

## HEATED TOBACCO EXEMPTION EXTENSION

Hello my name is Sean Gallimore. I am the owner and operator of Scallywags. We are a local hookah bar here in Utah with the heated tobacco exemption ( one of two in the state) that is being reviewed today and would like you to extend this exemption because I feel it serves an important role in the community.

Hookah is the number one reason that people come in to my business. Not being allowed to continue to use hookahs would greatly hurt our sales and overall viability as a business. This year alone we have had guests from Utah, other states, as well as over 60 countries visit our establishment for hookah. A wide variety of people of people from young men who haven't ever even seen a city( from the heart of Africa) to NBA stars (Kevin Durant, James Harden, etc...) have all been our customers in the past year because of hookah. Demand is higher than ever for hookahs and I think we can provide the safest place possible for adults to use hookahs.

Hookahs are legal in Utah! Shisha( a mixture of tobacco and molasses smoked in hookahs ) is totally legal in Utah. You could smoke anywhere you like.... for instance in the mountains, in your car, house, etc....but in a business where money and taxes can be made it is going to be illegal? Why?

One might say that smoking is smoking and all tobacco is the same but it is not. One of the big arguments with the Utah indoor clean air act and smoking in general was that secondhand smoke is dangerous. This is true and I think most people would agree. The most dangerous form of the secondhand smoke is known as SSS or sidestream smoke. This is the smoke of the little tip of the cigarette and is most dangerous because it is never filtered and released into the air. Hookahs have 0 side stream smoke. Actually there is no smoke at all it is vapor. The vapor is filtered through the water and a human lung before it ever hits the air meaning second hand smoke exposure is limited significantly. Vapor is also known to dissipate faster than smoke and will not linger or leave residual residue on items such as clothing or hair. Hookah doesn't have the same level of second hand smoke risks.

Does smoking pose a health risk? Yes! Smoking, vaping, hookah are all bad for you? Yes! I am not trying to defend that. **Outlaw tobacco all together it would be better for public health.** It is up to an adult person to make those choices. Everyone that enters the building or works at the building is well aware that it is hookah related business. We have signs that inform the public when entering the building that there is no safe level of tobacco exposure. We only allow 21+ to enter and smoke hookah so children will not witness smoking hookah. I feel that this is an extra benefit to the community. Many other states that do not allow tobacco to be used indoors still allow hookah because of its differences. Vapor isn't smoke...hookahs aren't cigarettes.

For instance let's say you're of Iranian decent and your family's in town and would like to smoke hookah. You could stay at home and smoke around all the members of your family including children ....or you can go to an establishment such as mine and use hookah away from your children that you don't want to expose to smoking. Doing away with this exemption will expose more children to hookah!

When this exemption was going into effect I was one of only two places that went through the proper steps necessary to obtain this license. Many others did not and just continued to smoke hookah illegally. Some of these businesses are totally legal normal businesses but I guess were too lazy to go through steps to obtain license. Other ones that truly scare me are the totally illegal underground hookah bars who follow no rules

(allow minors to smoke, are open all night long, allow drugs and alcohol, etc.) and are ran by criminals. These hookah bars exist right now in Utah and nothing is being done about them.

While others were ignoring the laws I stayed diligent in trying to provide the health department the best knowledge I had necessary to do their job. This includes notifying them of those illegal "underground" business that are practicing hookahs as well as the legal businesses using hookahs without an exemption. I have done training with the health department on proper use, storage and cleaning of the hookahs. I helped make guidelines for use, cleaning, and storage could be put in place for public safety. I feel that I did every step of the process and more. I have done all that I could to provide a legal clean safe environment for adults to use hookahs. There are still currently 10-20 places doing hookahs illegally in Utah at this time. Doing away with the heated tobacco exemption is only going to benefit those who choose to disobey the laws and don't go through this proper steps necessary. Not extending the heated tobacco exemption rewards illegal businesses and punishes the two legal businesses.

