



March 14, 2019

Senator Jerry Hill  
State Capitol, Room 5035  
Sacramento, CA 95814

**RE: SB 38 (Hill) Flavored Tobacco Products**  
**AAP-CA Position: Support**

Dear Senator Hill:

The American Academy of Pediatrics, California (AAP-CA) representing the over 5,000 board-certified pediatrician members of California AAP Chapters 1, 2, 3 and 4 statewide, strongly supports your proposed legislation SB 38 prohibiting the sale of flavored tobacco products.

Tobacco exposure, whether through first, second- or third-hand exposure, is the most important preventable cause of illness, disability, and death among adults in the United States. Tobacco use remains a large problem among adolescents throughout the United States. The developing brains of children and adolescents are particularly vulnerable to the development of tobacco and nicotine dependence.

E-cigarette experimentation and use among US middle and high school students doubled from 2011 to 2012 and has increased significantly since then. Current CDC data predicts that if smoking continues at the current rate among youth in this country, 5.6 million of today's Americans younger than 18 will die early from a smoking-related illness, that's nearly one of every 13 Americans aged 17 years or younger alive today.

Flavored tobacco products are often a gateway to harder nicotine use. Flavored cigarettes, except for menthol, are banned under Federal Law, but these rules do not apply to other tobacco products like e-cigarettes, cigars, and cigarillos. Flavored tobacco products like cotton candy, bubble gum, and mango that mimic popular candies, drinks, and snacks are particularly appealing to youth and are now widely available.

SB 38 would prohibit a tobacco retailer from selling, offering for sale, or possessing with the intent to sell or offer for sale, a flavored tobacco product. The bill would authorize an enforcing agency to assess civil penalties under the Stop Tobacco Access to Kids Enforcement (STAKE) Act for a violation of this prohibition. By reducing the appeal of tobacco products through the elimination of flavoring, we may ameliorate the negative short-term and long-term health consequences to our youth, related to smoking and tobacco use. Pediatricians across the state of California strongly support SB 38. Thank you for your public service and leadership on behalf of the health and wellbeing of children, youth, and families in California.

Sincerely,

Katherine Williamson, MD, FAAP  
Governing Board Member  
American Academy of Pediatrics, California  
cc: AAP-CA Leadership; Lobbyist Lydia Bourne, Senior Policy Analyst Gabriel Devlin