

Testimony of Michelle Seagull Commissioner of Consumer Protection

Public Health Committee Public Hearing, February 1, 2021

SENATE BILL 326 “AN ACT PROHIBITING THE SALE OF FLAVORED CIGARETTES, TOBACCO PRODUCTS, ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS”

Senator Daugherty Abrams, Senator Somers, Senator Hwang, Representative Steinberg, Representative Petit and Honorable Members of the Public Health Committee, thank you for the opportunity to offer testimony regarding Senate Bill 326, An Act Prohibiting the Sale of Flavored Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems and Vapor Products.

The Department of Consumer Protection (DCP) issues dealer and manufacturer certificates of registration to entities that sell or manufacture electronic nicotine delivery system (ENDS) or vapor products in Connecticut. This bill would prohibit the sale of flavored cigarettes, tobacco products, ENDS or vapor products and require DCP to enforce the prohibition, which is inconsistent with the current regulatory structure that was passed in Public Act 19-13 (Tobacco 21).

The investigation and enforcement provisions in Tobacco 21 require the Department of Mental Health and Addiction Services (DMHAS) to conduct unannounced compliance checks on registered ENDS and vapor product dealers and refer non-compliant dealers to the Department of Revenue Services for enforcement actions. When necessary, DRS directs DCP to suspend or revoke a dealer’s registration.

This proposal creates a different regulatory process for inspection and enforcement of the prohibition on the sale of flavored ENDS and vapor products. Although DCP appreciates the goals of this bill, because of the changed process, we would need to hire additional staff in order to implement these new provisions.

We look forward to working with this committee as well as our sister agencies on this very important issue. Please let our Legislative Director, Leslie O’Brien, know if you have questions.