



Creating a Tobacco-Free Community

Hampshire Franklin Tobacco-Free Community Partnership

Testimony for Hearing on Belchertown's Tobacco Regulations

From: Heather Warner, MPH
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Dear Belchertown Health Board Chair Connolly, Vive Chair Potter, and Members, Colleen DuroShea, Ken Elstein and David Gottsegen, MD:

I am writing in support of the Belchertown Board of Health actions to ***protect teens from nicotine dependence by reducing access to tobacco and nicotine products***. Easy access to these products increases the likelihood that youth will start using and become dependent on nicotine¹. Some newer products have higher levels of nicotine and use synthetic nicotine salts which enter the bloodstream faster increasing the likelihood of addiction². The tobacco industry understands that the developing teen brain is particularly susceptible to nicotine dependence, which is why they shamelessly market to youth with new products that evade flavor regulations and taxes making them more affordable and appealing to teens. As adults in our community, we have both the ability and an obligation to make policies that keep pace with an industry business model that will always require a new generation of nicotine users.

The proposed draft tobacco regulation reduces youth access to nicotine in several significant ways by: restricting nicotine pouches; initiating Nicotine-Free Generation (NFG) policies; and updating regulations to close loopholes for illegal sale of flavored and unregulated products.

Why Restrict nicotine pouches like Zyn, On!, Lucy, and VELO?

- Nicotine pouches are only partially regulated by the FDA and are not approved as a cessation product. Pouches get around flavor bans by using "concept flavors" for example, "Chill" to represent a minty flavor, and they are cheaper than cigarettes or vapes because they are not taxed as heavily. Being "Cheap, Sweet and Easy-to-get" is the marketing formula for attracting youth to use the product.

¹ Sweet, Cheap and Easy to Get. <https://www.mass.gov/info-details/vapes-and-industry-tactics>

² Marketing of "Tobacco-Free" and "Synthetic Nicotine" Products, Ramamurthi D., Chau, S., Lu, Z., et al, White Paper Stanford Research into the Impact of Tobacco Advertising, Published March 8, 2022.

Retrieved 12-10-24 at:

<chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://tobacco-img.stanford.edu/wp-content/uploads/2022/03/13161808/Synthetic-Nicotine-White-Paper-3-8-2022F.pdf>

- Since Phillip Morris inc purchased Zyn in 2022 they invested millions in social media advertising creating an explosion of “Zynfluencers” touting the benefits of the pouches. They appeal to youth by emphasizing flavors and the “freedom” to use it anywhere.
- Nicotine pouches are available with extremely high nicotine content and contain highly addictive synthetic nicotine powder instead of tobacco leaf. Some pouches have as much as 45mg of nicotine—over 4 times that of a single cigarette. Nicotine itself has serious health implications. According to the CDC, “Nicotine can harm the parts of an adolescent's brain that control attention, learning, mood, and impulse control”.³
- Nicotine pouches are being used by teens at increasingly higher rates. In 2022, oral nicotine products were included for the first time on the National Youth Tobacco Survey where they estimated that 1.1% of middle and high school students had used these products. In 2024, current use of nicotine pouches among middle and high school students rose to 1.8%. **In a 2023 Hampshire County survey of 2,228 teens in grades 8, 10 and 12, nearly 1 in 20 12th graders (4.5%) report using Zyn regularly**⁴.
- Belchertown is not alone in its concern about oral nicotine pouches. Across Massachusetts Greenfield, Orange, Groton and Townsend have all adopted regulations limiting oral pouches. Other western Mass communities such as Athol, Ashfield, Ludlow, East Longmeadow, Agawam, and Northampton are in the process of drafting regulations that would limit the sale of pouches and/or limit the potency of oral pouches.
- Oral pouch companies are now facing lawsuits similar to JUUL because they continue to sell flavored products and market to young people. Washington DC, San Francisco have filed lawsuits against Phillip Morris declaring that their on-line sales of Zyn violate their ban on flavored nicotine products, designed to prevent teens and young adults from using the products.

Why consider Nicotine-Free Generation?

The draft regulation also proposes implementing Nicotine-Free Generation (NFG) policies that phase out nicotine sales over generations, effectively cutting off the pipeline of future smokers. Importantly, this policy does not restrict adults who can currently buy nicotine products from continuing to buy them. Considering these policies is prudent as part of a comprehensive approach because the tobacco and nicotine industries continue to innovate, finding loopholes in our laws that allow them to pursue and addict teens.

Left unchecked, the tobacco and nicotine industry will brazenly target disadvantaged and vulnerable communities including teens, BIPOC, and LGBTQAI+ communities. Massachusetts

³ U.S. Department of Health and Human Services. E-cigarette Use Among Youth and Young Adults: A Report of the Surgeon General. Centers for Disease Control and Prevention; 2016. Accessed Feb 14, 2024. https://www.cdc.gov/tobacco/data_statistics/sgr/e-cigarettes/pdfs/2016_sgr_entire_report_508.pdf

⁴ Youth Smoking in Hampshire County, MA Results from the 2023 Prevention Needs Assessment Survey (PNAS) <https://docs.google.com/spreadsheets/d/1ep75l2zbDjYRpK3nsQMIWmFcXjpPWfCW/edit?gid=527783635#gid=527783635>

and local Health Boards have successfully worked to educate and activate communities on issues of health equity and against industry schemes that target youth. Regulations such as those Belchertown and other communities are considering implementing are prudent as part of a comprehensive approach because the tobacco and nicotine industries continue to innovate, finding loopholes in our laws that allow them to pursue and addict teens.

By prioritizing the health of our youth we are building healthy communities for our future. I applaud the Boards of Health in our region for working to promote healthy communities and counter the profiteering that stands in the way of that goal.

Sincerely,

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Below are additional resources on oral nicotine pouches

- Truth Initiative: What is Zyn and what are oral nicotine pouches? Oct. 25, 2024.
<https://truthinitiative.org/research-resources/emerging-tobacco-products/what-zyn-and-what-are-oral-nicotine-pouches>
- Philip Morris International to invest over \$800 million to meet growing Zyn market. Sep. 18, 2024.
<https://truthinitiative.org/research-resources/emerging-tobacco-products/philip-morris-international-invest-over-800-million>
- Marketing of “Tobacco-Free” and “Synthetic Nicotine” Products, Ramamurthi D., Chau, S., Lu, Z., et al, White Paper Stanford Research into the Impact of Tobacco Advertising, Published March 8, 2022. Retrieved 12-10-24 at:
chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/<https://tobacco-img.stanford.edu/wp-content/uploads/2022/03/13161808/Synthetic-Nicotine-White-Paper-3-8-2022F.pdf>
- Centers for Disease Control & Prevention (CDC) [page on nicotine pouches](#).
- Tips and a Free Quitting Resource from the Truth Initiative: [Quitting Zyn and Other Nicotine Pouches](#)
- [Post on nicotine pouches](#) from [Those Nerdy Girls](#) (public health researchers and clinicians). There are additional links in the post if you want to learn more about this trend, including what's happening on social media and what you can do to help protect youth.
- CDC Surgeon General's Report: Eliminating Tobacco-Related Disease and Death: Addressing Disparities, November 15, 2024.
<https://www.cdc.gov/tobacco-surgeon-general-reports/about/2024-end-tobacco-disparities.html>
- Washington Post July 10, 2024. Some Massachusetts towns are trying to say goodbye to tobacco — forever. The moves are part of a global push to create a “nicotine-free generation.” Retrieved 12/10/ 2024 at:
<https://www.washingtonpost.com/nation/2024/07/10/nicotine-tobacco-ban-massachusetts/>