



TOBACCO FREE KANSAS COALITION

Testimony in Support of SB 462 before
The Senate Federal and State Affairs Committee
March 15, 2012
By Mary Jayne Hellebust

Chairperson Brungardt and Members of the Committee,

The Tobacco Free Kansas Coalition, which is represented by more than 200 organizational and individual members, supports SB 462 because it would work in concert with other proven tobacco prevention and cessation strategies to reduce the health and financial damage caused by tobacco use in our state. It would be another tool to keep our Kansas children tobacco free by making some of these known toxic products more expensive to buy.

Although there are many administrative changes in the bill, the major public health components are 1) an increase of the tobacco products tax from 10% to 30% of the wholesale price to make the tax parallel to the tax on cigarettes and 2) making the 79 cent tax imposed on each cigarette pack apply to packs of little cigars sold in the state. Increases in prices have been shown to help people quit or cut back on use. The increases can discourage youth experimentation and continuation of such use. The increases also provide additional revenue for the state.

Little Cigars Are Very Much Like Cigarettes. SB 462 would tax little cigars sold in packs, just as cigarettes are, at the 79 cent excise tax per pack rate for cigarettes. Little cigars look like cigarettes, can have filters like cigarettes, are in packages like cigarettes, are sometimes inhaled like cigarettes, are sold like cigarettes, and are often mistaken for cigarettes or used as replacements for cigarettes. SB 478 identifies these as being like cigarettes for taxing purposes. Even though these littlest of cigars come with warning labels similar to those on cigarettes, they have several incentives for youth use. **They come in youth-friendly flavors such as grape and strawberry. And they are cheaper than brand name cigarettes.** They can cost anywhere from \$1.39 to \$3.89 compared to a brand name cigarette pack costing up to \$5.00. High school boys in Kansas have a cigar prevalence rate of 16.7% (for cigars, cigarillos or little cigars) even though the illegal sales of tobacco to Kansas minors is now at 8%. In the United States, the sale of little cigars has increased by 240% between 1997 and 2007.

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Tobacco Products Tax Currently at the 1972 Original Rate. By adjusting the tobacco products tax from 10% to 30% of the wholesale price, **Kansas can put cigarette and tobacco products on a parallel tax basis.** This increase is especially important in light of the expansion and marketing of a variety of new smokeless tobacco products designed to be cheaper than cigarettes or designed for dual use so that more people will maintain an addiction to both cigarettes and tobacco products. The adoption of SB 478 would provide some additional revenue to the state of Kansas, deter Kansans, especially young Kansans, from using little cigars as cheaper but unhealthy replacements for cigarettes, and enhance efforts to reduce tobacco use prevalence in Kansas.

Impact on Youth. Data from the Kansas Department of Health and Environment shows that Kansas youth smoking rates for cigarettes have declined 45% since 2000, while the rate for smokeless tobacco for boys has remained constant over that same period of time. According to the Kansas Youth Tobacco Survey of 2010, the smokeless tobacco rate for Kansas boys has remained at the 15% level for over ten years. Tobacco companies are continuing their research into tobacco products that are geared to attract and sustain users, including the Marlboro and Camel snus packs and the Marlboro and Skoal tobacco sticks that youth can disguise as toothpicks. The tobacco sticks are currently being test marketed in Kansas through a chain of convenience stores that are primarily in rural areas.

Health Consequences of Tobacco Products. The use of tobacco products is harmful and it can be deadly. They contain about 30 known cancer-causing substances. They can cause oral cancer, gum disease, and nicotine addiction that can lead users to other tobacco product use including cigarettes. And the impact on teeth and gums is not only unhealthy but also unsightly. The idea that these products can be claimed to be “healthy” or safer is a farce. Poison is poison, although the dosage may vary by product with differing health results dependent on the individual consumer.

Dual Use of Cigarettes and Smokeless Tobacco. Some claim that illness and death can be reduced if smokers switch to smokeless tobacco or the new varieties of snus. However, often these other forms of smokeless tobacco are used when cigarettes are not allowed, and in many cases these products easily lead to dual use of cigarettes and other tobacco products—surely a benefit to tobacco companies which are then able to benefit from the profits from both areas. The nicotine addiction is the same for smokeless tobacco and for cigarettes. Again as with any tobacco product, the smokeless tobacco user who ends up with missing teeth or developing oral cancer is the ultimate loser in this battle of addiction.

We urge passage of SB 462 because of its public health benefits to both the adults and the youth of Kansas.