

# Smokes On State

440 STATE STREET MADISON, WI 53703

To whom it may concern:

My name is Jason Clark and I am the owner of Smokes On State on State Street in the city of Madison. I reside just north of the city of Madison, but the business that I currently own and operate is located in the dead center of the city and is directly involved with and will be heavily affected by the potential ban of electronic cigarettes(ecigs) that has been proposed. Not only would this ban drastically affect business operations, it would also affect myself as I am a vaper myself. My greatest fear is that the board will pass this ban based on information that is inaccurate and/or untrue and the city of Madison will join other cities in the state that have passed bans on ecigs. There have been studies performed on ecigs and the vapor that is released from the use of them, but they have not been extensive enough to make an informed decision. The studies that have been performed have been cherry picked by those that wish to eliminate this industry in order to convince the public that these are dangerous not only to the user, but also to bystanders. Those of us in the ecig industry have taken offense to the way that these studies have been presented to those in positions to make law changes, because we are being misrepresented through inaccurate and/or untrue statements. We have found that much of the negative information from the studies that have been performed are either directly performed and/or funded by those that seek to see this industry eliminated due to lost revenue from analog smokers making the switch to ecigs. This is the information that is always presented to policy makers to convince them that ecigs are causing problems. If this ban were to pass, the businesses currently involved in the ecig business will now start to lose revenue. We have seen multiple cities pass bans that have used this very information without taking a look at both sides of the issue. We don't want or need the city of Madison to make a mistake like this. Madison needs to set the example and that is going to involve looking at both sides of the issue and utilizing all of the information in the studies and not just the negatives.

Let's break this down...

What the ban is proposing to do is to place ecigs and the vapor released from the use of them in the same category as cigarettes/tobacco and the smoke produced by them. The major difference between ecigs and analog cigarettes is that the smoke resulting from the use of cigarettes/tobacco has 100% been proven to contain harmful particles that can cause problems with both users and bystanders whereas the vapor from the use of ecigs has never been proven to do harm to either the user and/or bystanders. Studies have shown that the particulates in the vapor released from the use of ecigs are almost identical to the particulates that are released from the use of other nicotine products. Therefore, grouping ecig vapor and analog smoke in the same category would be completely ignoring the facts.

Another concern that needs to be addressed is the actual type of electronic cigarette. Some ecigs actually look and feel like real analog cigarettes, whereas the majority of them look nothing like a traditional analog cigarette. When vapers are using products that look nothing like the traditional analog, it is very obvious that they are not "smoking" an analog, therefore there is no question as to what the user is using. On the other hand, when an ecig user is using what are known as "cigalikes", which are very similar to the traditional analog cigarette, others near that user may think that the user is actually using an analog. This has always been a major issue, because the public, who may be uneducated in the ecig industry, automatically assumes that the user is "smoking" and you can surely see where this would make the public uneasy with the continued use of ecigs. What I am trying to say is that the public lumps both analog smokers and ecigs vapers in the same category and this is unfair. Passing the ban would eliminate the question of what the user is using, but the uneducated public in this matter is not a fault of the vapers. If vapers are allowed to continue vaping in public, it will surely expose those smokers to vaping and could potentially lead them to act on the benefits of vaping. Passing this ban would eliminate that exposure.

As a business owner selling ecig products, this ban would severely damage profits by making it illegal for those looking to test or sample flavors containing zero nicotine inside the store. No business wants or needs to lose profits and the city of Madison surely doesn't want that to happen either. The ban would also force vapers, including the employees of the businesses, to go outdoors to vape. This would be giving the wrong impression to analog smokers looking to make the switch to vaping, because it gives the impression that vaping is no safer or healthier than smoking analogs and, again, there is no research showing that vaping is remotely close to being as dangerous as continued analog use. We are very aware that smoking analog cigarettes is very likely to result in

death. In fact, more than 480,000 deaths a year are attributed to both using cigarettes and secondhand smoke. There are no studies that verify deaths due to vaping and the vapor that results from the usage of ecigs. The point here is that if smokers see no reason to switch to vaping, the deaths resulting from cigarette use and secondhand smoke will continue.

One of the biggest issues of ecigs is the concern that the youth are partaking in vaping. I personally take offense to this claim simply because every single one of the vape stores in the city of Madison or the surrounding area ID every person before selling anything to them. In fact, because of the nature of my particular store, you have to present your ID immediately after entering the store. If the youth are truly obtaining ecig products, I can assure you that it is not from the legitimate stores in the area. The talk of flavors that are attractive to youth is absurd simply because they cannot buy them from legitimate stores. It's very difficult, in fact impossible, to obtain anything meant for adults in my stores.

One of the underlying issues at hand is the effort to completely get the user to stop the use of tobacco products as opposed to switching to another form. First of all, vaping is not the same as using tobacco and this can relate back to the comparison of analog smoke versus vapor. We know that there are over 70 known carcinogens in an analog cigarette and over 7000 chemical compounds that are created when an analog cigarette is burned. There are four ingredients in ecig liquid: propylene glycol, vegetable glycerin, nicotine (unless 0mg nicotine is used) and either synthetic and/or natural flavoring. These are known facts and this is most often ignored when this is a crucial aspect to consider when potential law changes are proposed. Nicotine, which can come in many different strengths per the user's request, is NOT tobacco. In fact, tobacco itself is not nearly as dangerous as a manufactured cigarette, because of the 7000 chemical compounds that are created when burned. Nicotine may be present in tobacco, but it surely is not the ingredient causing the more than 480,000 deaths per year in the United States.

There are many that believe that nicotine, one of the ingredients, is part of danger when, in fact, nicotine is very similar to caffeine in that they are both alkaloids and are derived from plants and natural anti-herbivore chemicals. Both nicotine and caffeine are considered to be addictive, but not deadly as long as used in moderation. What makes this such an important point is that the potential ban would surely push many vapers back to smoking analog cigarettes, because of the need for nicotine. If the benefits to vaping are constricted, many users of nicotine will resort back to analogs where the chemicals that cause the deaths are found. We simply cannot let this happen! There are no studies that can link any of the ingredients used in the ecig liquid to any dangers. If there is a proposal to ban the use of nicotine in public places, should there also be a proposal to ban the use of caffeinated items in public places? Although that sounds comical, consider the facts please.

The bottom line here is that by allowing the use of ecig products, the use of traditional tobacco products is severely being suppressed. I want to make something clear...I am in complete understanding that the ban is not an attempt to completely ban ecigs overall, but to ban the usage in public places, however, this will result in a major setback in public health, not a step forward.

As mentioned previously, I am an owner of a store that provides vaping supplies to the public. If this ban is passed, it would severely impact sales and profits. One way to alleviate some of the potential loss in profits would be to make the stores that sell the vaping products EXEMPT from the public vaping ban. This is very basic and simple...the stores that sell ecig products and are dedicated to ONLY vaping products sell products to vapers. If one is not an analog smoker looking to make the switch or already a vaper, there is no reason to enter a store selling products pertaining to vaping, therefore, the "public" is not being affected. In my case, because of the nature of my business where I provide products for tobacco smokers and vapers alike, the same principle applies. If you are not a smoker of tobacco products or a vaper, there is no reason to even enter my store. I sell products to smokers and vapers and it is extremely unfair to ban the use of vaping products inside the store to the vapers simply because the public, who doesn't smoke or vape, feels threatened by the safety of these products.

I urge you to take a close look at the facts and if information from certain studies are presented to you, please look at ALL of aspects of the studies and not just what you are being presented with in order to make the most informed decision.

Thank you for your time!

Sincerely,

Jason Clark