



STONEHAM
Board of Health - Health Department
35 CENTRAL STREET
STONEHAM, MA 02180
781-279-2621

John Scullin -Chairperson
Dr. Teresa M. Dean, RN, DNP, MS – Co-Chairperson
Carol O’Loughlin – Secretary

Anthony Chui, Health Director

**Minutes
Board of Health
October 17, 2023 at 6:30 pm**

Attendees: Chairperson John Scullin called the meeting to order at 6:14 pm. In attendance, Co-Chairperson Dr. Terry Dean, Secretary Carol O’Loughlin, Health Director Anthony Chui and Health Inspector Thomas Bilbilian. Also in attendance, Regional Tobacco Coordinator Maureen Buzby, Wakefield Public Health Nurse Sandra Brown and Administrative Assistants Denise Breen and Rose Sannella.

Special Guests: see attendance list attached

First Topic on Discussion: This is a Public Hearing for Nicotine Free Generation with no other topics discussed. There will be not vote tonight, no debate and just listening to input of residents. Future meetings will be scheduled before any votes. Anthony Chui begins discussion with letter from National Association of Tobacco Outlets (NATO) and letter from State Senator Jason Lee regarding Nicotine Free Generation proposal. Following Anthony’s introduction, Maureen Buzby spoke about her role as Regional Tobacco Prevention Coordinator (Please see the attached letter from Maureen Buzby) along with special guests speaking in support of Nicotine Free Generation. Lastly, letters of support and opposition were presented from special guests. (Please see attached letters/emails)

Meeting was adjourned at 8:15 pm

Next meeting scheduled for November 21, 2023 at 6:30 pm

Respectfully submitted,

Rose Sannella
Administrative Assistant

**STONEHAM BOARD OF HEALTH
PUBLIC HEARING MEETING
OCTOBER 17, 2023 – 6:30 PM**

✓ Name & Address: CHRIS DUFFY 390 BEACHAM ST. CHELSEA MA

✓ Name & Address: Maureen Buzby, Regional Tobacco Prevention Program

✓ Name & Address: Sandra Brown RN -

✓ Name & Address: Kate Silbaugh

✓ Name & Address: Davis Patel

✓ Name & Address: Daniel Jurang, 3 Woodland Rd.

Name & Address: Meher snahrawat ~~124 Highland Ave~~ MVPHC

Name & Address: Aden Huang MVPHC

Name & Address: Emerson Vasquez MVPHC

Name & Address: ~~Aden Huang~~

#1 ✓ Name & Address: Krista Retcoe

✓ Name & Address: Megan Samborski 7 Hampton Rd

✓ Name & Address: Steve Scinto

Name & Address: CRUCIC DANCIA

Name & Address: _____



NATO

October 16, 2023

Members of Stoneham MA Board of Health

RE: Nicotine-Free Generation Proposal

Dear Board Members:

As the Executive Director of the National Association of Tobacco Outlets (NATO), a trade association representing more than 66,000 retail stores nationally including several stores in Stoneham, I am writing to submit our comments and concerns regarding a proposal we believe to be on the Board's October 17 agenda to ban sales of tobacco and vapor products to anyone born after 2003, thus creating two classes of people in Stoneham based on the immutable characteristic of their date of birth.

The Two-Tiered Legal Age System is Arbitrary. Current law differentiates those persons under 21 years of age from those persons who are 21 and older for purposes of legally purchasing tobacco products. Although choosing any bright line is to some degree arbitrary, the current age 21 was purportedly based on data indicating that age 21 would impact tobacco consumption after that age; that is, by raising the legal age to purchase tobacco products to 21, young adults would not start using tobacco products at all. Further, the claim was made that younger persons' brains have not yet developed to the point that they can rationally determine what is in their best interest when it comes to tobacco use. Regardless of the viability of these claims, there is simply no science whatsoever for moving the age to 30, 40, or higher, which this proposal would do over time. The arbitrariness of the permanent distinction between persons born on or before December 31, 2003, and who may legally purchase tobacco products in Stoneham, and persons born on January 1, 2004, who may not do so, becomes greater as time moves on. The current system gives every person who is 21 years old or older the right to choose whether to purchase tobacco products. That right to choose should not be legislated away. The irrationality of this approach is proven by the fact that 21-year-old and older persons may continue to purchase alcohol and cannabis products in Stoneham.

