

DATE: May 26, 2026

TO: Hearing Attendees and Commenters –
Oregon Administrative Rules chapter 333, division 15 – “Synthetic
nicotine products”

FROM: Brittany Hall, Hearing Officer and Administrative Rules Coordinator

cc: Laura Chisholm, Interim Section Manager
Health Promotion and Chronic Disease Prevention

Tara Weston,
Tobacco Retail License Education and Enforcement Systems Lead

SUBJECT: Presiding Hearing Officer’s Report on Rulemaking Hearing, Public
Comment Period, and Agency Response to Written Comments

Hearing Officer Report

Date of Hearing: May 20, 2026, via Microsoft Teams

Purpose of Hearing: The purpose of this hearing was to receive testimony regarding the Oregon Health Authority (OHA), Public Health Division’s proposed permanent amendments to Oregon Administrative Rules in chapter 333, division 15 pertaining to synthetic nicotine products.

In this rulemaking, amendments are proposed to update certain definitions to align with recent statutory changes to ORS 431A.175 due to the passage of [SB 1571](#) (Oregon Laws 2026, chapter 94).

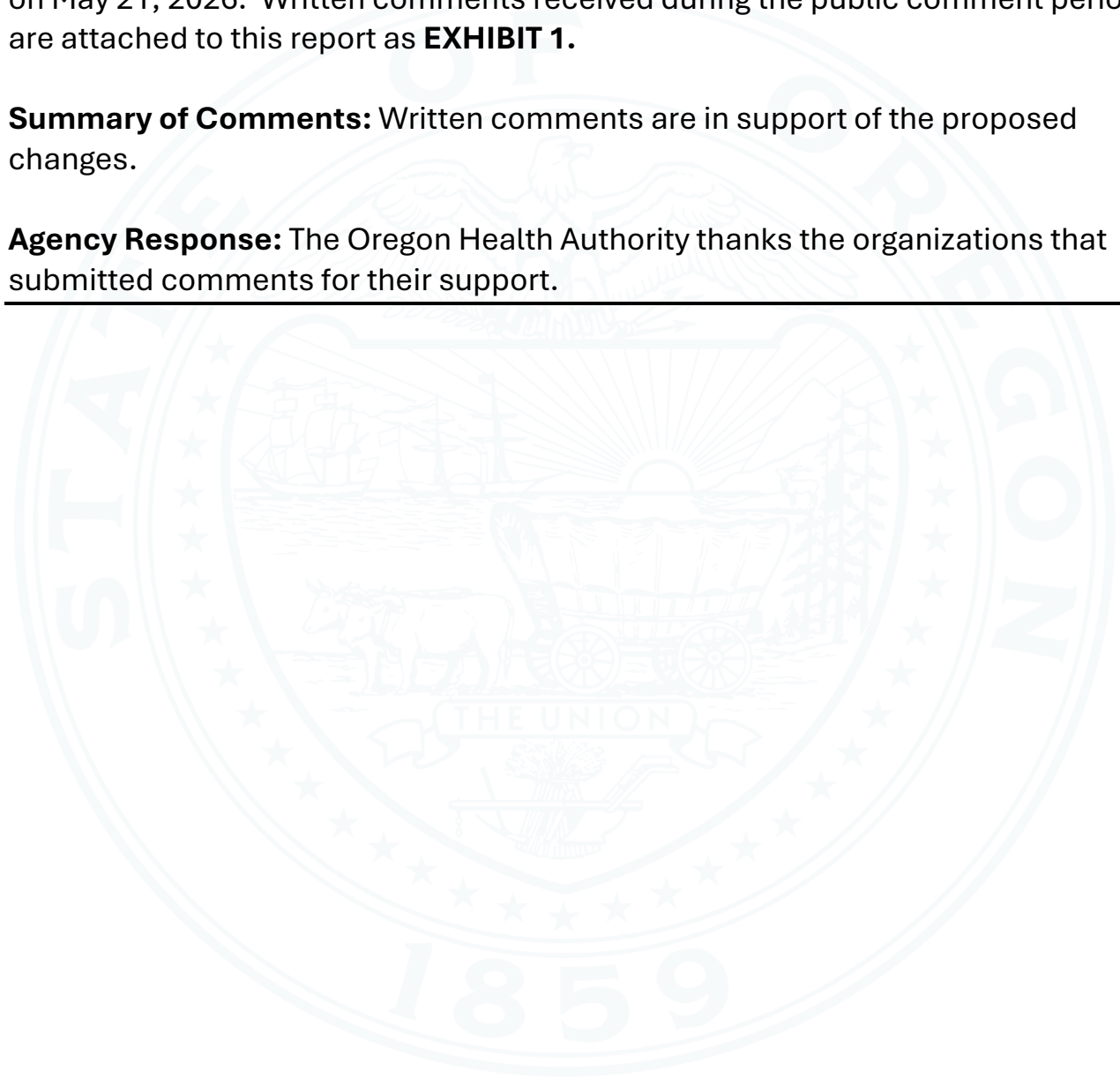
Hearing Officer: Brittany Hall

Testimony Received: No individuals provided testimony at the hearing.

