

From: Chris Bostic <bosticc@ash.org>
Sent: Jan 17, 2025 15:15:32.000000000 UTC
Subject: RE: NFG bill
To: Buzby, Maureen <mbuzby@CityofMelrose.org>

Hi Maureen,

I was chatting with Tim McAfee, and he pointed out a potential Trojan horse in the language. Since CTP is “approving” ENDS for the market, the industry may argue that this passes the hurdle in the MA language and therefore those products can be sold. He and I agree that this is a longshot, but given the U.S. Supreme Court (which I believe would have ultimate jurisdiction), it is not impossible. But there appears to be an easy fix – if they are interested.

"shall not include a product that has been approved by the United States Food and Drug Administration for the sale of or use as a tobacco cessation product or for other medical purposes and is marketed and sold or prescribed exclusively for the approved purpose."

To

"shall not include a product that has been approved by the United States **Center for Drug Evaluation and Research (CDER)** for the sale of or use as a tobacco cessation product or for other medical purposes and is marketed and sold or prescribed exclusively for the approved purpose."

CDER approves things to be sold as medicine, so CTP's approval for e.g. Zyn would not be approved by CDER.

On a separate topic, I'm having my first chat with a national group today to find out how we can get them off their butts.

Cheers,

Chris

From: Buzby, Maureen <mbuzby@CityofMelrose.org>

Sent: Thursday, January 16, 2025 3:10 PM

To: Chris Bostic <bosticc@ash.org>

Subject: RE: NFG bill

Purely my take:

This will take two years. At least.

Our informal goal is to get an additional 30 municipalities this year. Some think we need at least 75 cities and towns and/or 50% of the state's population covered by this policy before it has a chance in the state legislature.

I think 30 is a pretty heavy lift. But then again, I wasn't sure we'd get to double digits last year. So who knows.

I'd like to see us add environmental impact to our arguments for NFG.

That might stir up additional interest from those we haven't convinced yet.

We saw new organizations join the opposition recently. I think the tobacco industry will be better organized and push back even harder than it already has.

The robo emails to municipal leaders is a big concern. We just do not have the bandwidth now to compete with what the industry can do. No support from TFM, TFK, American Heart, American Cancer, American Lung, Mass Medical Society, and others. We need more state and national organizations to throw their support behind this. It took almost two years for MTCP (Mass Tobacco Cessation and Prevention , a division of DPK) to move. We don't even have statements of support from MMA (Mass Municipal Association), MHOA (Mass Health Officers Association), and MAHB (Mass Association of Health Boards) yet.

I think there are too many people who think we can't walk and chew gum at the same times. I think some people think if we work on NFG we won't/can't work on other policies (permit cap and other local policies that are not yet state law). I also think some people are getting sidetracked by Zyn. We have communities looking at restricting pouches to adult only stores. Or restricting the nicotine content in pouches. Or adopting a minimum price. Those are great ideas but they are just more band aids until the next new product.

More than you asked for. 😊

Maureen

From: Chris Bostic <bosticc@ash.org>
Sent: Thursday, January 16, 2025 2:16 PM
To: Buzby, Maureen <mbuzby@CityofMelrose.org>
Subject: RE: NFG bill

There it is, thanks! Thanks for joining the webinar today, too.
Are you hearing any indication of whether the state bill has legs?
Chris

From: Buzby, Maureen <mbuzby@CityofMelrose.org>
Sent: Thursday, January 16, 2025 12:18 PM
To: Chris Bostic <bosticc@ash.org>
Subject: Fwd: NFG bill

FYI. Timely announcement.
Sent from my iPhone

Begin forwarded message:

From: "Reynolds, Emily (SEN)" <Emily.Reynolds@masenate.gov>
Date: January 16, 2025 at 11:10:08 AM EST
To: "Buzby, Maureen" <mbuzby@cityofmelrose.org>
Cc: lisa.phillips@cancer.org
Subject: Re: NFG bill

Good morning,

Senator Lewis has filed SD1317 An Act to create a nicotine free generation. It is available [online](#) and I am attaching a copy. It will likely be assigned to committee sometime in March.

Please reach out at any time if you have any questions or our office can be helpful in any way.

Best,
Emily

Emily L. Reynolds
(she/her/hers)
Senior Policy Counsel

Office of Senator Jason Lewis, 5th Middlesex
Statehouse, Room 511-B
(617) 722-1206 Ext. 1298
Emily.Reynolds@masenate.gov

From: Buzby, Maureen <mbuzby@CityofMelrose.org>
Sent: Thursday, January 9, 2025 12:20 PM
To: Reynolds, Emily (SEN) <Emily.Reynolds@masenate.gov>
Cc: lisa.phillips@cancer.org <lisa.phillips@cancer.org>
Subject: NFG bill

Hi Emily,
Tobacco Free Mass is interested in receiving a copy of the proposed NFG legislation. When it's ready for more public consumption, would you please send a copy to Lisa Phillips, Exec Director of TFM. Lisa is copied on this email.
Many thanks,
Maureen

Maureen Buzby
Regional Tobacco Prevention Program
562 Main Street
Melrose, MA 02176
781-979-4158

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