



June 24, 2020

The Honorable Adam Gray
Chair, Assembly Governmental Organization Committee
1020 N Street, Rm 360A
Sacramento, CA 95814

RE: SB 793 (Oppose Unless Amended)

Dear Assemblymember Adam Gray:

On behalf of the Premium Cigar Association, representing 222 specialty stores in California and thousands of premium cigar and premium pipe tobacco consumers, we thank you for your leadership and action in response to the youth vaping epidemic. We are, however, concerned that in addressing this challenging epidemic, our members may be inadvertently caught in the crossfire.

Premium Cigars & Pipe Tobacco Are Sold in Adult Specialty Stores

As professional tobacconists, our brick-and-mortar retail members sell premium cigars, premium pipe tobacco, as well as cigar and pipe accessories at adult brick-and-mortar retail establishments. Our members are predominately family-owned businesses with five to seven employees. The premium products they sell are not sold in convenience or non-specialty stores frequented by youth because they are expensive and highly perishable, requiring special care and storage in a controlled, humidified environment.

Premium Cigars Are Not Mass Produced or Convenient for Mass Consumption

Unlike mass produced tobacco products, a premium cigar is handcrafted, takes 3 to 5 years to produce, and is comprised of 100% natural whole tobacco leaf, water, and natural vegetable gum. Much like coffee or fine wines and spirits, premium cigars and pipe tobacco are luxury products described with tasting notes. Both premium cigars and pipe tobacco are artfully blended to create unique products and experiences for adult enjoyment, often for celebratory purposes over a period of an hour or more. Neither product contains chemical additives like vapor or many mass-produced tobacco products and cannot be consumed quickly or discreetly.

Premium Cigars and Pipe Tobacco Are Not Consumed by Youth

The recent Health Committee informational hearing on "The Rise in Vaping: Health Impacts and Reducing Use" made plain that premium cigar and pipe tobacco aficionados are not SB 793's target consumer. Two seminal studies, the NIH/FDA PATH Study and JAMA Longitudinal Mortality study, demonstrate that premium cigars do not fit the profile being targeted here: youth access, flavoring targeted toward children, frequency of use and addiction, health risks, and easy access.



The average age of an individual's first premium cigar is 30 years old – compared to 16.7 years old for cigarettes. In the recent informational hearing, testimony suggested that vapes are apparently being abused by teens well below that age. The average premium cigar consumer smokes 1.2 days out of every 30 compared to 29.6 days out of 30 for cigarette smokers. Testimony in the informational hearing suggested that young teens were ingesting up to four vape pods daily, with each pod containing the amount of nicotine found in an entire pack of cigarettes. Lastly there is no statistically significant increase in risk for smoking-related diseases can be found between non-daily premium cigar smokers and non-smokers in general and there is no meaningful correlation between premium cigars and cigarette smoking.

Summary

For all of the reasons stated above, we do not believe that premium cigars and pipe tobacco are the intended targets of this bill. The broad language in SB 793 extends far beyond banning flavored vapes being marketed to and used by youth. With vast room for interpretation, SB 793 also bans premium cigars and pipe tobacco which are sold by our members in adult premium cigar and pipe tobacco specialty stores. **We must therefore respectfully oppose this bill unless it is amended to address the problem at issue here—flavored nicotine-containing chemicals, designed to appeal to youth, and made to be used in convenient vaping delivery devices.**

Again, we appreciate and support your tackling the problem of flavored vapes designed to appeal to youth.

Respectfully submitted,

Greg Zimmerman
State Committee Chairman

Cc: Members, Assembly Governmental Organization Committee
Eric Johnson, Chief Consultant, Assembly Governmental Organization Committee
Julia King, Republican Consultant, Assembly Governmental Organization Committee