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9:15 am CST

Senate Industry, Business, and Labor Committee for the 67<sup>th</sup> ND Legislative Assembly

Chairman Klein, and members of the Senate Industry, Business, and Labor Committee, hello, my name is Heather Austin, and I am the Executive Director for Tobacco Free North Dakota. The mission of Tobacco Free North Dakota is to improve and protect the public health of all North Dakotans by reducing the serious health and economic consequences of tobacco use, the state's number one cause of preventable disease and death. Thank you so much for your time this morning.

Today I am here to encourage a Do Pass on SB 2190, or the bill relating to the internet sales restriction of tobacco products.

By restricting all tobacco products from online sales directly to consumers, we take another step forward in protecting our youth from the dangerous nicotine addiction these products promote. Unrestricted tobacco sales via the internet make it easier for beginners – primarily our kids – to try the product and ultimately become addicted. In many cases, any age-of-purchaser verification is on the honor system, or it can be easily circumvented. In some cases, it doesn't exist.

The ease of purchase allowed by internet sales is an unlimited avenue for kids to get flavored tobacco, stealth products, and products that have not been subjected to any regulation in North Dakota, such as electronic tobacco devices or vapes. And, the evidence is clear that it is unsafe for young people to use tobacco products. Cigarettes, cigars, chewing tobacco, snus, e-cigarettes, vapes, JUULs, or any other product containing nicotine are all detrimental to a person's health, particularly to a young person's health. As stated by the Surgeon General, "E-cigarette use poses a significant – and avoidable – health risk to young people in the United States. Besides increasing the possibility of addiction and long-term harm to brain development and respiratory health, e-cigarette use is associated with the use of other tobacco products that can do even more damage to the body."i.

If these products must be sold, we encourage over the counter sales for tobacco products to assist in future tobacco regulation, to ensure compliance check capabilities, and to reduce youth/underage access. Several other states have recently enacted the same measures, including our neighbor to the south, and I have included a listing of these states as an attachment. Ultimately, we believe North Dakota business owners are up to the task of fostering reduced youth access to tobacco through face-to-face encounters.

Again, thank you for this time in front of you, Chairman Klein, and members of the Committee. It is very appreciated. Please vote Do Pass on SB 2190.

May I take any questions?

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i. HHS, Know the Risks: E-Cigarettes & Young People, accessed March 15, 2018 at <https://e-cigarettes.surgeongeneral.gov/knowtherisks.html>.