The Arbitrary Two-Tiered System is Impossible for Retailers. A retailer and its employees today have at least some ability to readily distinguish between someone who might be 21 and someone who is clearly not and request adequate identification to determine their exact age. However, this proposed two-tiered age system, which over time will distinguish between people in their 30s, 40s or beyond, prevents retailers from readily determining who was born before 2004 and who was not. Putting retailers' livelihoods at risk for erring in making such an arbitrary distinction is simply unfair and unreasonable and will put retailers out of business.



COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT
STATE HOUSE, BOSTON, MA 02133

October 17, 2023

John J. Scullin, Chair
Stoneham Board of Health
35 Central Street
Basement Level
Stoneham, MA 02180

Dear Chair Scullin and the Stoneham Board of Health:

I write to enthusiastically support the initiative to bring a Nicotine-Free Generation policy to the Town of Stoneham. As the state Senator for Stoneham, I applaud this effort to ensure the next generation of residents can avoid the devastating health impacts of nicotine addiction. It is no secret that Big Tobacco targets vulnerable populations, including youth. It is our responsibility to support a public health system that promotes healthy choices and safeguards everyone from harm.

The Nicotine-Free Generation policy is one that envisions a completely tobacco-free environment for our youth. In preventing the creation of new tobacco and vaping customers, this policy will ensure that today's youth are able to grow into healthy adults without the increased risk for lung cancer, stroke, heart disease and other illnesses common with lifelong tobacco users.

I encourage the Stoneham Board of Health to support and implement the Nicotine-Free Generation policy in Stoneham.

Best Regards,

Jason Lewis
Fifth Middlesex
State Senator

Thank you for this opportunity to speak tonight.

In my role as Regional Tobacco Prevention Program Coordinator I have been inspecting stores and conducting compliance checks for the past twelve years

I have watched the evolution from pink and purple foil-wrapped, \$.69 and \$.79, flavored cigars that look like candy, to Juul devices that look like flash drives, to nicotine pouches, (high in nicotine content, made with nicotine salts for a quicker jolt to the brain, very cheap and very discrete), to Newport's new "Non-Menthol cigarettes for the Menthol smoker", to the latest vapes that look just like highlighters. One product innovation after another. Nicotine gummies? What's next?

Tobacco prevention organizations and Public Health professionals have advocated for public policy to reduce youth access to these products for years. We've done so much. Cigar minimum price, flavor ban, T-21, pharmacy ban, permit cap. But year after year, new products. Band-aid after band-aid is not enough.

The mental health crisis among our nation's, our state's, our community's youth, is very real. Many youth are self-medicating. The evidence is real. Using nicotine doesn't treat anxiety and depression. Nicotine exacerbates anxiety and depression. Addiction to one substance increases the chances of using another substance. And nicotine is a substance; in fact, it is a poison.

It is time to remove these poisons from our store shelves. It's time to adopt a strategy that actually moves us towards a generation of young people who will never experience tobacco. Just as we now have a generation of young people who have never been in a restaurant, movie theater, or ridden on a plane, train, subway or bus where someone is smoking. We can and we need to make this change.

Thank you.

Public Health Youth Leadership Group Nicotine Free Generation

The Public Health Youth Leadership Group (PHYLG) of the Mystic Valley Public Health Coalition (MVPHC) is a diverse group of passionate teens who are dedicated to health promotion, including mental health. The PHYLG seeks to transform school environments, advocate for local policy, use holistic and strengths-based approaches to health, and center youth voices on the margins. Through these actions, the PHYLG fosters a more well-connected community, where all youth can thrive.

