



Shaun McAuliffe <smcauliffe@hopkintonma.gov>

PLEASE NO GENERATIONAL TOBACCO & NICOTINE PROHIBITION

23 messages

Stephen Helfer <shelfer@gmail.com>

Sat, Apr 12, 2025 at 10:23 AM

To: SMcAuliffe@hopkintonma.gov, bohchair@hopkintonma.gov, selectboard@hopkintonma.gov, Elainel@hopkintonma.gov

Board of Health, Select Board, & Town Manager Lazarus:

On September 5, 2024 the FDA reported that teen smoking is at an all-time low & teen vaping is at a ten-year low. On January 16 of this year, the FDA authorized, "after extensive scientific review," 20 kinds of ZYN nicotine pouches & announced that teen use remains low. If the tobacco industry is trying to attract youth, it is not succeeding.

Teens are not using these products & retailers are fined if they sell to persons under 21. A Generational Tobacco & Nicotine Ban will not affect youth--it will limit adult freedom.

Adults 21 & over in Massachusetts may use their judgment regarding alcohol & marijuana--both intoxicants. Should they not be free to do so regarding tobacco & nicotine, which enhance cognition & motor skills, like driving?

The majority of stores selling nicotine & tobacco are owned by immigrants of color. A Generational Tobacco & Nicotine Prohibition may not shut their businesses down, but it will hurt and devalue them.

Please do not enact this form of stealth prohibition.

Stephen Helfer
Cambridge Citizens for Smokers' Rights
(We receive no funds from any source whatsoever)

Cigarette smoking reached the lowest level ever recorded by the survey, with only 1.4% of students reporting current use in 2024.

FDA, October 17, 2024

<https://www.fda.gov/tobacco-products/ctp-newsroom/youth-tobacco-product-use-25-year-low-yet-disparities-persist>

"Youth E-Cigarette Use Drops to Lowest Level in a Decade: Youth Use of Nicotine Pouches Remains Low"

FDA, Sept 5, 2024

<https://www.fda.gov/news-events/press-announcements/youth-e-cigarette-use-drops-lowest-level-decade>

The significant effects of nicotine on motor abilities, attention, and memory likely represent true performance enhancement because they are not confounded by withdrawal relief.

Meta-analysis of the acute effects of nicotine and smoking on human performance, Psychopharmacology, July, 2010

<https://pmc.ncbi.nlm.nih.gov/articles/PMC3151730/>

Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sat, Apr 12, 2025 at 12:59 PM

To: Stephen Helfer <shelfer@gmail.com>

Cc: bohchair@hopkintonma.gov, Selectboard@hopkintonma.gov, elainel@hopkintonma.gov

Bcc: "Buzby, Maureen" <mbuzby@cityofmelrose.org>, Lisa S <lstevensgoodnight@mma.org>, Nasiba Mannan <nasiba.mannan@gmail.com>, mjo@neu.edu, Mary Jo o <MJOrha@aol.com>, Simone Carter <scarter@hopkintonma.gov>, Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Dear Mr. Helfer,

Thank you for your letter. Though your opinion is a welcomed addition to this discussion, it is quite contradictory to what we have experienced in the municipality. When I accepted this position, approximately 40 percent of the students in the high school and a lesser percentage in the middle school were utilizing electronic nicotine delivery devices. All of these students were younger than 21. One athlete that vaped regularly is now utilizing supplied air to get to their college classrooms.

Hopkinton students are highly intelligent and innovative. As referenced above, they designed systems to purchase products in and outside of Hopkinton (accounting for the high percentage of underage usage in the past).

Students are currently purchasing, distributing and consuming the lozenge and pouch products that you describe. I've interviewed them personally. These practices will be the target of one of our next educational campaigns.

Let me be clear, the regulations will NOT impact the smokers' rights that you seek to protect, as smokers of legal age will be able to purchase the products that they crave and / or need to address their nicotine addiction. The goal is simply to prevent the youth of tomorrow, the NON-smokers and children not legally eligible to start consuming nicotine products, from becoming addicted in the first place.

Sincerely,

Shaun McAuliffe, RS, MPH

Health Director

Town of Hopkinton

18 Main Street

Hopkinton, MA 01748

(508) 497-9725

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>
To: Nick Schofield <nschofieldhopind@gmail.com>

Sat, Apr 12, 2025 at 1:19 PM

It is starting.

