

Testimony to the
Pennsylvania House Health Committee
on HB 682

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I'm Bill Godshall, founder and executive director of Smokefree Pennsylvania. I thank Chairman Baker for inviting me to testify today.

Since 1990, we've educated the public about the hazards of cigarette smoking and tobacco smoke pollution, and we've advocated policies to ban smoking in workplaces, stop cigarette marketing to youth, increase cigarette tax rates, and hold cigarette companies accountable in civil court for their egregious actions of the past.

Before founding Smokefree Pennsylvania, I worked for the Allegheny County Health Department and the American Cancer Society, where I campaigned to enact and implement the 1987 Pittsburgh Smoking Pollution Control Ordinance, which was the first law outside California to ban smoking in the vast majority of indoor workplaces.

In 2007, we convinced US Senator Mike Enzi to amend the federal Tobacco Control Act to require color graphic picture warnings on all cigarette packs, an key health policy the FDA still hasn't implemented.

For disclosure, neither Smokefree Pennsylvania nor I have ever received any funding from any tobacco, drug or vapor product company.

Seven years have passed since I stood behind Governor Rendell as he signed the Pennsylvania Clean Indoor Air Act, which banned smoking in 99% of indoor workplaces.

We urge Health committee members to eliminate exemptions from the Clean Indoor Air Act for casinos and several thousand liquor licensed establishments because millions of nonsmokers are still involuntarily exposed to tobacco smoke pollution in those indoor workplaces and public places.

We do, however, strongly oppose provisions in HB 682 that would ban the use of vapor products (aka e-cigarettes) in all PA indoor workplaces by falsely redefining the term “smoking” to include smokefree vaping.

In sharp contrast to fear mongering claims by the Obama administration’s DHHS and Big Pharma financed ACS, AHA, ALA, the scientific and empirical evidence consistently confirms that nicotine vapor products are 99% (+/-1%) less hazardous than cigarettes, have never been found to be associated with any disease, and pose no health risks to nonusers.

In fact, all smokefree tobacco/nicotine alternatives, including smokeless tobacco products, nicotine gums, lozenges, patches and inhalers are 99% less hazardous than cigarettes and pose no risks to nonusers.

After unsuccessfully urging the FDA to keep vapor products legal in 2009, we filed an amicus brief with the DC Court of Appeals in 2010 in support of lawsuits by two vapor product companies challenging the FDA’s e-cigarette import ban. The federal appeals court unanimously upheld Judge Richard Leon’s ruling striking down FDA’s ban as unlawful, which is why vapor products are now legal in this country.

Nicotine vapor products have already replaced about 2 Billion packs of cigarettes in the US, and nearly all of these products have been consumed by smokers and by exsmokers who switched to vaping.

Two recent surveys found that 3 and 4 million Americans respectively are no longer regular cigarette smokers thanks to vapor products, which are at least as effective for smoking cessation as FDA approved nicotine products that have a 95% failure rate.

Adult and teen surveys consistently find that smokers and ex-smokers account for >90% of those who report using an e-cig in the past 30 days, and it appears that >99% of daily vapers are smokers or ex-smokers who switched to vaping.

There’s no evidence vapor products have ever created daily nicotine dependence in any nonsmoker, and there’s no evidence vapor products have served as a gateway to cigarette smoking for anyone.

In regards to indoor air quality, all of the following things emit more indoor air pollution than does an e-cigarette:

- smoker’s clothes and hair,
- cooking,
- glues and paint,
- carpeting,
- household cleaning products,
- printers and photocopiers,
- dry cleaned clothes,

- hair sprays, perfumes and cosmetics,
- air fresheners, and even
- a cup of coffee or tea.

While all of these things pose negligible or no health risks to the public, any objective individual, organization or health agency that truly desires to further reduce indoor air pollution would advocate restricting or banning them before targeting lifesaving vapor products.

Since vapor product sales began to skyrocket in 2009, adult and teen smoking rates have declined to new record lows every year.

Public health benefits every time a smoker vapes instead of smoking a cigarette, and vapor products have similar risk/benefit profiles as childhood vaccines, water and sewage treatment, and condoms.

Since smokers can simply substitute vapor products or other smokefree alternatives instead of smoking a cigarette, banning smoking in PA casinos and bars won't negatively impact those business.

Vapor products benefit many employers because workers don't waste time on smoke breaks, and because vaping has helped employees quit smoking and reduced employer healthcare costs.

Besides, unlike smokefree policies, its impossible to enforce vaping bans because vapor products emit no smoke, as there is no visible vapor exhaled if one holds their breath for several seconds after inhaling.

The proposed vaping ban in HR 682 would prompt many vapers to go outside to smoking areas and be exposed to secondhand smoke once again, and would deceive the public to inaccurately believe that vaping is just as hazardous as cigarette smoking.

We do, however, urge the General Assembly to ban the sale of vapor products to minors (as PA is one of just four states that has not yet banned their sales to minors), and we support banning vaping at preschools and K-12 schools, as those are reasonable regulations.

In sum, since HB 682 bans vaping in all PA workplaces, while banning smoking in just 1% of remaining workplaces, we strongly oppose the bill as introduced.

But if the vaping ban provisions of the bill were removed, we'd strongly support the bill.

I'd be pleased to answer any questions.