

BOH hearing, March 20, 2025:

Thank you, Dr. Green, Margaret and Alyssa for considering the proposed model regulations suggested by Mass Tobacco Cessation Program.

I wanted to begin by explaining the edits to the original draft you received:

First is under the section titled definitions. In the initial draft you were sent there was a note for discussion under rolling papers explaining what the definition could mean. That was only for discussion of the draft, so it has been deleted.

Second, Under Section D.C there was wording about onsite consumptions. But since Somerville prohibits onsite consumption, that was deleted.

Lastly, under K. "no retailer shall sell electronic delivery systems with nicotine content more than 3.5%, State law is no more than 3.0% but your draft mgith have said 3/5. IDK.etc. ". In municipalities where retailers in convenience stores can sell electronic delivery products, that section would be necessary. But because Somerville already prohibits electronic nicotine delivery products in convenience stores-- restricting them to adult only retail stores where 5% nicotine is allowed-- this section became irrelevant for Somerville regulations and could cause confusion for retailers, so it was deleted.

Now I'd like to begin my portion of the public hearing by saying as the tobacco and nicotine inspector for 6 communities, I am in a unique position to see almost daily the newest nicotine products and notice what is probably the most popular by the store's inventory.

One of the most concerning to me these days is the rise in popularity (and inventory) of nicotine pouches such as Zyn. We hear from youth that these products are the new "on trend" items. Youth say these are appealing partly because they can go undetected by adults because there is no smoke plume as in cigarettes and vapes.

Just for context of my concern: a package of Marlboro cigarettes contains 26 mgs of nicotine while nicotine pouches can contain as much as 12 mgs per pouch or more! . I have seen tins with 18 mg. Each package of pouches contains 20 pouches, (Zyn tins have 15 pouches, ON! tins have 20 pouches, - it's brand-dependent. so the math is staggering given that we know that nicotine is a highly addictive substance.

We have done very well, **under this Board's courageous direction**, to curb youth access to smoking and vaping. Somerville is seen (**viewed?**) as a leader by other communities in tobacco/ nicotine control and they try to model themselves after what happens here. **Note: I just changed the order of the phrases you wrote for flow...**

But we are not done.

During compliance checks in Somerville on 3/12, a very young looking-- just turned 16 year old-- was able to purchase a package of Zyn nicotine pouches at a store directly across the street from the high school **without being asked for an ID**. And, two days later, on 3/14, another just turned 16 year old was allowed to purchase a pack of Marlboro cigarettes at a Liquor store on Broadway. Again, no mention of age or request for ID. **The youth was just handed the pack of cigarettes.**

Voting yes to update the regulations to the most current model regs that are designed to focus on what we see in the field, including moving nicotine pouches to adult only retail stores and adopting Nicotine Free Generation, would take another step forward to protect our youth from the dangers of these products.

Thank you.