SUPPORTS

A141-A (Rosenthal)

An act to amend the public health law, in relation to regulating the sale of oral nicotine pouches

The New York State Association of County Health Officials (NYSACHO) supports the above-referenced legislation, regulating oral nicotine pouches to protect youth from harmful impacts of nicotine use. As nicotine consumption through oral pouches becomes more prevalent, it is imperative to introduce clear, consistent regulations to ensure the safety of consumers, protect youth, and provide transparent information on potential risks.

Oral nicotine pouches, like any nicotine-containing products, pose health risks, particularly for individuals who are not already nicotine users. Nicotine addiction can have harmful effects, especially on the developing brains of adolescents and young adults. There is growing evidence that non-smokers, including young people, are using nicotine pouches, which could lead to increased addiction rates. Regulation of these products in alignment with other nicotine containing products is essential to mitigate these risks and protect the public from unintended consequences, such as increased nicotine dependence.

Oral nicotine pouches are sometimes marketed as a potential tool for those who want to quit smoking, as they offer an alternative to traditional cigarettes. Absent any regulation, there is a risk that these products could be marketed as safer than they truly are or be used inappropriately by individuals who are not smokers. One of the most concerning aspects of these products is their potential appeal to and use by youth, who may be enticed by flavored products, attractive packaging, or their potential to enhance school or athletic performance. Research indicates that the availability of flavored nicotine products increases the likelihood of young people experimenting with nicotine. Additionally, some products use labeling that obscures nicotine potency. For nicotine pouch products that use a dot system to indicate nicotine levels, for consumer safety, manufacturers should also be required to clearly state the specific nicotine content on the packaging to ensure transparency and consumer understanding.

The regulation of oral nicotine pouches should align with existing tobacco and nicotine-related product regulations, such as those for cigarettes, smokeless tobacco, and e-cigarettes. This would ensure that the entire spectrum of nicotine products is held to similar standards, prohibiting the marketing of flavored products that appeal to youth, and creating a cohesive and comprehensive regulatory framework that prevents loopholes and promotes public health. NYSACHO supports this legislation and recommends that it be enacted into law.

Contact: Sarah Ravenhall, MHA, CHES, Executive Director, sravenhall@nysacho.org

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