



AMERICANS
for TAX REFORM

March 18, 2020

Office of Governor Ron DeSantis
The Capitol, State of Florida
400 S. Monroe St
Tallahassee, FL 32399

Re: Veto Senate Bill 810

Dear Governor DeSantis,

I write today to urge you to veto Senate Bill 810, legislation that would ban a vast majority of the reduced risk alternatives to cigarettes available to adult consumers in the state of Florida. If signed, this legislation would destroy small businesses and result in higher smoking rates, a loss for economic productivity and human lives.

A 2019 analysis of U.S. Department of Labor data showed that small tobacco and vape shops were the fastest growing segment of the retail industry nationwide, the biggest small business success story in the country over the last decade. In Florida alone, the nicotine vapor industry employs more than 10,000 Floridians. **A ban on flavored products would kill over 4,500 jobs, eliminate \$186.6 million in employee wages, and reduce economic output by \$605.6 million, according to an analysis conducted by John Dunham & Associates.**

The biggest achievement of SB 810 is that it protects the bottom line of tobacco companies who will sell more cigarettes. That should not be the objective of your administration. Adult consumers who choose to smoke should be free to do so. Those very same adults who attempt to quit smoking should have a diverse selection of alternatives that may help them reduce or eliminate their use of cigarettes.

Not only are e-cigarettes twice as effective at helping smokers quit as traditional nicotine replacement therapies like the nicotine patch or lozenge, but flavored vapor products are essential in the quit journey of so many adult smokers. Limiting adult choices to only those products that may remind them of the flavor of cigarettes will do little to transition them to reduced risk alternatives. We know that adults not only like flavors but need them to successfully quit, evidence found in national adult preference surveys like those published in the journal Harm Reduction, which found that over 80% of adults prefer flavored vapor products over traditional tobacco or menthol ones. For adult smokers who can begin to make the switch, the evidence suggests that it's a significant improvement for one's health. **In fact, the Royal College of Physicians and Public Health England has concluded that vaping is at least 95% less harmful than smoking cigarettes.**

The risk reduction potential of e-cigarettes may partially explain why the adult consumers who use them feel so passionate about preserved access to the products. **A survey conducted in October of adult vapers by Trump's well-respected campaign pollster John McLaughlin in Florida found that 82% of adult vapers are single-issue voters on policy issues surrounding vaping.** According to the Centers for Disease Control and Prevention, there are over 900,000 adult vapers in the Sunshine State, 740,000 of which may determine who they vote for in the next election on questions surrounding vaping above any other issue. That survey showed that 98% of Florida vapers oppose the flavor ban in SB 810, with 96% of Republicans and 95% of Independent vapers saying that they are "less likely" to vote for a Florida candidate if they support a flavor ban.

When it comes to the regulation of the nicotine vaping industry, the Food and Drug Administration has already taken aggressive steps to oversee the manufacturing and sale of products in the U.S. Every legal nicotine vapor product in the country must undergo a lengthy pre-approval process by this May, based on rules established in 2016 by the Obama administration. States are already preempted from establishing their own product standards and the FDA is best suited to regulate the industry at a national level.

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Florida need not intervene in the FDA's regulatory review process by enacting 1920's-era prohibition that is not guided by any sort of product-specific and evidenced-based standard.

This is the sort of legislation that Mike Bloomberg has salivated over for months, fortunately finding little to no traction in Republican-run states elsewhere. In September, Bloomberg injected \$160 million into activist organizations pushing for a flavor ban like the one contained in SB 810. He wasn't able to buy the presidency and he shouldn't be allowed to buy the public health narrative in America.

I urge you to veto Senate Bill 810, which would limit adult consumer choices, kill jobs, and harm public health. If you have any questions or if ATR can be of assistance, don't hesitate to contact me or Paul Blair, ATR's director of strategic initiatives, at pblair@atr.org or 202-785-0266.

Sincerely,



Grover Norquist
President
Americans for Tax Reform