Lobbyists and big tobacco are to be expected at most of our future meetings.

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>
To: Nick Schofield <nschofieldhopind@gmail.com>

Sat, Apr 12, 2025 at 1:19 PM

My response.

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>
To: Nick Schofield <nschofieldhopind@gmail.com>

Sat, Apr 12, 2025 at 1:36 PM

Good afternoon Nick,

For some added context, in March of 2019 I wanted to see if I could purchase flavored vaping / electronic nicotine delivery devices in Massachusetts. Since that day, I have received well over 2,000 solicitations from the nicotine retailer. This figures to at least 1 email solicitation per day. I'd argue that over 75% of the products are geared to appeal to children, under the age of 21.

<https://www.mass.gov/info-details/massachusetts-tobacco-statistics-at-a-glance> The statistics confirm that we are doing a good job at reducing tobacco consumption but we have work to do to prevent the younger generation from picking up the deadly habit.

I expect Cumberland Farms to be present at the hearing.

Shaun

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Stephen Helfer <shelfer@gmail.com>
To: Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sat, Apr 12, 2025 at 1:59 PM

Dear Mr. McCauliff,

Thank you for your comprehensive response.

I don't know the particulars of Hopkinton, but nationwide the reduction in youth smoking & vaping has prompted Brian King (MPH, PhD), Director of the FDA's Center for Tobacco Products, to state:

"...the recently released 2024 National Youth Tobacco Survey findings are a monumental win for public health: youth tobacco product use has dropped to its lowest level ever reported since the survey began a quarter century ago. Cigarette smoking among youth has reached a historic low. Moreover, reductions in e-cigarette use have fueled recent progress, with use of these products among youth dropping to the lowest level in a decade."
<https://www.fda.gov/news-events/fda-voices/youth-tobacco-product-use-continues-decline-fda-actions-build-momentum>

As far as nicotine pouches are concerned, Mr. King stated:

"While current data show that youth use remains low, the FDA is closely monitoring the marketplace and is committed to taking action, as appropriate, to best protect public health."
<https://www.fda.gov/news-events/press-announcements/fda-authorizes-marketing-20-zyn-nicotine-pouch-products-after-extensive-scientific-review>

You say when you accepted the position 40% of students were using nicotine or tobacco products, but could that have changed? Certainly the data you cite does not match FDA data.

Professor Kate Silbaugh, who sponsored the Brookline ban, has stated that the Generational Tobacco & Nicotine Prohibition would be a "slow burn for people not paying attention." I believe she means that total prohibition would be achieved in not many years.
<https://www.publichealthlawcenter.org/webinar/tobacco-free-generation-brooklines-model-ending-tobacco-us>

I'll conclude with a thought posed by Robert Rabin, former director of the Robert Wood Johnson's tobacco program:

"We should not lose perspective on the question of how restrictive a society we want to create--that is how far we want to go in reducing individual autonomy, including what can be perceived as self-destructive behavior."
<https://www.nejm.org/doi/full/10.1056/NEJMp1104637>

Again, thank you for your response.

Stephen Helfer
Cambridge Citizens for Smokers' Rights

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Buzby, Maureen <mbuzby@cityofmelrose.org>
To: Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sat, Apr 12, 2025 at 5:09 PM

Okay, hands down, best response!

We see Stephen Helfer everywhere. In fact, he attended last week's Mansfield BOH meeting. He wanted to speak but wasn't allowed because, though they had a "guest speaker", it was not a hearing, and they weren't entertaining public testimony.

Thank you!

See you Monday evening.

Maureen

From: Shaun McAuliffe <smcauliffe@hopkintonma.gov>
Sent: Saturday, April 12, 2025 12:59 PM
To: Stephen Helfer <shelfer@gmail.com>
Cc: bohchair@hopkintonma.gov; Selectboard@hopkintonma.gov; elainel@hopkintonma.gov
Subject: Re: PLEASE NO GENERATIONAL TOBACCO & NICOTINE PROHIBITION

Dear Mr. Helfer,

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>
To: "Buzby, Maureen" <mbuzby@cityofmelrose.org>

Sat, Apr 12, 2025 at 5:18 PM

I'm going to line up as many parents that have addicted kids that I can.