As a coalition focused on promoting and maintaining youth health, we support the Nicotine Free Generation policy as a progressive and effective way to protect young people from the harmful effects of nicotine products. This policy will help keep teens safe and healthy, both now and for generations to come.

We have seen the negative impact nicotine products have on young people as students in our local school districts. We regularly see peers using nicotine products in school bathrooms and classrooms, which creates a difficult learning environment and we have seen friends and classmates struggle with addiction to nicotine products. We are especially concerned about the impact of new products such as nicotine pouches that are relatively inexpensive and easy for teens to hide in school settings, as they are scentless and small. This makes it difficult for school staff to be aware of nicotine product use and provide support to students.

Through our work as a coalition, we have conducted focus groups and assessments on substance use, including nicotine use, and reviewed the latest YRBS data. Both the qualitative and quantitative data have highlighted the prevalence of nicotine product use among teens and the need to address this issue. We strongly believe that the Nicotine Free Generation policy will help prevent these trends from continuing and better the health of teens in our region.

Additionally, we see the harmful normalization of nicotine use among teens. Both in school and on social media, there is an acceptance of nicotine product use as a “normal” thing for teens to do. However, we know that nicotine use is not and should not be the standard. We want to switch the narrative and normalize being nicotine free. We are confident that implementing the Nicotine Free Generation policy will help normalize not using nicotine products. We hope that these efforts in the Mystic Valley Region will act as an example of an effective prevention strategy that protects the health of young people for communities to implement throughout Massachusetts, and eventually throughout the United States.

The Nicotine Free Generation policy aligns with the Public Health Youth Leadership Group’s mission to promote health and the ability of teens to thrive throughout the Mystic Valley Region. We urge our local policymakers to support this policy as a prevention effort to protect our peers from the dangers of nicotine products. Current nicotine policies are not doing enough to protect teens, therefore it is imperative that we take action now to create a fully Nicotine Free Generation throughout the Mystic Valley Region.

Public Health Nurse Statement in Support of the Nicotine-Free Generation Policy

As a Public Health Nurse, I endorse and support the implementation of the Nicotine-Free Generation policy. This initiative represents a critical step towards safeguarding the health and well-being of our community's youngest members, and it aligns with our overarching goal of promoting public health and preventing tobacco-related diseases.

The Nicotine-Free Generation policy is an approach that seeks to create a healthier and smoke-free environment for our youth. It is essential to address the evolving landscape of tobacco use, including the rising popularity of e-cigarettes among our youth. Research has raised significant concerns about the potential adverse effects of e-cigarette use on cardiovascular and respiratory health.

Studies have shown that the aerosols produced by e-cigarettes contain harmful substances such as nicotine, fine particles, and various toxic chemicals. These substances, when inhaled, can have detrimental effects on the cardiovascular system, including an increased risk of heart disease and stroke. For example, a study published in the Journal of the American Heart Association in 2019 found that e-cigarette users had a higher risk of having a heart attack compared to non-users (Bhatta, 2019).

Beyond cardiovascular concerns, e-cigarette aerosols can also harm the respiratory system. Research has linked e-cigarette use to lung injury cases, known as e-cigarette or vaping product use associated lung injury (EVALI). The outbreak of EVALI cases among young users in 2019 highlighted the serious risks associated with e-cigarette use, leading to hospitalizations and even fatalities (Angela K. Werner, 2020).

Adolescence is a crucial period for brain development, and exposure to nicotine during this time can harm cognitive functions such as attention, memory, and impulse control. Studies have shown that the developing brains of adolescents and young adults are particularly vulnerable to the adverse effects of nicotine (Kathleen Stratton, 2018).