One of these illegal places (that I informed health department about six months previous to this occurrence of happening) had a standoff with the police in West Valley City. A totally illegal business based on Hookah sales that was allowed to operate for almost a year before having a bad enough altercation with the police. During this 50 person fight at four am in a parking lot the police man felt threatened by the large group fighting that began to throw beer bottles at the cop car. The altercation ended with one of the owners of this illegal "underground" hookah bar pointing a gun at the officer and running to hide inside of his business. The police surrounded the place and the stand off ended peacefully due to excellent police work. When the police searched the building they found 2 illegal hand guns and various illegal drugs. If the heated tobacco exemption is not extended places like this will become more and more common.

If the heated tobacco exemption is not extended it will close the two legal hookah bars ( as well as the other 10-20 legal businesses that do hookah also but failed to pay taxes or obtain the proper licenses). Yes, up to 20 legal bars doing hookahs with no licences. You want the proof....well I myself informed the health Dept. years and months ago! I even went so far as to make a list of all of the places I knew doing these illegal businesses the previous one with the standoff included. I sent digital copies of flyers, Instagram posts and pictures of people participating in these behaviors inside these businesses and **nothing was done**. So now, I guess ,when we're going to close the legal businesses that were trying to obey the laws and do things " in the right way." When the right way has lead us to a point where we are today where an exemption is becoming extinction....even though it was failed it to be properly unforced the whole time in existence. Where trying to do it right is punished and we give the criminals have a whole new customer base.

Even if you shut down us and all the legal 10-20 businesses that are also doing hookahs with out licensing that will only drive a vulnerable community underground. Maybe we should be welcoming to middle eastern cultures instead of making them fill unwelcome. Maybe if given a legal option to practice their religion and culture they wouldn't start illegal underground hookah businesses. With no legal competition and a high demand they are sure to make money. With that money they'll probably do many other illegal things as well as hookahs, gambling, alcohol without a permit, allowing minors etc... These things are going on at the underground hookah places as we speak so saying that that kind of action will not happen.....well it will already is and isn't being patrolled. There will be an influx of these totally illegal businesses opening. Some may have with ties to the bad parts of Middle East. Not sure if you see where this is headed but it could head for a very very dangerous situation. Prohibition has never lead to anything other than organized crime. It scares me that a product so deeply entrenched in middle eastern religion and culture could be used as a recruiting ground and money making machine for Isis or other dangerous terrorist cells.

I know this is the spot where you called me crazy and said that I've lost it .....but think about it and be careful of your desire to do away hookahs in bars at all cost might give the funds necessary to evil men with bad intentions. I hope I am not right but I think regulation with an eye on the community is the best thing for the public for now and maybe looking into the illegal behavior first before shutting down your two legal places.

If I am no longer in the active hookah community I will no longer know of the places doing illegal operations and will not be able to properly notify health department and state officials of the criminal behavior that I know is happening.

There is a high demand for hookahs and hookah bars world wide. Other states with strict indoor clean air standards, such as California, still allow hookah bars for their cultural significance as well as the role that they can play with in the community. It is a place where only adults are welcome so that people who would like to smoke hookah outside of their homes and away from their children have a place to do so. Hookah bars are melting pot of cultures visiting the United States and the moving here from various countries around the world.

Hookahs are important to many cultures world wide. They have a religious significance to a lot of the world. Utah not having places such as ours will hurt tourism and proper acclamation of refugee populations from areas of the world where hookah's playing important role in their culture. The Utah should be a state that welcomes different cultures and religions not one that outlaws and isolates them.

We are an industry in need of regulation not prohibition. Make new rules we will follow them! We would be willing to put up all new signage! We want to inform the public when entering our facility that it was a hookah facility and all risk factors associated with that. That way the people entering could be better informed and make a decision whether to enter or not. We would be willing to build a separate room with better ventilation that only allow smoking in that area only. You name it and we will do it to keep this exemption in place.

I think we can find a way to do this right and reward the businesses that want to do it right! Instead of giving illegal businesses and the criminals who run them more customers. We should reward business and people doing it right. We should find solutions to help different cultures and religions feel as if they belong visiting Utah or living in here in our communities. We are asking for more regulations, better enforcement, and a community that has everyone in mind not just the majority.

Let us move forward in a way to find better solutions for tomorrow instead of closing our eyes and hoping for the best.