



November 11, 2014

Westminster Board of Health

Dear Board Members,

I write today in opposition to the proposed prohibition on a wide range of tobacco and non-tobacco products like e-cigarettes. **Last Tuesday's elections should have made clear that people, including residents of Massachusetts, are sick of being told that the government knows best.** This latest hostility to consumer choice and personal freedom will send a signal to a wide range of small businesses: "Westminster is closed for business." This proposal should be rejected outright.

A prohibition on the sale of tobacco products will do little to curb smoking in Westminster; it will, however, hurt small businesses that sell these products within the town's limits. Consumers constantly demonstrate that they are willing to purchase cigarettes in less expensive markets. **An outright ban would have the immediate effect of ensuring that consumers simply purchase cigarettes in border-towns, with little to no impact on public health.**

Banning the sale of tobacco products won't only affect the tobacco product portion of small businesses' bottom lines; it will also affect other store product sales. Consumers often purchase tobacco while picking up other groceries like milk, eggs, or checkout aisle snacks. There is no reason that a tobacco consumer who will be driving to a neighboring town will not also purchase these essential items while in those stores as well. **This means Westminster businesses will lose money and ultimately lose jobs.**

New Hampshire's cigarette tax is \$1.73 per pack less than Massachusetts. If Westminster bans cigarette sales, it wouldn't be unreasonable for consumers to make the short trip north and purchase cigarettes in bulk, costing Massachusetts revenue while doing nothing to curb smoking rates in the town.

It is extremely troubling that e-cigarettes have been lumped into this prohibition as well. Taking aim at e-cigarettes works at cross-purposes with efforts to cut down on the harm associated with tobacco use. **A number of studies have shown that electronic cigarettes stand to improve health and prevent disease.** By choosing to "vape" e-cigs instead of smoking traditional tobacco, consumers get their nicotine fix without the combustion and smoke, which are responsible for many of the negative health effects of tobacco cigarettes.

With e-cigarettes, the free market has provided a solution to a problem that social engineers have not been able to address through stiff government regulations. **An outright ban on the sale of these innovative products that reduce smoking and people's dependence on tobacco cigarettes is misguided and will impede proven harm reduction methods.** E-cigarettes and vapor products provide consumers a viable and harmless alternative to traditional tobacco products.

The proposed prohibition on these products is nanny statism at it's worst. Not only will the proposal fail to achieve the goal of reducing tobacco use, it lumps an effective smoking cessation device – e-cigarettes – into the ban as well. As such, I would urge the Board of Health to reject this bill.

If you have any questions about ATR's position on this issue, please contact state affairs manager Paul Blair at 202-785-0266 or by email at pblair@atr.org.

Onward,

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