



6 May 2019

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HB 166 - Interested Party Testimony  
Ohio House Finance Committee

As advocates for a healthier Ohio, the American Heart Association applauds the Governor, Department of Health, and the Ohio House of Representatives for taking an interest in amending public policy that takes into consideration the means necessary for Ohioans to lead healthier lives. The major points of interest for the AHA include the proposed increase in the legal age of sale for tobacco and vaping products from 18 to 21; and support for the Healthy Food Financing Initiative (line item 600546), a program intended to support healthy food access in underserved communities in urban and rural low and moderate income areas.

A recent US Department of Agriculture study revealed that Ohio is third in the nation for food insecurity. This means that thousands of Ohio families are forced skip meals or eat less because they don't have access to or enough money to buy healthy food. Other studies have shown that people who are food insecure suffer from more illnesses and poor health, have a higher stroke risk and increased rates of diabetes and high blood pressure. This effort, in collaboration with the Finance Fund, promotes healthy food financing and corner store programs in Ohio. We support this effort because ultimately, providing healthy food options to all Ohioans is a win for everyone in our state. In order to see a substantive impact on the health and wellbeing of Ohioans in greatest need of food access around the state, AHA and our partners are respectfully requesting no less than \$3M in GRF support across the upcoming FY2020-2021 biennium – the program is currently funded at \$150,000 in each year of the Biennium. These funds will provide direct loans, in addition to grants, and/or forgivable loans to establish, renovate, and expand permanent facilities for the sale of healthy foods in communities currently underserved by these facilities.

The AHA is supportive of an increase in the legal age of sale for tobacco and other nicotine-laden products but we urge this Committee and its colleagues in the Ohio Legislature to strengthen the language beyond what was amended in the Substitute version of HB 166. We believe that the skeletal changes found in the as-introduced version of HB 116 required additional clarification and substance for them to be truly effective. Specifically, we ask that the Committee consider supporting amendment HC1923, which amends the language further to remove youth penalties; ensure that enforcement mechanisms are in place; ensure penalties for underage sale are placed on the retailer, not the purchaser (unless false identification was provided); add the "vape shops" to the same licensure and tax provisions as the traditional tobacco retailers; and empower municipalities to pass stronger laws on this issue if they choose to do so.

Tobacco 21 laws are impactful because people between the ages of 16 to 21 who experiment with tobacco, often because their friends do it, often progress to daily users. These years are a time when the developing brain is highly vulnerable to nicotine's effects. Exposure to nicotine during this period may result in permanent neurological receptor changes that can lead to a lifetime addiction and its resultant illnesses. Research shows that 95% of adult smokers began before the age of 21 and 80% of new smokers are under age 21. By delaying initial use, Tobacco 21 laws increase the chance that individuals will not become daily users thereby decreasing their disease risk.

We know the national smoking rate is decreasing (Centers for Disease Control and Prevention estimates that **14 percent** of adults smoke), Ohio's rate is increasing (currently at **22.5 percent**, according the Ohio Department of Health). With the nation's 8th highest smoking rate, Ohio is on the wrong path. Alarming, nearly one in four Ohioans are smokers, more than one in five high school students currently smoke, and 11,900 more Ohioans will become daily smokers this year.



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Additionally, vaping, or e-cigarette use, is as much of an epidemic among Ohio youth as it is across the country. The Federal Drug Administration recently referred to the trend of e-cigarette use by young people as “simply not tolerable,” and it undertook its largest enforcement effort in history by working to ban flavored products and the use of animated characters to curtail marketing strategies targeted at youth. Data found in the 2018 National Youth Tobacco Survey shows that kids using e-cigarettes are going to be more likely to try combustible cigarettes later in life. We therefore applaud that the changes to this law include e-cigarette products within the legislation’s definitions.

We hope the State of Ohio will join the 23 communities here, and hundreds of municipalities across the country and strengthen the proposal found in Substitute HB 166.

Thank you for your time and consideration of our policy suggestions and requests.