



February 19, 2020

Commerce Committee

Rep. Laurie Halverson, Chair  
Rep. Zack Stephenson, Vice Chair  
Rep. Tim O'Driscoll  
Rep. Andrew Carlson  
Rep. Greg Davids  
Rep. Raymond Dehn  
Rep. Steve Elkins  
Rep. Pat Garofalo  
Rep. Barb Haley  
Rep. Michael Howard

Rep. Carlie Kotyza-Witthuhn  
Rep. Ron Kresha  
Rep. John Lesch  
Rep. Dave Lislegard  
Rep. Tim Mahoney  
Rep. Marion O'Neill  
Rep. Ruth Richardson  
Rep. Chris Swedzinski  
Rep. Brad Tabke  
Rep. Tama Theis

RE: HF 3032 (prohibiting the sale of flavored tobacco products)

Dear Chair Halverson and Committee Members:

I am the Chief Executive Officer of ClearWay Minnesota, an independent nonprofit organization that works to reduce tobacco's harm in our state. I am writing to urge you to support **HF 3032**, which prohibits the sale of all flavored tobacco products in Minnesota.

Each year, smoking takes the lives of 6,300 Minnesotans and costs our state \$7 billion in health care and lost productivity. These costs are born by every resident, community and business.

Despite decades of progress, adult smoking rates have stalled and youth tobacco use in Minnesota is rising. We need bold tobacco policy changes that will protect youth from addiction and help address our state's stubborn tobacco-related health disparities.

For the first time in nearly two decades, youth tobacco use increased in Minnesota. The 2019 Minnesota Student Survey found one in four 11th-graders regularly uses e-cigarettes, and the rate of 8th-grade vaping has nearly doubled since 2016. The U.S. Surgeon General calls youth nicotine addiction a national epidemic and has urged lawmakers at all levels to protect kids.

The recent increases in e-cigarette use follow aggressive youth-focused marketing campaigns from JUUL and other companies. Internal documents revealed JUUL used Big Tobacco tactics, including a sophisticated marketing program that included social media influencers, and summer camp and school programs that targeted kids as young as eight. Just last week, the Attorney General from Massachusetts released their investigation showing that JUUL advertised on Nickelodeon, the Cartoon Network and on educational and college readiness websites. Minnesota kids deserve protection from these predatory companies, and the new companies that are popping up to fuel their nicotine addiction.

Restricting the sale of menthol products specifically helps address tobacco-related disparities. As you may know, the tobacco industry has a long history of targeting youth, African Americans, women, and Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) communities with menthol tobacco marketing.



It's also well known that menthol flavoring makes it easier for kids to start smoking and harder to quit. Youth menthol tobacco rates remain high. More than 34 percent of Minnesota high-school student smokers smoke menthol cigarettes, compared to 25 percent of Minnesota adult smokers.

Despite conclusive evidence that menthol cigarettes adversely affect public health, the FDA continues to exempt menthol from the ban on flavored cigarettes and the new e-cigarette rules. Among Minnesota menthol smokers, approximately half reported they would quit smoking if menthol cigarettes were banned.

The FDA could remove all flavored tobacco products from the marketplace, but unfortunately has not acted. Minnesota kids cannot wait for action from Washington, which is why state lawmakers must step up.

Several Minnesota municipalities have restricted the sale of flavored tobacco products, paving the way for statewide action. Approximately 17 percent of Minnesota residents are currently covered by local flavored tobacco restrictions – and a statewide policy will create even broader health benefits. Among other lessons, these local campaigns have shown us the drastic steps the tobacco industry will take to oppose flavor restrictions and protect its profits.

On the plus side, research shows that restricting the sale of flavored tobacco products limits their availability and reduces the chance that teens will ever try tobacco products.

We must do more now to keep young people from getting hooked on commercial tobacco products in all forms. Put simply, prohibiting the sale of all flavored tobacco products prevents a lifetime of tobacco addiction and will help create a healthier future for our kids.

This common-sense step will prevent youth nicotine addiction and reduce tobacco use, which is the leading cause of preventable death and disease in Minnesota. I urge you to support this bill.

Sincerely,

A handwritten signature in blue ink, appearing to read "David J. Willoughby".

David J. Willoughby, M.A.  
Chief Executive Officer  
ClearWay Minnesota<sup>SM</sup>