

March 3, 2020

Speaker of the House Bryce Edgmon
State of Alaska
House of Representatives

Senate President Cathy Giessel
State of Alaska
Senate

Chairman Edgmon, President Giessel and Esteemed Members of the Alaska
Legislature;

As our state faces the current youth e-cigarette epidemic as identified by the U.S. Surgeon General, raising the minimum sales age for tobacco products to 21 can help save lives and stop the economic damages of tobacco in Alaska. Kids are especially vulnerable to the impacts of vaping, including nicotine addiction, dangers to developing lungs by inhaling the harmful ultrafine particles, heavy metals, and chemicals, and negative brain development impacts of nicotine.

House Bill 174 and Senate Bill 182 offer one strategy to safeguard lung health by increasing the state age of sale for tobacco products, including e-cigarettes to 21. The American Lung Association urges your support of these measures.

The tobacco industry has long targeted Alaska's youth, hoping to replace the current smokers who are dying from their products. In fact, Big Tobacco spends roughly \$17 million each year in Alaska to market their deadly products, while smoking costs our state \$438 million in annual health care costs, \$93 million of which are Medicaid dollars.

If we can prevent kids from picking up tobacco products, including e-cigarettes, during their vulnerable teen years, we know that most of them won't start later in life. Ninety-five percent of all adults who smoke started before the age of 21.

On December 20, 2019, President Trump signed into law a spending bill that included an increase in the legal sales age for all tobacco products from 18 to 21 years old nationwide. This is a major accomplishment that built upon the hard work that the American Lung Association, American Cancer Society Cancer Action Network, and American Heart Association led in states and localities, as well as in Washington.

The U.S. Food and Drug Administration (FDA) announced that Tobacco 21 took effect nationwide when the President signed the bill. There are no exemptions – including for military personnel anywhere in the U.S. or on tribal lands. The legal sales age for all tobacco products nationwide is 21 years old.

Enforcement of legal sales age requirements should continue to be handled on the local and state levels, in addition to by FDA. FDA has contracts with states to implement minimum age compliance and inspection programs, however in Alaska their compliance work is minimal and that is one reason Alaska strengthened our own statute to prevent underage sales of tobacco products in 2003.

There are and have been federal requirements for states to enforce minimum age laws under what is known as the Synar amendment named after a former member of Congress. States that don't comply with the federal minimum age of sale risk losing critical federal mental health and substance abuse grant funds. This is where House Bill 174 and Senate Bill 182 come in, as they update the minimum age of sale to 21 in Alaska Statute so that our proven effective underage sales enforcement program can continue to prevent illegal sales of tobacco products to young Alaskans.

Since 2003, when this statute was strengthened, Alaska has maintained compliance with the Synar requirement and in fact exceeded that requirement, with only 5% of tobacco endorsement license holders not passing compliance checks. Thanks to the work of Senator Stevens and this body, in 2018 Senate Bill 15 passed and was effective January 1 of 2019. The bill updated the Alaska Youth Access Law to require e-cigarette and vape shop vendors to apply for and hold tobacco license endorsements like all other tobacco sellers. It also ensured that the underage sales enforcement program became applicable to electronic smoking devices along with all other tobacco products.

In short, Alaska's youth access law and underage enforcement program works effectively and now the age just needs to be updated from 19 to 21 to reflect the new federal law, which this bill does.

Raising the sales age for tobacco products to 21 is one more tool to help save lives and economic costs of tobacco in our state. Comprehensive tobacco prevention also includes smokefree indoor workplace laws that include e-cigarettes which Alaska now has, public education media to counteract tobacco industry marketing, quit smoking services and community-based education programs which we also have, prohibiting the sale of flavored tobacco products, and increasing the price of tobacco products.

Yours in Lung Health,



Marge Stoneking
Executive Director