



**UNIVERSITY OF HAWAII SYSTEM**

**‘ŌNAEHANA KULANUI O HAWAII**

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

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Testimony Presented Before the  
House Committee on Judiciary & Hawaiian Affairs  
Wednesday, March 22, 2023 at 2:00 p.m.

By

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And

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SB 975 SD2 HD1 – RELATING TO HEALTH

Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

Thank you for the opportunity to present testimony today. The John A. Burns School of Medicine **supports SB 975 SD2 HD1** which amends the definition of “tobacco products” to include electronic smoking devices and e-liquids; exempts electronic smoking devices and e-liquids from the excise tax on all tobacco products other than large cigars; imposes an excise tax on each electronic smoking device or e-liquid sold, used or possessed by a wholesaler or dealer beginning on 1/1/2024 and repeals the electronic smoking device retailer registration unit under the Attorney General’s department.

E-cigarette use or vaping among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i have decreased through the years, ESD use has rapidly increased, threatening significant public health gains through our Tobacco 21 law and tobacco youth access laws. This is particularly concerning because e-cigarettes provide a new way to deliver the addictive drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

Recent federal action has been enacted to better regulate electronic nicotine delivery systems, with the implementation of the premarket tobacco product applications--the equivalent of a federal Food and Drug Administration scientific certification. All manufacturers of existing tobacco products and new tobacco products were required to submit premarket tobacco product application to the Food and Drug Administration by September 9, 2020, to continue legal sales of those products. In January 2021, the Food and Drug Administration began issuing warning letters to manufacturers that failed to submit premarket tobacco product applications for products being marketed for sale.

The John A. Burns School of Medicine's training of medical students, residents, and fellows continues to include a variety of topics to ensure our learners understand policy implications, resources, and options to prevent, reduce, and/or facilitate quitting of tobacco products including ESD. Our populations at the highest risk for tobacco-related chronic disease remain the targets of the tobacco industry. A multi-pronged approach, including this legislation, will help reduce the widening of health disparities in cardiovascular and lung disease, and many cancers that we see disproportionately in Native Hawaiian and other Pacific Islander populations.

This measure will better regulate and ensure the removal of unsafe, noncertified electronic nicotine delivery systems from the marketplace and curb the use of electronic smoking devices and tobacco products by criminalizing the unlawful shipment of tobacco products as well as increasing permit fees.

Thank you for this opportunity to testify.