I firmly believe that the Tobacco Free Generation policy is a necessary step in our ongoing efforts to improve public health, protect our youth, and reduce the devastating impact of nicotine-related diseases. We have known smoking is bad since 1957; Surgeon General Leroy E. Burney declared it the official position of the U.S. Public Health Service that the evidence pointed to a causal relationship between smoking and lung cancer. We can ensure that our policy helps create a healthier, safer, and nicotine-free environment for the generations to come, while also mitigating the risks associated with emerging tobacco products like vapes and smokeless tobacco. The generous timeline associated with the implementation of this initiative will allow businesses the time they need to replace nicotine products with other sources of income. Together, we can all make a significant and lasting impact on the health and well-being of our community.

Thank you for your time and consideration.

Melissa A. Lowry
Regional Public Health Nurse
Melrose, Wakefield & Stoneham

References

- Angela K. Werner, P. E.-S. (2020). Hospitalizations and Deaths Associated with EVALI. *The New England Journal of Medicine*, 382:1589-1598.
- Bhatta, D. N. (2019). Electronic Cigarette Use and Myocardial Infarction Among Adults in the US Population Assessment of Tobacco and Health. *Journal of the American Heart Association*, 8(12), e012317.
- Kathleen Stratton, L. Y. (2018). *Public Health Consequences of E-Cigarettes*. Washington, DC: National Academies of Sciences, Engineering, and Medicine.

My name is Sandra Brown I am a Registered nurse, an employee, a grandmother, a mother, daughter, sister, a friend and an acquaintance to many. The effects of nicotine have affected me in all of these roles. I support the Tobacco-Free Generation Policy.

As we all have been informed by the Surgeon General, CDC, the Heart Association, the American Lung Association, the National Cancer Society our own Doctors and our children's pediatricians. I could continue but I would run out of time. All have done research or studied the science proving nicotine causes cancer, heart disease, stroke and other chronic illnesses. It also contributes to the worsening of many other illnesses and adversely interfering with their treatment. If you are not aware of the effects of nicotine then I hope you will listen to the experts speaking here tonight.

I can tell you I have witnessed the effects of nicotine throughout my professional career in every health care setting I have ever worked in for over 50 years. I have also cared for many of my friends and family members who have undergone treatment for cancer with chemotherapy, radiation, surgery, even holistic medicine. Some have gone into remission; some have had recurrences and some have passed away after long and difficult battles with cancer caused from nicotine. I have to tell you some even continued to smoke or vape until the end while struggling for breath.

My father, a WWII veteran began smoking while in service, he was able to quit eventually after learning of about the serious effects of nicotine, and through the persuasion of his 5 daughters, all nurses, but the damage was done. Dad's cancer spread quickly from his lungs to his throat to his stomach. He was young in his fifties, and looking forward to being a grandfather and helping his daughters and son with their homes and families. We 5 daughters cared for him for 6 months in a rented hospital bed in our once dining room. We bathed and changed him, feed him through his feeding tube and administered fluids and meds in his IV. I'm sure some of you can relate. I remember him with tears in his eyes telling me how grateful but how broken hearted he was that his daughters were having to caring for him in this way.

I have heard many adults who use nicotine products wish they could quit but say to themselves and others, I enjoy this and have the right to make my own decisions. Many of these people switched to vaping nicotine in hopes of lessening the dose but admit, they actually have bit by bit increased the dose. The vaping seemed to have caused a greater addiction. Some appear to have given up and just claimed, well it's my life, my choice, my right.

The Nicotine-Free Generation policy is practical with enormous benefits, saving lives and saving billions of dollars in health care cost. It gives retailers the opportunity over time to gradually replace tobacco sales with other products.

October 20, 2023

To Whom It May Concern:

My name is Elizabeth Parsons. I'm a parent raising 2 kids in the region and I have 20 years experience in the youth and community health field, with 15 years specifically in youth substance use prevention.

Recently, my 9 year old and I were talking about a recent family health situation when he asked me: "Why do so many people have cancer?" When I finished responding to his question, he said "Well I hope I never get it."

Of course, that's what every parent wants for their children.

So thank you for addressing nicotine use among youth in our communities. I fully support enacting a Nicotine Free Generation policy.

