

Thank you for this opportunity to speak today.

I'm the Regional Tobacco Prevention Program Coordinator for seven communities - - Malden, Medford, Melrose, Reading, Stoneham, Wakefield, and Winchester. I've been inspecting stores and conducting compliance checks for fourteen years now.

I've watched the evolution from pink and purple foil-wrapped, \$.79, flavored cigarillos that look like candy, to Juul devices that look like flash drives, to nicotine pouches, (high in nicotine content, made with nicotine salts for a quicker jolt to the brain, very cheap and very discrete), to the latest vapes that look just like highlighters, and pens that actually write **and** vape!

I have a couple of the newer vape products here – a teddy bear, a toy guitar, a CD that plays music while you vape. Oh, and you can vape and play Mario Bros. on the same device.

I was at a national tobacco conference recently and learned that there are now devices that track your use. The device captures information on when, how often, how much you puff, and the nicotine content of your device. The data is sent back to the manufacturer.

You can be sure Big Tobacco is developing their next product, and they have billions to invest in R&D. They tell us these devices are to help smokers quit. They are blatantly re-branding themselves as a harm reduction product provider. When they peddle a device that is soft, squishy, looks like a teddy bear and comes in pink, baby blue, and rainbow colors does anyone really believe that they are adopting a business model that will put them out of business???

One product innovation after another. We have nicotine-dipped toothpicks. Nicotine lollipops. Nicotine gummies. Nicotine coffee. What's next?

Tobacco prevention organizations and Public Health professionals have advocated for policies to reduce youth access to these products for decades. We've done so much. Cigar minimum price, flavor ban, T-21, pharmacy ban, permit cap. But year after year, new products. Band-aid after band-aid is not enough.

The mental health crisis among our youth is real. Many young people are self-medicating. Using nicotine doesn't **treat** anxiety and depression. Nicotine **exacerbates** anxiety and depression. Addiction to one substance increases the chances of using another substance. And nicotine **is** a substance; in fact, it is a poison.

I won't dwell on the harms caused by nicotine addiction. Health issues. Financial burden. Even career opportunities lost due to a nicotine habit.

It's time to remove these poisons from our store shelves. It's time to adopt a strategy that actually moves us towards a generation of young people who will never experience tobacco. Just as we now have a generation of young people who have never been in a restaurant, movie theater, school, or hospital; or ridden on a bus, subway, train, or plane where someone is smoking. We can and we need to make this change.

But how do we do that?

The Tobacco Industry has their playbook – “Hook them while they are young and you have a customer for life” – That's a quote from industry documents.

We have a playbook too. And we've followed that playbook with many important public health policies.

One city or town adopts an innovative and even controversial policy like Smoke-Free Workplace Law; more cities and towns follow until we have critical mass; and then the State Legislature often takes it up – as they did with T-21 and the Flavor Ban.

Brookline, as you know, passed TFG as a Town by-law back in 2020. Brookline was sued by the industry. That lawsuit made it all the way to the Massachusetts Supreme Judicial Court, which, in March, 2024, handed down a unanimous decision in favor of local public health's right to adopt a TFG-type policy.

Meanwhile, I, along with my Health Director, started talking about this policy back in the summer of 2023. We met with stakeholders to assess community readiness - - municipal leaders, educators, health care professionals, youth leaders, parents, youth, and others to build awareness and support.

We changed the name from Tobacco Free Generation to Nicotine Free Generation to make it clear that this policy covered all nicotine products, not just combustible tobacco products like cigarettes and cigars. NRT's, by the way, are exempt. All FDA-approved cessation treatment products are exempt.

Then I met with Boards of Health in all seven of my municipalities. They all voted to hold a public hearing. It's not a legal requirement but we've set a precedent for holding public hearings on any proposed tobacco sales regulation.

We knew it would be important to communicate with and educate retailers so we notified them via email, United States Postal Service mail, and in-person visits to every single retailer, to explain the proposed policy and share information about the upcoming public hearing.

We enlisted advocates - - including Subject Matter Experts such as physicians, school nurses, guidance counselors, attorneys, and others and most importantly local residents.

Then there were the Public Hearings – again, not required but recommended. The hearings were well-attended by retailers, distributors, trade association execs, tobacco industry representatives, as well as “citizens for smokers rights”, all who testified against the policy, and advocates who testified in support. Written testimony was also accepted. Followed by a BOH vote, and post-policy retailer education.

For the first year of policy I’ll be focused on retailer education, making sure store clerks understand the change from age-restricted purchase to birth-date cut-off before assessing penalties. I’m happy to report that so far it seems to be going well. When I question owners and staff they can readily tell me how they check ID’s. They no longer calculate whether someone is 21 or not. They just look to see if the purchaser was born before 2004. Before 2004, it’s okay to sell. 2004 or after, no sale.

There are currently have seventeen municipalities that have adopted NFG, one by town by-law, one by city ordinance, and the rest by BOH regulation. More than 500,000 Massachusetts residents are now covered by NFG. That’s terrific progress for a brand-new, groundbreaking regulation like NFG.

But we need more cities and towns help us reach that critical mass that will ensure state legislators consider this policy in a positive light despite pushback from the industry.

What is that pushback? In the interest of time, I’ll leave you a couple of handouts - - a one-page description of NFG plus an FAQ that answers many of the pushback arguments.

I also have a flyer that has a QR code that will take you to the Northeastern University Public Health Advocacy Institute landing page where there's more information on NFG.

That's the good news. We have had a couple of disappointments.

While six of my communities passed NFG (and were the first Boards of Health in the world to do so), one didn't. They tabled it so it **wasn't a no vote**, but the board chair wants to push this to the City Council. He starts every meeting with "I'm retailer friendly". This is a Public Health policy. I believe that the decision and authority rests with the Board of Health.

One municipality, Peabody, took input from retailers and distributors and made the decision to allow them to police themselves. I'm not a fan of self-regulation. We'll see how that goes.

And one town, Bellingham, went the Town Meeting route. I highly discourage that approach. Most Boards have very knowledgeable members. Members who will listen, research, and very thoughtfully consider the pros and cons of such a policy. In a town meeting environment, all you need is for one town meeting member to stand up and shout something about being denied the freedom of choice and it's over.

I've covered a lot. I'll finish with: Our goal was never to just have some Massachusetts municipalities adopt this policy. We want to see it spread across the state. Bills have been filed in both the Massachusetts Senate and House. There was a public hearing at the State House July 15th and there will be more.

Lastly, I have a handout that provides information about tobacco policy progress in the rest of the country and around the Globe. This is a movement! And it's gaining traction. I'm proud to say, Massachusetts is

once again a leader in tobacco and nicotine addiction prevention.
Other states look to us to see what we're doing.

Thank you! I hope we have time for questions.