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**Written Testimony re: HB 2340**  
**House Federal and State Affairs Committee**  
**Presented by Ronald R. Hein**  
**on behalf of**  
**Reynolds American**  
**February 22, 2021**

Mr. Chairman, Members of the Committee:

My name is Ron Hein, and I am legislative counsel for Reynolds American.

Reynolds American Inc., is an indirect, wholly owned subsidiary of British American Tobacco p.l.c., which is the parent company of numerous companies including R.J. Reynolds Tobacco Co., the second-largest U.S. tobacco company; American Snuff Company, the second-largest manufacturer of smokeless tobacco products; Santa Fe Natural Tobacco Company, manufacturers of Natural American Spirit tobacco products; Modoral Brands, Inc.; and R.J. Reynolds Vapor Company.

Reynolds American supported the Federal government increasing the age of purchase for tobacco products to 21 years of age when it was passed by Congress and signed into law in December of 2019.

As part of that legislation, states were given three years to implement the provisions of the Federal Age 21 law or risk having federal block grant funds for substance abuse withheld for non-compliance.

Thus, Reynolds supports Kansas and all other states fully conforming state laws to the federal standard like is included in the bill before this committee.

The Federal Age 21 law included in its definition of tobacco products certain products called “Alternative Nicotine Products” or ANPs. These products are relatively new to the market place and contain nicotine but do not necessarily contain tobacco.

For Kansas to fully comply with the Federal Age 21 law, ANPs need to be included in the new state standards for purchase. The current version of HB 2340 does not include language covering ANPs in Kansas.

I have submitted an amendment to include ANPs in Kansas's Age 21 bill in order for Kansas to be fully compliant with Federal Standards.

We believe this amendment makes this good bill even better, will assist in keeping tobacco products only for adult consumers and will ensure Kansas is in full compliance with Federal Age 21 standards.

I have attached my proposed amendments to this testimony and have provided them also to the revisor.

Thank you for permitting me to submit this written testimony.

### **Proposed amendments to HB 2340**

Amend HB 2340:

On p. 6, l. 34 by inserting after (b) "Alternative nicotine product" means any non-combustible product containing nicotine without the presence of tobacco leaf that is intended to be placed in the oral or nasal cavity, whether chewed, absorbed, dissolved or ingested by any other means, except the term "alternative nicotine product" does not include cigarettes, tobacco products, electronic cigarettes or any product regulated as a drug or device by the U.S. Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.

And by renumbering the following subsections.

On p. 9, l. 38 by inserting after "material" " , alternative nicotine products"

On p. 16, l. 9, after "cigarettes" where it secondly appears "alternative nicotine products,"