



MENDOCINO COUNTY TOBACCO RETAIL LICENSE (TRL): REPEAL & REPLACE


GABE COLSON: PROJECT COORDINATOR
MENDOCINO TOBACCO CONTROL PROGRAM

TOBACCO RETAIL LICENSE (TRL)

- Proposed Changes
- Why Changes are Necessary
- Tobacco Control Coalition Involvement
- Progression of Flavor Bans in California
- Impacts of the Changes

THE PROPOSED CHANGES

- Definitions
- Fines for Illegal Sales to Minors
- Flavored Tobacco Ban
 - Includes Devices and Juices slipped through the Federal “loophole” in the January 2020 FDA Ban



ChangeLab Solutions has developed model language for a TRL law in California cities and counties. The model language offers a variety of policy options that can be tailored to the specific goals and needs of your community.

In addition to the core provisions, ChangeLab Solutions has drafted supplementary “plug-in” provisions, which offer additional policy options that can be incorporated into the law. For more information, please see our [resources on TRL](#).



Tobacco Retailer Licensing An Effective Tool for Public Health

Communities are adopting tobacco retailer licensing laws as one way to combat the public health problems associated with tobacco use, to help reduce tobacco-related health disparities, and to ensure compliance with tobacco laws. In this fact sheet, we explain how tobacco retailer licensing works, why many communities are pursuing this policy, and what goes into creating and implementing a strong tobacco retailer licensing law.

What is tobacco retailer licensing (TRL)?

Licensing is a common policy tool that state and local governments use to regulate businesses like alcohol retailers, pharmacists, or restaurants. Similarly, a local government may want to license tobacco retailers in order to protect public health and safety by ensuring that retailers comply with responsible retailing practices.

Under a local TRL law, the city or county government requires all businesses that sell tobacco products to obtain a license from the government in exchange for the privilege of selling these products to consumers.¹ Local governments may require licensed retailers to pay an annual fee, which can fund administration and enforcement activities such as store inspections and compliance checks pertaining to youth purchases. Increasingly, TRL is being used to promote other innovative policy solutions, including regulating the location and density of tobacco retailers, imposing additional restrictions on the sale and promotion of tobacco products, and establishing a minimum price for certain tobacco products.²

As of June 2017, more than 150 cities and counties in California had adopted a local TRL law.³ The Center for Tobacco Policy & Organizing (The Center) classifies 133 of these as “strong,”⁴ meaning the laws have, at a minimum,

- a requirement that all tobacco retailers obtain a license and renew it annually;
- an annual licensing fee high enough to fund sufficient enforcement;
- meaningful penalties for violators through fines and penalties, including suspension and revocation of the license;⁵ and
- a provision stating that any violation of existing local, state, or federal tobacco laws constitutes a violation of the local law.

WHY ARE CHANGES NECESSARY

- Reduce Availability to Youth in Our Communities
 - From 2017-2019- **135% increase** in E-Cigarette Use By Youth
 - The 2016 Surgeon General's report found that E-cigarette flavored products are being targeted towards youth
- Align Local Definitions With State of California



FLAVORS

Flavors play a significant role in drawing youth and young adults to tobacco products.

2013
New York City prohibited the sale of flavored tobacco products.

Flavored tobacco product sales decreased by 87%.

Fruit and candy flavors are designed to appeal to youth tobacco users and are found in many tobacco products.



MA

97 municipalities, including Boston, restricted flavored tobacco products (other than menthol) to adult-only retail tobacco stores and smoking bars.

CA

Numerous cities and counties in the state have restricted or prohibited flavored tobacco.

IL

Chicago has prohibited the sale of flavored tobacco products, including menthol, within 500 feet of city high schools.

RI

Providence became the first city to prohibit the sale of flavored tobacco products.

81%

81% of youth who ever tried tobacco chose flavored tobacco as their first tobacco product.



3.26M

U.S. middle and high school students used a flavored tobacco product in 2014.

E-CIGARETTES

Among youth who vape, 97% used a flavored e-cigarette in the past month.

97%



E-liquids contain at least 60 chemical compounds. E-cigarette aerosol contains even more.

60



16x

15- to 17-year-olds have more than 16x greater odds to be current JUUL users vs. adults.



27.5%



In 2019, e-cigarette use among high schoolers rose to 27.5%.

For high school seniors, the rate has doubled since 2017.



2017



2019

Young people who use e-cigarettes are 4x more likely to start smoking tobacco cigarettes than their peers who don't vape.

4x



JUUL remains the top e-cigarette brand and took 73.4% of the e-cigarette marketplace by July 2019.

