
Fw: Opposition to the Proposed Nicotine-Free Generation (NFG) Policy

From Lewis, Barry <BLewis@yarmouth.ma.us>

Date Wed 11/26/2025 12:18 PM

To Niederberger, Riley <RNiederberger@yarmouth.ma.us>; Provos, Sara <SProvos@yarmouth.ma.us>; Whritenour, Robert <RWhritenour@yarmouth.ma.us>; chad@thevapeaway.com <chad@thevapeaway.com>

Cc Grylls, Mark <mgrylls@yarmouth.ma.us>; Boskey Hillard <hillard.boskey@gmail.com>

Riley lets make sure this business owner has all the information for them to be able come in or zoom into our meeting. I want to make sure all voices are heard on this subject.

Thanks

Barry

From: chad thevapeaway.com <chad@thevapeaway.com>

Sent: Wednesday, November 26, 2025 12:12 PM

To: Polite, Erica <EPolite@yarmouth.ma.us>

Cc: Selectboard <Selectboard@yarmouth.ma.us>; Whritenour, Robert <RWhritenour@yarmouth.ma.us>; Lewis, Barry <BLewis@yarmouth.ma.us>

Subject: Opposition to the Proposed Nicotine-Free Generation (NFG) Policy

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Opposition to the Proposed Nicotine-Free Generation (NFG) Policy

To whom it may concern,

I am writing to express my deep concern regarding the proposed Nicotine-Free Generation (NFG) policy in our community. As the owner of **The Vape Way**, an adult-only (21+) retailer in Massachusetts, I have experienced firsthand the significant impact of previous state-level tobacco and vaping regulations. I respectfully urge you to oppose this new proposal.

In 2020, Massachusetts enacted one of the strictest tobacco control laws in the country, banning all flavored tobacco and vaping products, including menthol as well as imposing a 75% wholesale tax. As a result, our store was restricted to selling only "tobacco-flavored" or "unflavored" products. Hundreds of items were removed from our shelves. Many other vape and tobacco shops across the state were not able to survive these changes, especially as consumers could simply cross state lines to purchase the products they wanted without paying additional taxes.

Despite these challenges, we complied fully and continued to operate responsibly as a 21+ establishment. Retailers like us take age-verification seriously and have a long-standing record of preventing sales to minors. **Since opening in Hyannis back in 2015 we have not received ANY violations regarding a sale to a minor or the sale of a prohibited product.**

Now, with local towns proposing a Nicotine-Free Generation policy, we face a new and unnecessary threat. **Where does this end?**

Congress, the FDA, and the Massachusetts Legislature have already determined that 21 is the appropriate minimum age to purchase nicotine products—the same standard applied to alcohol, cannabis, and gambling. Massachusetts has also already banned flavored products statewide. Raising the age even further for future generations is unwarranted and creates a confusing and inconsistent regulatory landscape.

The consequences of such a policy are predictable:

- A significant increase in cross-border sales, as adults simply travel to nearby towns—and especially to neighboring states—for the products they want.
- A substantial decline in revenue for responsible local retailers, who are already operating under some of the strictest regulations in the country.
- A thriving illicit market, which we have already seen grow following the flavor ban, as evidenced by large increases in illegal vape product seizures reported in recent years.

Policies like the NFG proposal do not stop adult consumers from obtaining nicotine products—they only shift sales away from regulated businesses and toward unregulated or out-of-state markets.

Ultimately, restricting legal adult choices by prohibiting entire birth cohorts from purchasing a legal product is fundamentally wrong. It infringes on personal autonomy, harms responsible small businesses, and fails to achieve the intended public-health outcomes.

For these reasons, I strongly urge you to vote against the Nicotine-Free Generation policy.

Thank you for your attention and consideration.

Sincerely

Chad Perry
The Vape Way
11 Enterprise Rd, Hyannis, MA 02601
617-797-9607

The failure of Massachusetts' tobacco flavor ban. Data shows a surge in illegal vape seizures from 71,746 in 2022 to 308,100 in 2024.'

<https://reason.org/commentary/massachusetts-tobacco-flavor-ban-failure/>

Reason.org - March 24, 2025