban Flavored Electronic Nicotine Delivery Service Devices
House Health and Human Services Committee
April 5, 2022
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Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT would like to voice its support for House Bill 7871. This bill would strengthen current prohibitions on the sale of all flavored electronic nicotine delivery systems (ENDS), like e-cigarettes.

BOTH MIDDLE AND HIGH SCHOOL STUDENTS REPORT USING E-CIGARETTES AT MUCH HIGHER RATES THAN TRADITIONAL CIGARETTES

YOUTH CIGARETTE AND ELECTRONIC VAPOR PRODUCT USE*, MIDDLE AND HIGH SCHOOL STUDENTS, RHODE ISLAND, 2009-2019

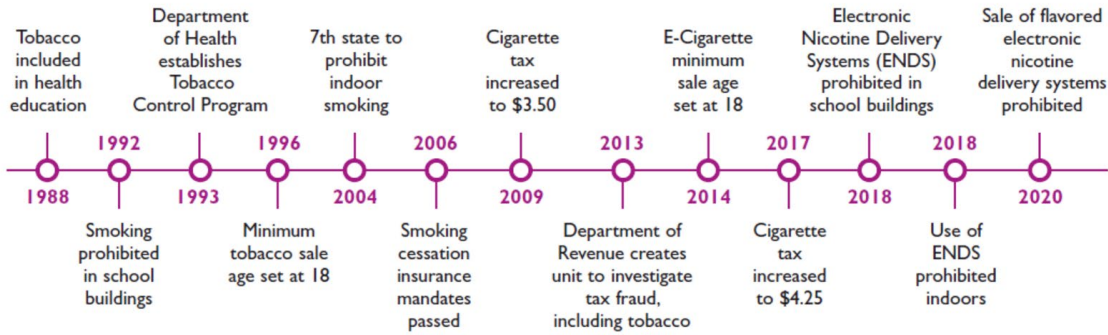


Source: Rhode Island Department of Health, Youth Risk Behavior Survey, 2009-2019.
 Notes: *Use is defined as currently smoking cigarettes or an electronic vapor product at least one day during the 30 days before the survey. **Electronic Vapor Use was not asked on the YRBS survey before 2015.

Trends in ENDS and e-cigarette use in Rhode Island youth:

Nationally, middle and high school students report the top reasons they use e-cigarettes are because a family member or friend uses, for the flavors such as mint, candy, fruit, or chocolate, and the belief that they are harmless. E-cigarettes contain fewer toxic chemicals than regular cigarettes, however, e-cigarettes are not harmless and have been found to contain heavy metals such as nickel, tin, and lead, diacetyl, which has been linked to lung disease, and other cancer-causing chemicals. E-cigarettes contain nicotine which can lead to addiction and can cause harm to developing adolescent brains. Smoking and vaping put youth at increased risk of poor outcomes from COVID-19.

Despite tobacco industry marketing efforts targeting Black communities to initiate and continue smoking menthol tobacco products, Black high school students have historically reported using tobacco products at lower rates than their peers. This legislation would address equity, as menthol flavored ENDS are targeted towards Black youth and can lead to addiction.



Tobacco control policies in RI

Beginning in 1988, when tobacco was included in health education, to March 2020 when RI permanently banned the sale of flavored vaping products through now, our state has continued to prioritize tobacco control. Also included on this timeline are public health measures that we now take for granted but that weren't always the norm, such as smoking being prohibited in school buildings, indoor smoking being banned, the minimum tobacco sale age being set to 18, insurance companies being mandated to cover smoking cessation programs, and cigarette taxes. This graphic demonstrates that tobacco control has been a priority in RI for decades and that we have made much progress to reduce youth tobacco use, although a significant amount of work still lies ahead of us.

The FDA's January 2020 policy restricted some flavors in cartridge-based e-cigarettes but exempted all menthol-flavored e-cigarettes and left flavored e-liquids and disposable e-cigarettes widely available in every imaginable flavor. New data show that youth quickly migrated to the flavored products that were exempt from the FDA's policy, with 80% of 10th and 12th grade e-cigarette users reporting that they could still easily obtain nicotine solutions in other flavors.

Menthol e-cigarettes continue to drive e-cigarette sales and youth use:

The evidence is clear that if any e-cigarette flavors are left on the market, kids will shift from one flavor to another. In November 2018, Juul removed other flavors – but not mint and menthol – from stores. In response, youth easily substituted mango and fruit with mint and menthol.

- From 2018 to 2019, youth use of fruit flavors fell, while youth use of mint and menthol flavors increased by 50%.
- In 2020, 37% of youth e-cigarette users and 44.5% of users of refillable cartridge systems like Juul, reported using menthol flavored products.
- Menthol-flavored e-cigarette sales increased by 59% from January 26, 2020 to December 27, 2020 and they are now the top selling e-cigarette flavor, comprising 42% of the market.
- Sales of menthol-flavored cartridge-based products (like JUUL) increased by 62% over this same time.

These trends come as no surprise since the tobacco industry has known for decades that menthol appeals to youth. Only the elimination of all flavored e-cigarettes can end the youth e-cigarette epidemic and stop e-cigarette companies from luring and addicting kids with flavored products. Rhode Island KIDS COUNT supports House Bills 7871. As currently written, this bill ends flavored ENDS products, however going a step further and eliminating all flavored tobacco products would provide a more comprehensive approach. Thank you for the opportunity to testify today.