1 Pack of Cigarettes
≈20 mg of nicotine



=20
CIGARETTES



1 JUUL pod
≈41.3 mg of nicotine



≈41
CIGARETTES



1 Puff bar
≈50 mg of nicotine



≈50
CIGARETTES



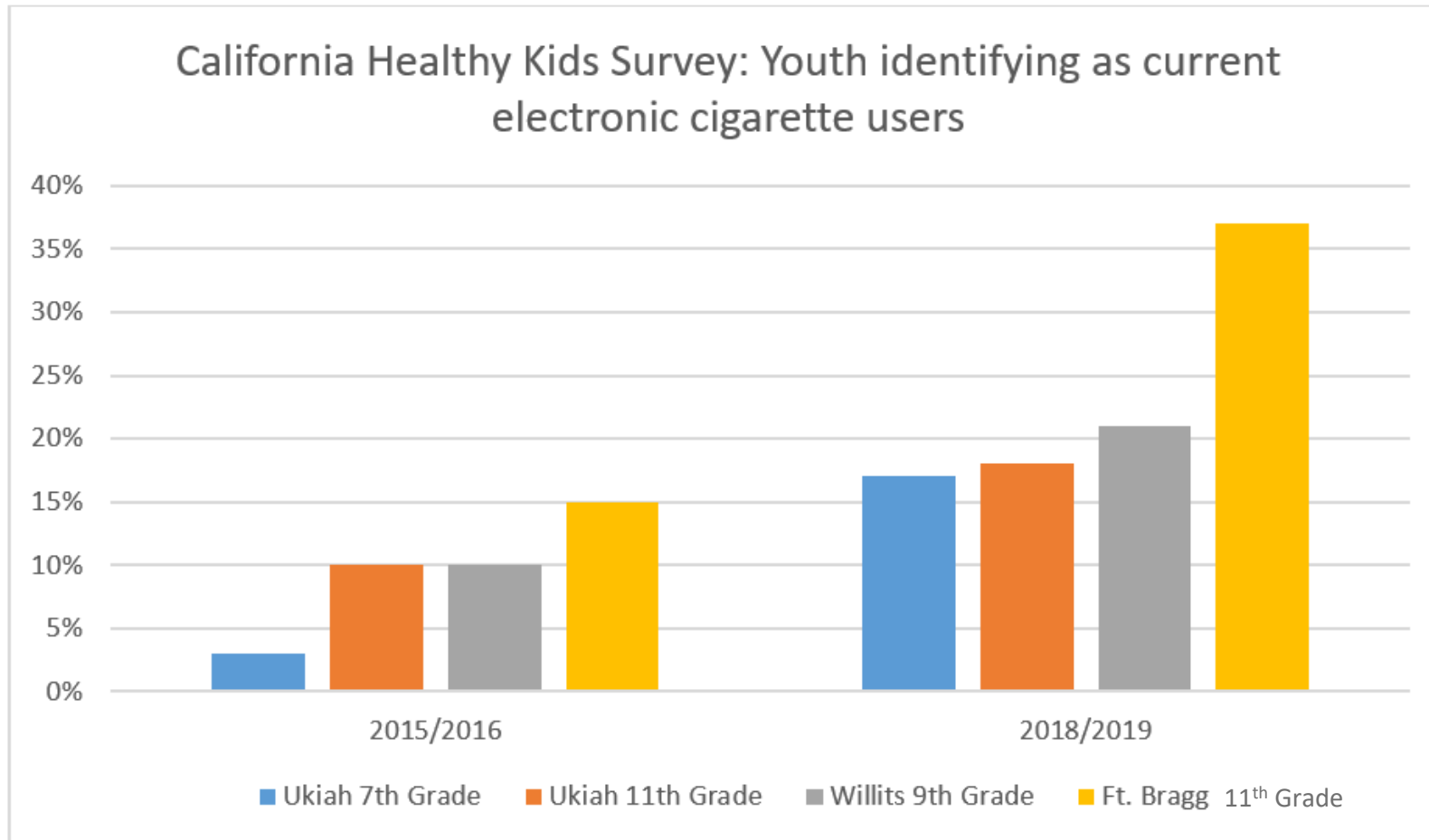
1 Suorin pod
≈90 mg of nicotine



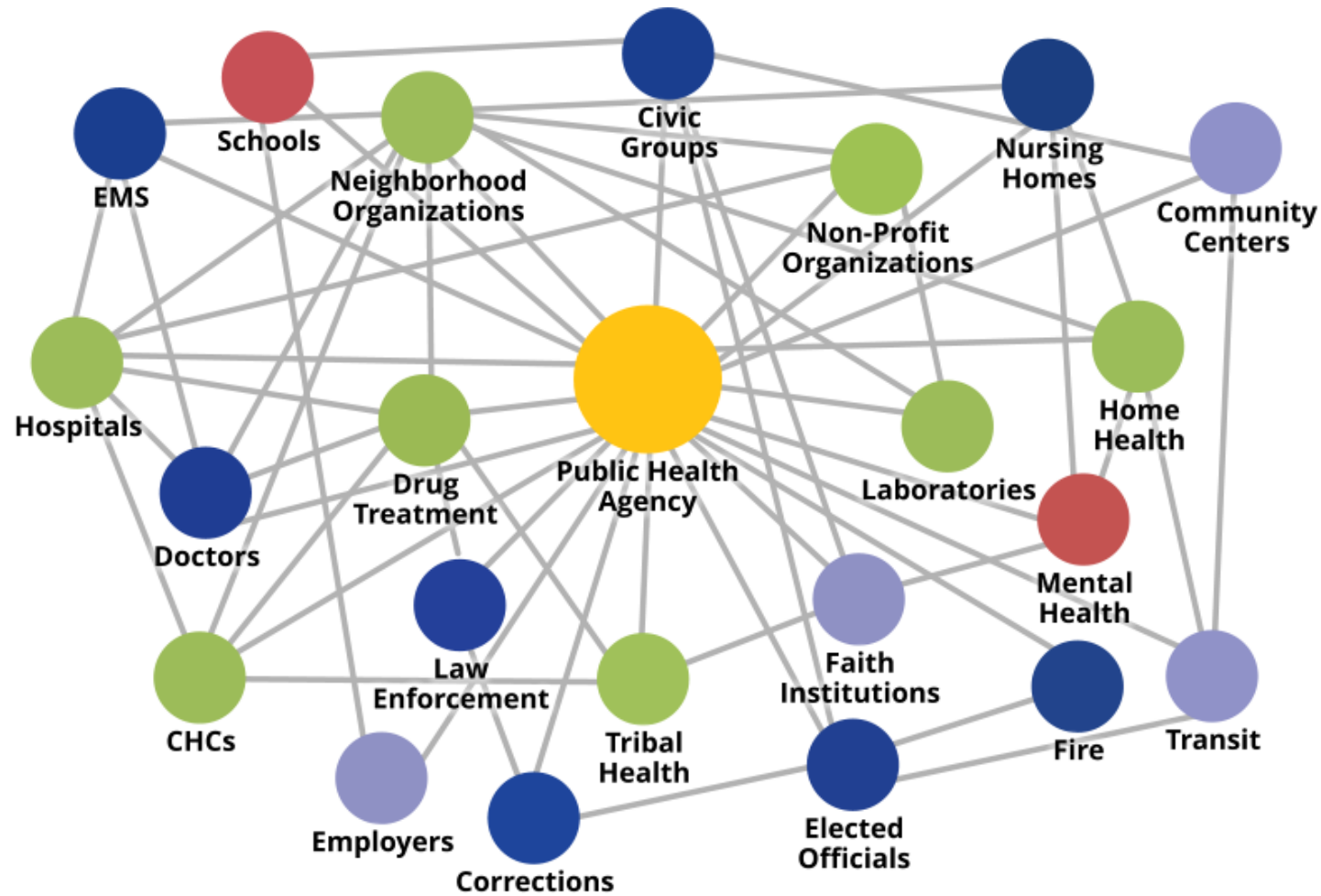
≈90
CIGARETTES



CURRENT STATUS MENDOCINO COUNTY YOUTH



TOBACCO CONTROL COALITION PARTNERSHIPS: LOCAL AND STATEWIDE



WHEN: HISTORY OF FLAVOR BANS IN CALIFORNIA

- Flavored tobacco Policies
- Over **60** jurisdictions
- What is happening around us?
 - Sonoma County
 - Lake County
- What is happening Locally:
 - Cities
 - Local Cessation and Educational Resources:

California Flavored Tobacco Bans:

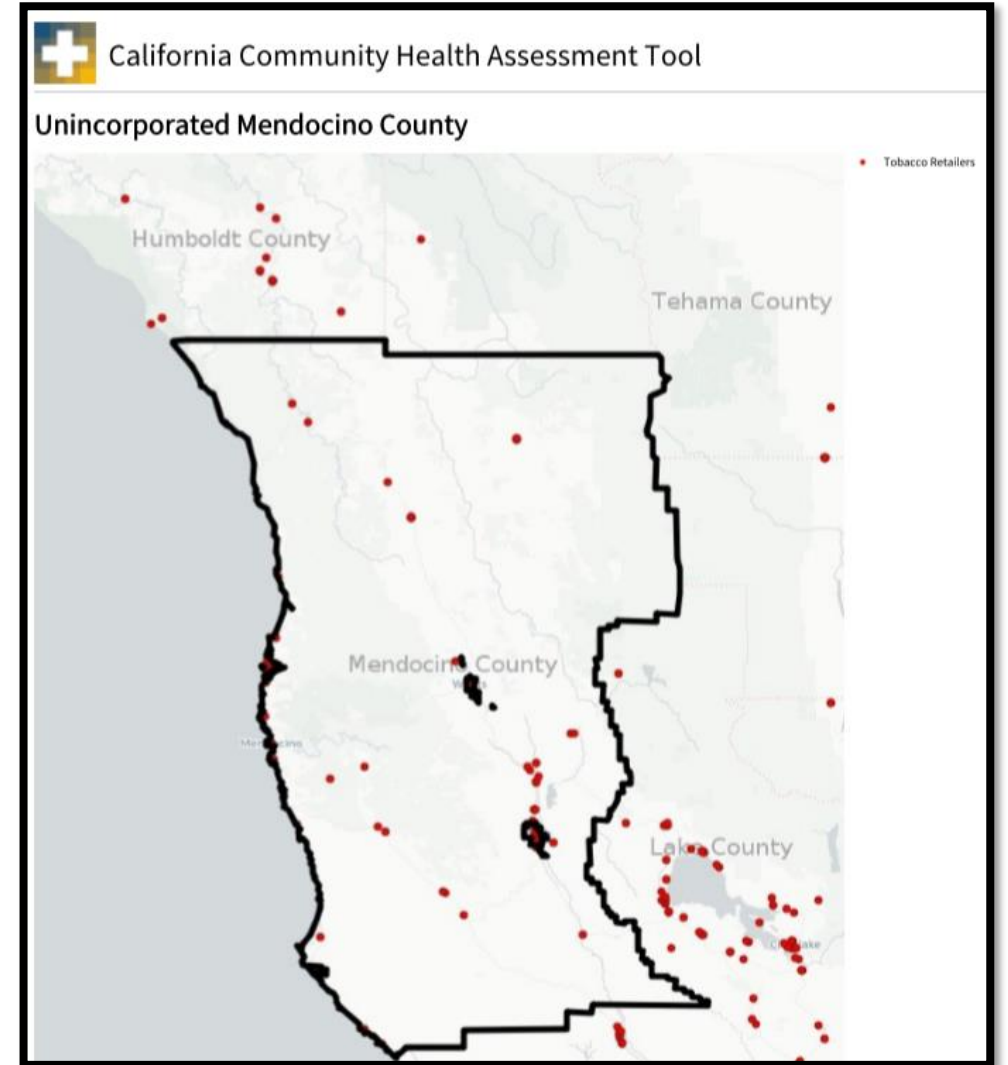
Adelanto	Dublin	Oakland	Saratoga
Alameda	El Cerrito	Oroville	Sausalito
Alameda County	Fairfax	Palo Alto	Sonoma
Albany	Fremont	Portola Valley	South San Francisco
Alturas	Half Moon Bay	Redondo Beach	Watsonville
Auburn	Hayward	Richmond	West Hollywood
Benicia	Hermosa Beach	Sacramento	West Sacramento
Berkeley	Lafayette	San Anselmo	Windsor
Beverly Hills	Laguna Niguel	San Carlos	Yolo County
Burbank	Larkspur	San Diego County	
Burlingame	Livermore	San Francisco	
Carpinteria	Long Beach	San Leandro	
Capitola	Los Angeles County	San Mateo County	
Carson	Los Gatos	San Pablo	
Cloverdale	Manhattan Beach	San Rafael	
Contra Costa County	Marin County	Santa Barbara County	
Corte Madera	Menlo Park	Santa Clara County	
Culver City	Mono County	Santa Cruz	
Cupertino	Morgan Hill	Santa Cruz County	
Delano	Novato	Santa Maria	

SOCIAL DETERMINANTS AND SOCIAL NEEDS: MOVING BEYOND MIDSTREAM



WHO DOES THE TRL AFFECT

- Affects 54 Retailers Within Unincorporated Mendocino County
- Youth in Mendocino County





Equality

doesn't mean

Equity

THANK YOU