It's our collective responsibility—the Board of Health, the municipality, our businesses and our residents—to protect our youth from harmful substances like nicotine and the measures in place now just aren't enough.

The policies and procedures in place now aren't enough because there are several variables that make ensuring compliance of those policies difficult and resource intensive.

Nicotine-Free Generation will address nicotine addiction for what it is—a pediatric disease. It will slowly change the social norms about nicotine use over time—making nicotine use something that youth just don't do. And of course, it limits the access and availability of nicotine products to kids—which prevention science shows is the most effective way to prevent youth use.

Nicotine-Free Generation gives our retailers ample time to make plans to sell other commodities—though ideally not another harmful substance—and makes building compliance easier because sales clerks only need to look at a birth date.



October 18, 2023

Kyle Feldman
Executive Vice President Government Affairs
National Convenience Distributors
21 Banfi Plaza
Farmingdale, NY 11735

Dear Director Chui and Members of the Stoneham Board of Health,

I am writing to express our strong opposition to the proposed Nicotine Free Generation Policy in the Town of Stoneham, which seeks to prohibit the sale of tobacco and vapor products to individuals born on or after January 1, 2004. National Convenience Distributors, representing a substantial network of retail stores in the northeastern United States, including over 2,400 in Massachusetts, has a vested interest in the well-being of local businesses, including those in Stoneham. We vehemently believe this proposed policy will not achieve its desired outcome and instead may lead to adverse consequences.

Our primary point is that this policy will not deter adults from accessing tobacco products. Rather, it will just drive them to other towns where they can legally purchase such products. This will not only result in a loss of tobacco sales for Stoneham retailers but also have a detrimental impact on their overall sales. Adult customers traveling to other towns will inevitably fill up their cars with gas, buy foods, snacks, and beverages from businesses there, leaving Stoneham retailers at a significant disadvantage. The economic impact of this policy will extend far beyond the tobacco industry and will prove devastating for Stoneham businesses while favoring retailers in other localities.

There is also serious concern that such regulations will lead to an increase in illicit markets. Over time, this policy will effectively create a de facto tobacco ban, encouraging criminals to smuggle and sell unregulated tobacco products on the streets in Stoneham. Unregulated tobacco products of any kind are a serious threat to the health of adults as they can be laced with deadly drugs, such as fentanyl.

It is also important to recognize that the proposed Nicotine Free Generation Policy essentially contradicts existing Massachusetts' state law, which designates the legal age for purchasing tobacco, along with alcoholic beverages and cannabis, as 21 years old. Inconsistent local regulations can lead to confusion and unnecessary complexity, making it challenging for both businesses and adult consumers to understand and comply with the law.

We respectfully request that you do not move forward with the proposed Nicotine Free Generation Policy for Stoneham.

Sincerely,

Kyle Feldman


allenbrothers
PHILADELPHIA
120 W. Erie Avenue
Philadelphia, PA 19140
800.207.2553


ROCKVILLE
15710 Crabbs Branch Way
Rockville, MD 20855
301.212.9100


HAROLD LEVINSON
ASSOCIATES
FARMINGDAL
E
21 Banfi Plaza N
Farmingdale, NY 11735
800.325.2512


CHICOPEE
705 Meadow St.
Chicopee, MA 01013
800.447.6537

Stoneham Board of Health,

My name is Chris Duffy. I am the CEO of James J Duffy Inc. We are a local distributor serving convenience stores, smoke shops and coffee shops in Stoneham and many other towns in the commonwealth since 1941.

I am here to express my concerns about the "Nicotine Free Generation Policy that has been proposed. I urge each of you to think about this ordinance from a commonsense perspective.

Ten years from the beginning of this ordinance, residents of Stoneham, at 18 years old, will be able to run for office, serve in the military or purchase lottery ticket. At 21 years old, Purchase alcohol, marijuana and guns or gamble on sports or a casino. Yet, at 31 years old, a Stoneham resident will not be able to go to Andrea's Convenience Store and purchase a nice cigar that he or she would like to smoke while playing golf that afternoon down at the Unicorn Golf Course.

