



OREGON HOUSE OF REPRESENTATIVES
HOUSE DISTRICT 35

June 12, 2025

Timothy G. Sekerak
Chief Clerk of the House
State Capitol Building
Salem, OR 97301

Re: Vote Explanation on [HB 2528 B](#)

Dear Chief Clerk Sekerak,

Thank you for accepting my vote explanation for [HB 2528 B](#). I have spent a lot of time with this bill. It was originally referred to the House Committee on Commerce and Consumer Protection, of which I am the Co Vice-Chair, where it included extremely broad rulemaking authority. I was pleased that we amended that section to be more narrow. However, we passed it to House Revenue without recommendation because several of us on the committee were concerned with the inclusion of a new tax on non-tobacco nicotine products which was set at the same rate as traditional combustible tobacco products, such as cigarettes.

Anecdotally, I know many people who use non-tobacco nicotine products in place of cigarettes. But that experience has also been validated by research. The [FDA, in January, announced](#) that non-tobacco nicotine pouches under the brand name Zyn would now be authorized for marketing after scientific review. In that announcement it stated:

"To receive marketing authorizations, the FDA must have sufficient evidence that the new products offer greater benefits to population health than risks," said Matthew Farrelly, Ph.D., director of the Office of Science in the FDA's Center for Tobacco Products. "In this case, the data show that these nicotine pouch products meet that bar by benefiting adults who use cigarettes and/or smokeless tobacco products and completely switch to these products."



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The rationale for higher taxes on combustible tobacco has been that negative health impacts of smoking are high, which drives the cost for health care up. Therefore we tax them at high rates to encourage people to quit smoking and use the revenue to pay for health care. In the case of the products under consideration in this bill, they are not creating the same harms as traditional tobacco products, and are helping wean people off of cigarettes. I have heard from many people who believe taxing at the same rate removes an incentive that people have to quit smoking, and I agree. While the additional tax that was in the bill originally was removed, the change in definition to include these products under "Other Tobacco Products" leaves them subject to the existing 65% wholesale tax that combustibles are also subject to.

I absolutely believe we should regulate non-tobacco nicotine products to keep them out of the hands of minors, however they should be taxed at rates less than those of combustible products, and therefore I am a no on this bill.

Sincerely,

A handwritten signature in blue ink, appearing to read "Farrah Chaichi".

Representative Farrah Chaichi
House District 35