



The Consumer Advocates for Smoke-free Alternatives Association

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March 19, 2020

Office of Governor Ron DeSantis  
The Capitol, State of Florida  
400 S. Monroe St.  
Tallahassee, FL 32399

**Re: Veto SB 810**

Dear Governor DeSantis,

I am writing on behalf of the Board of Directors of The Consumer Advocates for Smoke-free Alternatives Association (CASAA) and our 17,500+ members in Florida urging you to **veto SB 810**, which would ban the sale of vapor products offered in flavors other than tobacco and menthol. Moreover, as the nation faces the spread of COVID-19 it is vital that consumer access to low-risk alternatives to smoking is maintained. Should the need arise to temporarily shut down non-essential businesses in order to slow the spread of the virus, CASAA is urging the state of Florida to recognize specialty vapor retailers as essential businesses.

SB 810 will force small, independent vapor retailers in Florida to close, leaving thousands of your constituents without access to the low-risk nicotine products that are helping them live smoke free. Moreover, in this time of crisis, this legislation will make thousands of Floridians unemployed. These are jobs that may not come back under the current economic circumstances, and are guaranteed to disappear if you sign this bill. Considering the current crisis involving COVID-19 and the acute respiratory disease that it causes, now is not the time to take away resources from people who smoke and people who now vape instead.

On a good day, SB 810 is dangerous. Today, banning sales of vapor products and shutting down retailers has the potential to be almost immediately lethal.

CASAA has learned that your office is now the target of a particular vapor company's astroturf advocacy campaign urging support for SB 810. We note that the campaign is being promoted to consumers as simply about supporting raising the minimum purchase age for tobacco and nicotine products to 21 year olds (which at this point is not a controversial issue). Their communications to consumers are silent on how SB 810 bans the sales of flavors and how the legislation will put competitors out of business and benefit this particular company, a company that is the subject of multiple federal and state investigations as well as a number of lawsuits. It is particularly troubling that any company would mislead and deceive its customers into supporting measures that will put people who smoke and people who vape at greater risk of continuing to smoke or returning to smoking.

The variety of flavors in vapor products serves an important dual purpose. For people who smoke, the ability to choose a flavor they enjoy and find a device that works best for them is vital to successfully transitioning away from combustible tobacco. For retailers specializing in sales of low-risk vapor products, variety is necessary in order to serve the needs of a broad customer base. In other words, a diverse product range is vital to keeping these small brick and mortar retailers open and providing a welcoming space for people interested in quitting smoking. Vetoing SB 810 will allow these businesses to stay open and serve their communities.

In addition, we are asking that during the current pandemic, the State of Florida recognizes that specialty vapor retailers are essential businesses that must remain open. We know that people who smoke are at higher risk of contracting COVID-19 and suffering the severe acute respiratory syndrome that the virus causes. Now more than ever, we need to encourage people who smoke to quit or switch to low-risk alternatives to smoking. It defies logic that anyone would take away tools that people are using as a strategy to reduce their risk and quit smoking. If these businesses are forced to close, consumers will be left with a minimal amount of alternatives that are sold in gas stations and grocery stores, and many people will be at risk of returning to smoking. Banning sales of vapor products and shutting down retailers is an avoidable catastrophe.

CASAA, our members in Florida, and I urge you to veto SB 810 which would take vital, low-risk products away from a vulnerable population. I appreciate your time and consideration in this matter and thank you for considering our comments. If you have any questions, please contact me at [aclark@casaa.org](mailto:aclark@casaa.org) or (201) 310-0941.

Thank you,

A handwritten signature in black ink, appearing to read 'Alex Clark', with a stylized flourish at the end.

Alex Clark  
CEO, CASAA