



January 29, 2020

Sen. Mary Abrams, Co-Chair
Public Health Committee
Legislative Office Building, Room 3000
Hartford, CT 06106

Rep. Jonathan Steinberg, Co-Chair
Public Health Committee
Legislative Office Building, Room 3000
Hartford, CT 06106

Re: SB 326, an act prohibiting the sale of flavored tobacco

Dear Chairwoman Abrams and Chairman Steinberg,

Swisher is, among other things, a manufacturer and distributor of tobacco products based in Jacksonville, Florida. Swisher also has a corporate presence in Darien, CT. Originally founded in 1861, our company is the number one cigar manufacturer in the world. We are writing to share our concerns with SB 326 and the efforts to remove flavored cigars from the market in CT, as there are no scientific or legal justifications for such actions.

Youth Usage of Cigars Is Low, While Usage of Vapor, Marijuana, and Alcohol Remain High

- The 2019 Connecticut Youth Risk Behavior Survey reported that in 2019:¹
 - 3.9% of Connecticut high school students reported current cigar use
- In contrast, the 2019 Connecticut Youth Risk Behavior Survey reported that in 2019:
 - 27.0% of Connecticut high school students reported current e-cigarette use;
 - 21.7% of Connecticut high school students reported current marijuana use; and
 - 25.9% of Connecticut high school students reported current alcohol use, yet alcohol companies continue to market flavors

Consilium Sciences, an affiliate of the Venebio Group LLC, has prepared the most comprehensive report to date evaluating all publicly available data sources regarding usage of flavored cigar products and has concluded that “no evidence was found of increased use or different usage patterns, either among youth or adults, of flavored relative to unflavored products.”

Banning the Sale of Flavored Tobacco Products to Adults will Have Dramatic Consequences on Connecticut Tax Revenues

- Massachusetts banned the sale of all flavored tobacco products as of May 2020
 - Cigarette tax stamp revenues show that, comparing June – September 2019 to June – September 2020, the ban had a large impact on tax revenue, but not on curbing use of menthol cigarettes²
 - Massachusetts tax stamp revenue **declined** 24%
 - New Hampshire tax stamp revenue **increased** 34%
 - Vermont tax stamp revenue **increased** 11%
 - Rhode Island tax stamp revenue **increased** 25%

¹ All data is based on use on at least one day in the past 30 days at the time of the survey.

² <https://taxfoundation.org/massachusetts-flavored-tobacco-ban/>

- In fiscal year 2016, Connecticut tobacco excise taxes were in excess of \$370 million dollars³

Recent Federal Action to Combat Youth Usage

- Connecticut and the federal government raised the minimum age of purchase of tobacco products to 21
- Increased FDA enforcement against vapor products marketed to kids
- Pending virtual ban on vapor purchases through the mail
- Removing all flavored, cartridge-based vapor products from retail outlets that allow under 21 to enter

Swisher strongly believes in adult consumer choice. The restrictions drafted in SB 326 constrain the marketplace and encourage unintended consequences and economic harm to the state. We are working with our U.S. partners and the Food and Drug Administration with the hope of continuing meaningful conversations as regulations regarding flavored products are shaped. We remain committed to working hand in hand with all our government and corporate partners to ensure adult consumers, and only adult consumers, have access to our products, just as we have done for years. The use of flavors in tobacco products is a complex issue, and decisions on the regulatory treatment of such products have huge ramifications, for public health, state budgets, local businesses, and industry, among others. Such decisions should be based on facts and science, rather than unfounded rhetoric. For these reasons, we must oppose SB 326 as it is currently written. Thank you for your consideration.

Sincerely,

Joe Augustus
Executive Vice President, Global Affairs
Swisher

³ <https://www.cga.ct.gov/2017/rpt/pdf/2017-R-0110.pdf>