This, in reality is age-based prohibition. Prohibition never works. The best predictor of future behavior, is past behavior.

When Massachusetts banned menthol tobacco, it didn't stop people from using menthol tobacco products, it merely changed where adult consumers of menthol tobacco products purchased them. It also exacerbated a black market of illegal tobacco products which is prevalent today, even here in Stoneham.

This ordinance WILL NOT stop anyone from buying tobacco products, it will merely change WHERE they purchase these products.

This ordinance will send adult tobacco consumers to neighboring towns to purchase not only tobacco, but whatever else they are going in the store for. Rhode Island and New Hampshire welcomed our menthol ban with windfall tax collections while local businesses in Massachusetts continue to suffer. Convenience stores in Stoneham are family run, vital parts of the community that provide not only tobacco, but food, drinks, lottery and other convenience items to consumers.

This policy will de-value the hard working retailer's business, day after day until there is nothing left.

Sannella, Rose

From: Chui, Anthony <achui@CityofMelrose.org>
Sent: Tuesday, October 17, 2023 3:51 PM
To: Sannella, Rose
Subject: Fwd: Against Ban of Tobacco Sales

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Anthony Chui, MPH
Director of Health and Human Services
City of Melrose (562 Main St)
Town of Wakefield (5 Common St)
Town of Stoneham (35 Central St)
achui@cityofmelrose.org
achui@wakefield.ma.us
achui@stoneham-ma.gov
(781) 979-4133

From: Diane Email <catricala@comcast.net>
Sent: Tuesday, October 17, 2023 7:56:51 AM
To: Chui, Anthony <AChui@stoneham-ma.gov>
Subject: Against Ban of Tobacco Sales

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I wanted to express my opposition to the proposed language change, limiting nicotine related purchases to exclude anyone born after 1/1/2004.

While I fully support the work of the Board of Health and Coalition's work around prevention, I am opposed to the Board becoming the decision maker for consenting adults to purchase a legal nicotine product in the town that they live in and pay taxes in.

If someone reaches the age of consent, they should be able to make decisions for themselves. Let consenting adults make their own decisions- especially in the very community they pay taxes in.

This is a slippery slope once you start limiting the rights of adults. Let's focus on prevention instead.

Thanks,

Diane and Michael Catricala
Forest St. Stoneham

Sannella, Rose

From: Chui, Anthony <achui@CityofMelrose.org>
Sent: Tuesday, October 17, 2023 3:52 PM
To: Sannella, Rose
Subject: Fwd: Proposed Nicotine Free Generation--Citizen Comment for the record

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Anthony Chui, MPH
Director of Health and Human Services
City of Melrose (562 Main St)
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Town of Stoneham (35 Central St)
achui@cityofmelrose.org
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From: Michelle Leone <mleone412@gmail.com>
Sent: Friday, October 13, 2023 10:44:36 AM
To: Chui, Anthony <AChui@stoneham-ma.gov>
Subject: Proposed Nicotine Free Generation--Citizen Comment for the record

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning;

I am not sure if I will be able to attend your public hearing next week, but I wanted to express my opposition to the proposed language change, limiting nicotine related purchases to exclude anyone born after 1/1/2004.

While I fully support the work of the Board of Health and Coalition's work around prevention, I am opposed to the Board becoming the decision maker for consenting adults to purchase a legal nicotine product in the town that they live in and pay taxes in.

If someone reaches the age of consent, they should be able to make adult decisions for themselves. We don't need to create "nicotine police" and burden hard working shop owners with ID checking and exposure to fines.

In Massachusetts, 13.8% of youths aged 10-17 are obese and 27.4% of adults are obese. What's next, checking BMI and cholesterol levels and banning them from purchasing high calorie foods? Obesity related deaths have overtaken smoking related deaths in recent years according to public statistics.

The Board does a wonderful job with its programs....I think you should keep your focus there and let consenting adults make their own decisions.