Game on.

Look forward to seeing you.

Shaun McAuliffe, RS, MPH

Health Director

Town of Hopkinton

18 Main Street

Hopkinton, MA 01748

(508) 497-9725

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Buzby, Maureen <mbuzby@cityofmelrose.org>
To: Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sat, Apr 12, 2025 at 6:26 PM

That's great. Youth are the most important voices. As well s local residents.

We get chastised regularly for being “outsiders” - - as is Mr. Helfer, and Mr. Brennan.



Monday is a meeting, right, and not a hearing? What I consider and “initial” meeting. I’ll provide an NFG overview.

Whenever Hopkinton does have a hearing we have NFG advocates who would want to testify. You know a lot of them - - Mark Gottlieb, Jonathon Winickoff, et al. They may tune in Monday night but only to answer questions if needed. We really don’t want to open the door to presentations by the opposition. They’ll show up at a hearing anyway.

Thanks again!

MB

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>
To: "Buzby, Maureen" <mbuzby@cityofmelrose.org>

Sat, Apr 12, 2025 at 6:30 PM

Monday is a meeting.

I've booked you time on the agenda.

The hearing will likely be in mid to late May.

Shaun McAuliffe, RS, MPH

Health Director

Town of Hopkinton

18 Main Street

Hopkinton, MA 01748

(508) 497-9725

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>
To: "Buzby, Maureen" <mbuzby@cityofmelrose.org>

Sat, Apr 12, 2025 at 6:31 PM

I've also reached out to MMA.

Shaun McAuliffe, RS, MPH

Health Director

Town of Hopkinton

18 Main Street

Hopkinton, MA 01748

(508) 497-9725

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sat, Apr 12, 2025 at 6:38 PM

To: Dawn Alcott Miller <dalcott@hopkintonma.gov>, Holly Morand <hморand@hopkintonma.gov>, Erin Bartolini <ebartolini@hopkintonma.gov>, Colleen Souza <csouza@hopkintonma.gov>

Good evening,

I'm writing to alert you that the tobacco lobby will likely be coming to Hopkinton to challenge the revision of our tobacco regulations.

Stephen is typically the first to write, followed by the lobbyists from big tobacco and the retail stores. We will need facts to rebut his claims and the claims of the others.

Our hearing should be in mid May.

I will be looking for students and parents to testify on our behalf. I have at least one already lined up.

Thank you for the support.

Shaun McAuliffe, RS, MPH

Health Director

Town of Hopkinton

18 Main Street

Hopkinton, MA 01748

(508) 497-9725

----- Forwarded message -----

From: **Stephen Helfer** <shelfer@gmail.com>

Date: Sat, Apr 12, 2025 at 10:23 AM

Subject: PLEASE NO GENERATIONAL TOBACCO & NICOTINE PROHIBITION

To: <SMcAuliffe@hopkintonma.gov>, <bohchair@hopkintonma.gov>, <selectboard@hopkintonma.gov>, <Elainel@hopkintonma.gov>

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Buzby, Maureen <mbuzby@cityofmelrose.org>
To: Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sat, Apr 12, 2025 at 6:46 PM

Terrific.

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Dawn Alcott Miller <dalcott@hopkintonma.gov>
To: Shaun McAuliffe <smcauliffe@hopkintonma.gov>
Cc: Holly Morand <hморand@hopkintonma.gov>, Erin Bartolini <ebartolini@hopkintonma.gov>, Colleen Souza <csouza@hopkintonma.gov>

Sat, Apr 12, 2025 at 7:13 PM

Make sure you communicate with Elaine about their methods. It would not hurt for you to get other towns to come share the difference it is making for them...

Dawn Alcott, LICSW

(she, her, hers)

Director

Hopkinton Youth & Family Services

Town of Hopkinton

18 Main Street

Hopkinton, MA 01748

508-435-2139 x1449

508-497-9781

dalcott@hopkintonma.gov

My working hours may not be your working hours. Please do not feel obligated to respond outside your normal work schedule.

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sat, Apr 12, 2025 at 8:37 PM

To: Dawn Alcott Miller <dalcott@hopkintonma.gov>

Thank you Dawn.

