

From: Alex McDonald
To: [Senate Finance Committee](#)
Subject: Oppose SB15
Date: Tuesday, February 20, 2018 9:08:17 PM

Hello,

My previous email was in regard to SB15 not SB63, which I have been emailing about as well. Please include the testimony in the documents for SB15. I will paste the email below to avoid any confusion.

Thanks,

Alex McDonald

Hello Senate Finance Committee,

I wanted to write to oppose SB15. I would have called in to testify along with many others, but did not as the meeting schedule did not include public testimony anywhere. Contrary to Senator Micciche's statement at the end of the 2/16 meeting there are many opposed to this bill for various reasons.

First I would like to clear up some false information that was given during last Friday's testimonies. Things have been moving very fast and a lot has changed since this bill was penned. During the introduction Mr. Lamkin stated that health benefits of vapor products are "dubious at best." This month the American Cancer Society released a statement on e-cigarettes and opened the scientific summary with the statement: "Based on currently available evidence, using current generation e-cigarettes is less harmful than smoking cigarettes, but the health effects of long-term use are not known. The American Cancer Society (the ACS) recognizes our responsibility to closely monitor and synthesize scientific knowledge about the effects of all tobacco products, including e-cigarettes and any new products derived from tobacco. As new evidence emerges, the ACS will promptly report these findings to policy makers, the public and clinicians." Long term studies have been published this year and are currently being reviewed by many agencies and organizations. In their Clinical Recommendations section they state "Many smokers choose to quit smoking without the assistance of a clinician and some opt to use e-cigarettes to accomplish this goal. The ACS recommends that clinicians support all attempts to quit the use of combustible tobacco and work with smokers to eventually stop using any tobacco product, including e-cigarettes. Some smokers, despite firm clinician advice, will not attempt to quit smoking cigarettes and will not use FDA approved cessation medications. These individuals should be encouraged to switch to the least harmful form of tobacco product possible; switching to the exclusive use of e-cigarettes is preferable to continuing to smoke combustible products." Public Health England reports that vaping is at least 95% safer than smoking traditional combustible cigarettes. The FDA is also currently looking into the harm reduction and cessation aspects of these products.

Labeling was also brought up and it was stated that there is no labeling requirements

or registration for these products, this is simply not true. People testified that the bottles stated "May contain nicotine," among other things. This is now a federal labeling requirement and the reason all these products bear such language. Along with the federal deeming regulations all products and ingredients must now be registered with the FDA. Dr. Butler was partially correct in stating that the deeming regulations were delayed to 2022. Some of the premarket approval aspects were delayed that long while other areas of the Deeming regulations were only pushed back a few months as it was taking the agency longer than expected to process all the product registrations, ingredient listing, etc. Most regulations such as labeling requirements, age verification, child proof packaging, product registration etc, have all ready been fully implemented.

This industry is under federal oversight from packaging to point of sale compliance checks. The FDA has a \$450,000 contract with a third party to conduct compliance checks for tobacco sales, including vapor products, around the state. Any violations have consequences under the federal law that increase after each infraction. Selling nicotine containing products is already illegal in this state at both the state and federal level. If vendors were found to be out of compliance as stated in the testimony, why didn't tobacco control enforce existing laws? If we are under such a budget crunch why are we expanding the scope of departments to perform compliance checks the federal government already uses money from Alaskan tax payers to perform and enforce?

As for testimony that vapor products are gateways to traditional cigarettes, this has not been found to be true either. Numerous health organizations, including Public Health England, have published numerous reports stating they found no gateway effect from vapor products to combustible tobacco products. The evidence is just not there to support these claims. The Health and Human Services website has survey results for youth smoking rates. Ten years ago the smoking rate amongst 12th graders 11.4%, in 2015 the last year they have available the rate was 5.5% with a steady decline in-between. If these products were leading youth to smoking the smoking rates would show this, which it does not.

One other area of youth product access that this bill does not address properly is social sources. The CDC found social sources, i.e. parents, older friends or relatives, to be the main way youth access tobacco products. This bill would allow for parents to purchase for their children increasing youth access to these products. If a minor is caught with these products how would they prove that a parent gave it to them? Would they have to go to court further bogging down our judicial system, or would it go on the honor system expecting all parties to be truthful? Either of these do not seem like very good options.

Thank you for letting me clear up some information from the hearing and taking the time to hear my concerns with this bill. If you have any further questions or would like more information please feel free to contact me. I would be happy to answer any questions or provide any information requested.

Alex McDonald

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