Other Comments: Two individuals or organizations submitted written comments to the OHA within the period allotted for public comment, which closed at 5:00 PM on May 21, 2026. Written comments received during the public comment period are attached to this report as **EXHIBIT 1**.

Summary of Comments: Written comments are in support of the proposed changes.

Agency Response: The Oregon Health Authority thanks the organizations that submitted comments for their support.





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May 18, 2026

Brittany Hall, Administrative Rules Coordinator
800 NE Oregon St. Suite 930
Portland, OR 97232

Re: Oregon Administrative Rules in chapter 333, division 15 pertaining to synthetic nicotine products -SUPPORT

Dear Ms. Hall:

The Campaign for Tobacco-Free Kids submits this letter in support of the proposed amendments to update certain definitions to align with recent statutory changes to ORS 431A.175 due to the passage of SB 1571 (Oregon Laws 2026, chapter 94). The Campaign for Tobacco-Free Kids is the nation's largest non-profit, non-governmental advocacy organization solely devoted to reducing tobacco use and its deadly toll by advocating for public policies that prevent kids from using tobacco and help smokers quit.

We support the expansion of the definition of "tobacco product" to include such products and ensures that existing tobacco control regulations and requirements apply equally to nicotine pouches.

Nicotine pouches are packets of nicotine powder, flavorings, and other chemical substances that are placed inside the mouth between the lip and gum where the nicotine is absorbed through the lining of the mouth. Sold by all the major tobacco companies, pouches are easily concealable from parents and teachers and come in a range of addictive nicotine levels and an array of flavors that appeal to kids including berry, mint and citrus.

No nicotine product is safe for kids. Nicotine is a highly addictive substance, and research indicates these pouches can deliver nicotine at levels similar to cigarettes.¹ Nicotine exposure during adolescence can harm the developing brain, which continues to develop until about age 25, and can impact learning, memory, and attention. According to the U.S. Centers for Disease Control and Prevention (CDC), nicotine can also prime the brain for addiction to other drugs.²

Put simply, use of these products can set up kids for a lifetime of addiction. Furthermore, nicotine pouches are not proven to be safe and effective for tobacco cessation.³

Nationally, the number of youth using nicotine pouch products more than doubled in recent years.⁴ The rise in use is not surprising given the viral marketing around these products. ZYN, the most popular brand among youth and young adults, has inspired TikTok videos and Instagram posts seen by millions and has generated memes, its own lingo, and even dog toys. Nicotine pouch companies sponsor concerts, rodeos, and race cars – all activities that young people attend and enjoy.

We're pleased Oregon is protecting kids by closing the loophole that left nicotine pouches unregulated.

Sincerely,



Heidi Low
Director, U.S. Western Region
Campaign for Tobacco-Free Kids
hlow@tobaccofreekids.org

¹ Travis, N, et al., "The Potential Impact of Oral Nicotine Pouches on Public Health: A Scoping Review," *Nicotine & Tobacco Research*, advanced access, June 17, 2024, <https://doi.org/10.1093/ntr/ntae131>.

² HHS, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*, 2018.

³ Cochrane Database of Systematic reviews, *Oral nicotine pouches for cessation or reduction of use of other tobacco or nicotine products*, October 24, 2025, <https://doi.org/10.1002/14651858.CD016220.pub2>.

⁴ Park-Lee, E, et al., "E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024," *MMWR* 73(35):774-778, September 5, 2024, <https://www.cdc.gov/mmwr/volumes/73/wr/pdfs/mm7335a3-H.pdf>.



May 20, 2026

Daysi Bedolla Sotelo
Oregon Health Equity Alliance

Re: Support of Oregon Administrative Rules in Chapter 333, Division 15 pertaining to synthetic notice products.

Dear Rules Committee,

On behalf of the Oregon Health Equity Alliance (OHEA), we write to support the amendments to update definitions with recent statutory changes to ORS 431A.175 due to the passage of Senate Bill 1571.

OHEA is a people of color-led collaborative, organized to center and uplift the wisdom of our communities of color through racial justice informed health equity policies and practices. OHEA serves Clackamas, Multnomah, and Washington counties as one of nine regional health equity coalitions across Oregon.

We support the expansion of the definition of "tobacco product" to include such products and ensure that existing tobacco control regulations and requirements apply equally to nicotine products.

Nicotine pouches are packets of tobacco powder, flavorings and other chemical substances that are placed inside the mouth between the lip and gum where nicotine is absorbed through the lining of the mouth. Sold by all major tobacco companies, pouches are easily concealable from parents and teachers and come in a range of addictive nicotine levels and an array of flavors like berry, mint and citrus which become appealing to kids.

By expanding this definition we ensure our children's health with less exposure to new predatory commercial tobacco products that can harm them in the long run.

We are pleased Oregon is protecting kids by closing the loophole that left nicotine pouches unregulated.

Thank you for your time and commitment.

Oregon Health Equity Alliance