

From: Anthony Ishak <aishakpharmd@yahoo.com>

Sent: Mar 07, 2025 03:02:20.000000000 UTC

Subject: Re: NFG in Amherst: Positive News

To: Ken Elstein <kenelstein@gmail.com>; Jonathan Winickoff <jwinickoff@mgh.harvard.edu>; Bonny Carroll <bcarroll@somervillema.gov>; Thomas L. Savage <tlsavage@mgh.harvard.edu>; Ginny <ginnychadwick@brandeis.edu>; MD <jlmacdonald@mgb.org>; Diane Stover-pepe <stoverd@mskcc.org>; Zachary Rich <zachary.rich@bmc.org>; Sigalle Reiss <sreiss@brooklinema.gov>; Mark Gottlieb <mark@phai.org>; Chui, Anthony <achui@cityofmelrose.org>; Gregory Sawicki <drsawickiboh@gmail.com>; mchouhms@gmail.com <mchouhms@gmail.com>; Isabel Tashie <isabeltashie@gmail.com>; Heather Warner <hwarner@collaborative.org>; Kate Silbaugh <kbsilbaugh@gmail.com>; Kristen Hoag <khoag@belchertownps.org>; Buzby, Maureen <mbuzby@cityofmelrose.org>

Outstanding work Ken!

I have added it to our prospects tab on the spreadsheet.

Google maps tells me it is 2 hours on a good evening to get to Amherst so i doubt I will be at the in-person meeting. I plan to send a letter once we have the info needed.

As for the question of fines, in general our group should focus on NFG and let the municipalities, professional people and tobacco control people chart that course and speak as specialists in that topic. We don't want to confuse things, our focus is NFG implementation. Otherwise, it become easier for opponents to say that we are anti-tobacco and paint us as a larger threat.

For the birthdate, I would propose 7/1 or 8/1 that should be enough time to educate businesses and before schools are back in session. Let's have the school year start off right. January 1 should be a safety net not a trampoline.

On Thursday, March 6, 2025 at 09:37:20 PM EST, Buzby, Maureen <mbuzby@cityofmelrose.org> wrote:

Ken, you worked your magic once again. Thank you and congratulations.

April 3rd is also KBD or ENUFF Day at the State House. I would be happy to drive out to Amherst after our event if that would be of any help. But it sounds like a Public Hearing would not be at their regular monthly meeting but a separate date, right?

Meanwhile, I need to think about all your questions. Hopefully Mark will answer them and I won't need to think any more today!

I'm having coffee with a Somerville businessperson tomorrow morning hoping to get her to speak at Somerville's hearing the 20th. 😊

MB

From: Ken Elstein <kenelstein@gmail.com>

Sent: Thursday, March 6, 2025 7:14 PM

To: Buzby, Maureen <mbuzby@cityofmelrose.org>; Jonathan Winickoff <jwinickoff@mgh.harvard.edu>; Bonny Carroll <bcarroll@somervillema.gov>; Thomas L. Savage <tlsavage@mgh.harvard.edu>; Ginny <ginnychadwick@brandeis.edu>; MD <jlmacdonald@mgb.org>; Diane Stover-pepe <stoverd@mskcc.org>; Zachary Rich

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Subject: NFG in Amherst: Positive News

Tonight I attended the in-person-only meeting of the Amherst BoH. Since I was the only person who signed up for "Public Comment", I was able to speak longer than I had planned. The Tobacco Regulation agenda item was intended to discuss only their previous proposals, which includes updating their basic document and perhaps regulating nicotine pouches. Because we "flooded the zone" at the February public hearing regarding NFG, it became a separate topic for discussion.

The board members asked me several questions. They all agree on the dangers of nicotine addiction, and how it starts below age 21 and then continues for a shorter lifetime. They now all understand, after our explanation, that there will be no financial cost to the Town for attorneys if there is a lawsuit.

So, they want to know about pushback. I was able to say I have not heard a single word from the public against NFG in Belchertown since it was implemented on January 1st. There is some concern about the national political environment and whether they should create a new issue for those who oppose all regulations. This is a recurring concern from our natural allies.

Nevertheless, they DID VOTE UNANIMOUSLY to put NFG on the agenda, probably at their April meeting, after a public hearing devoted solely to NFG. (They also will decide which nicotine pouch regulation to implement at the same meeting, but it will not be a topic for the public hearing.)

Heather and Kris: There was special interest in hearing from young people. We need to put together a group from Amherst Regional HS to testify at the public hearing. We could also bring the Belchertown kids in as well. (I cannot attend, but they know what I think.)

Mark: They may not be aware of this, but there will be a need for them to think about some other issues in the legal language. This may be best left to Lisa Stevens-Goodnight, but you may need to get involved.

1. What date do they choose? We have encouraged towns to take a "future date" that will have no one losing their current eligibility. This meant that the 2024-enacting-towns chose January 1, 2004. Brookline originally used January 1, 2000, so it is already inconsistent. Perhaps they might want May 1, 2004. But when I suggested that on Monday in their neighboring town Leverett, I was asked why they could not use January 1st as well. This is a decision they need to make. We could recommend something consistently, like a birth date 252 months (=21 years) before a town's implementation date. Or whatever a board thinks is best.
2. Then there is the question of penalties, which has come up elsewhere. Should the penalty for selling to a 16-year-old be the same as selling illegally to a 24-year-old? I would not bring it up, but it is something our movement might want to think about. (I was asked what NFG would look like in 50 years. I calculated my age in 50 years (to laughter), but one board member pointed out the good thing that her children would never be able to buy nicotine in Amherst.

In any case, a good evening, with homework assigned to us. Pencil-in April 3rd if they meet on the first Thursday of the month.

--Ken

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