



April 21, 2020

Honorable Ron DeSantis
Office of Governor Ron DeSantis
The Capitol, State of Florida
400 South Monroe Street
Tallahassee, Florida 32399

Re: *Veto Senate Bill 810 and Save 4,500 Jobs and 800 Small Businesses*

Dear Governor DeSantis,

I write on behalf the Vapor Technology Association and the more than 800 Florida small businesses which sell vapor products as a safer alternative to combustible cigarettes **asking you to veto Senate Bill 810**. If this bill is signed into law, it will have a disastrous impact on Florida's economy and push adults back to harmful combustible cigarettes while doing nothing to curb youth usage.

If this bill is signed into law, it will have a significant negative impact on Florida's economy. A recent economic impact report¹ prepared by economists John Dunham & Associates, reveals that, **if SB 810 is signed, more than 4,500 Floridians will be put out of work and more than \$186 million in wages and benefits will be lost**. In addition, the report concluded that **SB 810 would result in the loss of \$605.6 million in economic activity in Florida** over and above the losses already created by changes in federal law discussed next.

Importantly, contrary to what you may have been told, SB 810 does nothing to address youth usage and goes far beyond the changes to federal law lead by President Trump to protect youth and protect jobs. Last year, President Trump signed the law raising the purchase age to 21 for both tobacco and vapor products nationally. **Hence, since December 2019, the age to buy vapor products in Florida was 21, making SB 810 unnecessary.**

In addition, earlier this year, the Trump Administration imposed a *partial* federal flavor ban on the "closed" pod-based systems. Hence, all of the products that FDA said were overwhelming used by youth already are banned in Florida. **So, if you sign SB 810, you would be banning all flavors in all vapor products including those that are used by adult Floridians as a safer alternative to smoking cigarettes; the same products sold in hundreds of independently-owned mom and pop small vape shops all over the state.**

¹ Report: [Senate Bill 810's Flavor Ban Will Decimate Florida Small Businesses](#), John Dunham & Associates, March 19, 2020.

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Approximately 1,300,000 adult Floridians use vapor products. Studies demonstrate that adults rely on a wide variety of flavors to quit or reduce smoking. A flavor ban would drive them back to combustible cigarettes, which take the lives of nearly 1,300 Americans every day, or will create a new and burgeoning black market. According to the Florida Department of Health, “28,600 adults in Florida die from smoking (443,000 deaths a year nationwide) every year. For every person who dies, another 20 suffer from one or more serious illnesses from smoking.”²

Shutting down already regulated small businesses which are selling legal FDA-regulated products is the fastest way to create an explosive new black market in Florida.

Fortunately, **there are many alternatives to a flavor ban** that would much more effectively limit youth access and appeal without threatening public health and the economy. **We made great progress in the legislature this year on a comprehensive plan to regulate vapor products, before the flavor ban was belatedly adopted.**

We would like to continue to work with your Administration and the legislature on the many real solutions that should be implemented to achieve the twin goals of restricting youth vaping, *which is already illegal for anyone under 21 in Florida*, and preserving adults choices of the flavored products that they are relying upon to stop smoking.

We would greatly appreciate the opportunity to discuss our concerns and solutions with you and your team in greater detail. I can be reached at (312) 489-6060 or abboud@vaportechnology.org.

Respectfully,



Tony Abboud
Executive Director

² <http://www.floridahealth.gov/programs-and-services/prevention/tobacco-free-florida/index.html>, last accessed April 21, 2020.