

My name is Ronald Parisi, and I am the Director of Marketing and Compliance for an independent, family-owned US manufacturer of vaping products.

I come before you today representing the millions of adult smokers across the United States who have successfully transitioned away from traditional tobacco smoking through the use of vaping. I myself am one of those former smokers who quit thanks to vaping. I urge you to carefully consider the implications of HB 2801, commonly referred to by the public as the "Protect Big Tobacco Bills".

If this bill passes, the winners will be Big Tobacco and Combustible Cigarettes, while the losers will be adult smokers seeking to transition to safer products. It is imperative that we consider the consequences of this legislation on public health and individual freedoms.

Numerous studies have highlighted the significant benefits of electronic cigarettes and vaping for adult smokers seeking a less harmful alternative. A recent trial published in the New England Journal of Medicine demonstrated that 60% of adult smokers were able to quit traditional cigarettes with the aid of e-cigarettes and vapes, making it one of the most effective methods for achieving long-term smoking cessation. In the words of the New England Journal of Medicine:

"It is now time for the medical community to acknowledge this progress and add e-cigarettes to the smoking-cessation toolkit."

Over the past 20 months, the FDA has authorized over 900 combustible tobacco products through the SE pathway, while not granting authorization to any vaping products within the same period. Despite their known risks, combustible products do not face the same stringent requirements for demonstrating public health safety as vaping products do. Dr. Brian King, Director of the FDA's Center for Tobacco Products, has acknowledged that while e-cigarettes are not risk-free, they are significantly safer than traditional combustible cigarettes.

Furthermore, a recent ruling by the Fifth Circuit court in Triton vs. the FDA found the FDA's PMTA process to be "arbitrary and capricious." The court concluded that the FDA attempted to conceal its errors with post hoc justifications and failed to provide fair notice to manufacturers. As more circuit courts rule in favor of vaping manufacturers, it becomes evident that the PMTA process is unduly burdensome and designed to favor

big tobacco companies. Consequently, the only vaping products authorized by the FDA are those manufactured by big tobacco.

While the FDA claims to have authorized 26 vaping products, it's important to note that this figure includes individual components rather than complete systems. Should the proposed registry bill pass, Kansas consumers would have access to only six vaping products, limiting their freedom of choice in seeking legal safer alternatives to combustible cigarettes.

By enacting this legislation, Kansas risks sending a message to consumers that vaping products are more hazardous than traditional combustible cigarettes. This misguided perception could lead to more adults continuing their deadly smoking habits without the opportunity to transition to safer alternatives like vaping.

Thank you for your attention and consideration of these critical matters.

Sincerely,

Ronald Parisi