I have been working with Elaine. She has been cc'd on all communications.

I have the NFG team coming to my meeting on Monday.

The NFG team and MMA will be present at the hearing. If we can't get local physicians, etc. they will have some show up.

Shaun McAuliffe, RS, MPH

Health Director

Town of Hopkinton

18 Main Street

Hopkinton, MA 01748

(508) 497-9725

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Richard Jacobs <bohchair@hopkintonma.gov>

Sun, Apr 13, 2025 at 11:37 AM

To: Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Cc: Selectboard@hopkintonma.gov, elaine1@hopkintonma.gov

Shaun

Well stated.

As you know, you have the full support of the BOH.

Richard Jacobs MD,MHA

Chair, Hopkinton BOH

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sun, Apr 13, 2025 at 11:56 AM

To: Richard Jacobs <bohchair@hopkintonma.gov>

I've enlisted the assistance of the NFG organization and MA tobacco group. They do this frequently.

Shaun McAuliffe, RS, MPH

Health Director

Town of Hopkinton
18 Main Street
Hopkinton, MA 01748
(508) 497-9725
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Brian Herr <bherr@hopkintonma.gov>
To: Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Sun, Apr 13, 2025 at 12:44 PM

I would not answer these form letters if I were you. They are not residents of Hopkinton.

Brian J. Herr
Chair
Select Board
Town of Hopkinton

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>
To: Brian Herr <bherr@hopkintonma.gov>

Sun, Apr 13, 2025 at 4:46 PM

Got it.

He is the first of the lobbyist to contact every community that adopts the model tobacco regulation from the Commonwealth.

The Commonwealth has assigned NFG staff and reps from the MMA to insulate us through the remainder of the process.

We have 1-2 parents that have expressed interest in speaking at our pending hearing. Their children have popcorn lung. One is on oxygen.

Have a good evening.

Shaun McAuliffe, RS, MPH

Health Director
Town of Hopkinton
18 Main Street
Hopkinton, MA 01748
(508) 497-9725
[Quoted text hidden]

Erin Bartolini <ebartolini@hopkintonma.gov>
To: Dawn Alcott Miller <dalcott@hopkintonma.gov>
Cc: Shaun McAuliffe <smcauliffe@hopkintonma.gov>, Holly Morand <hморand@hopkintonma.gov>, Colleen Souza <csouza@hopkintonma.gov>

Mon, Apr 14, 2025 at 8:45 AM

I think it would be great to have some of our HOP youth share the same perspectives they shared at ENUFF day.

On Sat, Apr 12, 2025 at 7:14 PM Dawn Alcott Miller <dalcott@hopkintonma.gov> wrote:

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Colleen Souza <csouza@hopkintonma.gov>

Mon, Apr 14, 2025 at 9:19 AM

To: Erin Bartolini <ebartolini@hopkintonma.gov>

Cc: Dawn Alcott Miller <dalcott@hopkintonma.gov>, Shaun McAuliffe <smcauliffe@hopkintonma.gov>, Holly Morand <hmorand@hopkintonma.gov>

Yes, That would be great.

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--

Colleen Souza, LICSW

Hopkinton Youth & Family Services

Town of Hopkinton

18 Main St.

Hopkinton, MA 01748

csouza@hopkintonma.gov

(she/her/hers)

Monday-Thursday 9-5 pm

508-497-9781

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Lisa S <lstevensgoodnight@mma.org>

Mon, Apr 14, 2025 at 11:37 AM

To: Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Shaun,

I appreciate your response here, they really are trying to present many of these products as something different than they are.

Lisa M. Goodnight, Esq.

Tobacco Control Director

(She/Her/Hers)

Tel: (617)933-1669 ext 152

Massachusetts Municipal Association

[3 Center Plaza, Suite 610](#)

[Boston, MA 02108](#)

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Shaun McAuliffe <smcauliffe@hopkintonma.gov>

Mon, Apr 14, 2025 at 11:46 AM

To: Lisa S <lstevensgoodnight@mma.org>

We intend to hold the hearing mid-May.

I intend to rally the parents of the kids that are addicted to Zins, etc. My Board is committed to passing this.

Best,

Shaun

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