

January 30, 2015

Dear Sandy Thiele-Cirka,

I am writing as a voter and taxpaying constituent to express extreme opposition to HB 2546. Although I am supportive of efforts to prohibit sales of nicotine products to minors, this bill goes too far as it would limit adult awareness and access to smoke-free electronic cigarettes. Furthermore, I find the language used to define these products, "Inhalant Delivery Systems," to be derogatory and intentionally misleading.

Smoking laws are ostensibly enacted to protect the public from the harm of secondhand smoke, but smoke-free e-cigarettes have not been shown to cause harm to bystanders. In fact, all evidence to date shows that the low health risks associated with e-cigarettes are comparable to other smokeless nicotine products. A comprehensive review conducted by Dr. Igor Burstyn of Drexel University School of Public Health (and published in a peer-reviewed journal earlier this year - <http://www.biomedcentral.com/1471-2458/14/18/abstract>) examined over 9,000 observations of e-cigarette liquid and vapor and found "no apparent concern" for bystanders exposed to e-cigarette vapor, even under "worst case" assumptions about exposure.

There is clear evidence of a phenomenon called "accidental quitting," wherein many of the smokers who initially choose e-cigarettes to use just where smoking is prohibited go on to quit smoking conventional cigarettes completely. Prohibiting the use of e-cigarettes in public spaces completely eliminates that incentive to even try e-cigarettes. Unfortunately, the health risks of every one smoker who doesn't quit because e-cigarette use is prohibited (and any risks to the children and others who live with them) cumulatively outweigh any good done by eliminating the miniscule exposures to even hundreds of bystanders in public spaces.

Clearly, the benefits of allowing smokers to use e-cigarettes in public--and thereby increasing the likelihood of "accidental quitting" and reducing the known, extremely high health risks of smoking--outweigh the very low risks of insignificant exposures to bystanders. So, not only is there no genuine public health reason to prohibit e-cigarette use in public spaces, but, in fact, allowing e-cigarettes to be used in public spaces will actually improve public health by inspiring other smokers to switch and reduce their health risks by an estimated 99%. Moreover, private businesses in Oregon are already setting their own policies, and they should retain the right to allow or disallow usage since there is no proven health threat to bystanders.

While I understand some have expressed a fear about these products acting as a "gateway" to traditional cigarettes for youth, there is no evidence to suggest this is really happening, and research actually shows it is unlikely to happen to any substantial extent. Teen smoking rates are at their lowest point since smoking became popular and continue to drop, but there are adults who will continue to smoke until they die unless we provide attractive alternatives.

I urge you to oppose HB 2546 and any legislation that would limit where smoke-free products like e-cigarettes can be used. It is imperative that existing adult smokers become aware of all the alternatives currently available and that access to these products remains unimpeded.

I look forward to your response on this issue. I, along with my fellow members of CASAA (Consumer Advocates for Smoke-free Alternatives Association), thank you for considering my comments and hope you will oppose misguided attempts to limit adult use of smoke-free e-cigarettes. Please keep me informed as to the progress of this bill as it moves through the legislative process.

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