

# Policy Options for Addressing Youth Tobacco Influences in the Retail Environment

Contra Costa Health Services, Public Health Division

For Presentation to Contra Costa Board of Supervisors May 24, 2016

## Most Impactful Policies for Addressing Youth Tobacco Influences in the Retail Environment

Provision	Description	CA Jurisdictions with Similar Protection
a. <b>Require a Tobacco Retailer License for all retailers selling traditional and/or emerging tobacco products.</b>	Revises definition of "Tobacco Product" to include all "emerging products" including all electronic smoking devices (whether or not they contain nicotine). Current definition fails to capture a number of vaping products that have emerged since the County tobacco retail ordinance was adopted. If adopted, the new definition would cover all electronic devices which mimic smoking or can be used to deliver a dose of nicotine or other substances, and all components, parts or accessory of a "tobacco product".	El Cerrito, Richmond, Albany, Oakland, San Jose and Santa Clara for a total of 100 other jurisdictions in CA. <i>Family and Human Services Committee directed staff to develop updated definition for current ordinance at 4/13/15 Committee Meeting.</i>
b. <b>Prohibit the sale of flavored (non-cigarette) tobacco products</b>	Prohibits the sale of flavored (non-cigarette) tobacco products within the entire unincorporated County. The Food and Drug Administration has banned candy, fruit and spice as characterizing flavors for cigarettes only. Other tobacco products (smokeless, little cigars, hookah tobacco, and dissolvable tobacco products) with these flavors are exempt from the federal ban. If adopted, the ban on flavored product would extend to these other non-cigarette tobacco products.	El Cerrito, Berkeley, Santa Clara County, Hayward, Manhattan Beach and Sonoma (Also New York City; Providence Rhode Island, and Chicago.) Under consideration in Yolo County
c. <b>Prohibit the sale of menthol flavored cigarettes near schools</b> <i>(added to "most effective" list since the 7/21/15 report based on recent court decision)</i>	Would prohibit the sale of menthol flavored cigarettes within a certain distance of a school. The Food and Drug Administration has exempted "menthol" flavor from its ban on "characterizing flavors" in cigarettes. Staff recommends a distance no less than 500 feet. If adopted, this provision would affect 19 tobacco retailers across the unincorporated county.	Berkeley (within 600 feet of schools) Also Chicago (within 500 feet of schools)
d. <b>Require minimum pack size for cigars</b>	Although federal and state law ban the sale of individual cigarettes, neither restrict the sale of individual cigars, including cigarillos and little cigars. Options include requiring minimum pack size (current regulation for cigarettes is 20) for all cigars. Staff recommend a package size of 10. Could exempt premium cigars that cost \$5 or more.	El Cerrito, Hayward, Sonoma, Huntington Park, Gardena, Union City.
e. <b>Restrict location of <u>new</u> tobacco retailers near schools and other "youth-sensitive" areas such as parks, playgrounds and libraries.</b>	Prohibits a license to <u>new</u> tobacco retailers if located within a certain distance (e.g., 500-1500 feet) of a school or other area frequented by youth (e.g., playground, church, recreation center, park, etc.). Staff recommend a distance of 1000 feet, which is consistent with multiple jurisdictions.	Near Schools and other Youth Sensitive Areas: El Cerrito, Antioch, Berkeley, Dublin, Union City, Vallejo, Albany, Oakland, Marin County, and San Rafael (plus 14 other jurisdictions). Near schools only: San Francisco, Santa Barbara County, Sacramento, Santa Clara County, Manhattan Beach, plus 5 other jurisdictions.

a. Require a Tobacco Retailer License for all retailers selling traditional and/or emerging tobacco products.

## E-cigarettes

Includes cigalikes, e-hookah, e-cigars and cartridges

Cigalikes



E-Hookahs



E-cigar



Cartridges



## Vape pens

Vape pen



## Mods/tanks

Mechanical mods



Box mod



## E-liquids



# b. Prohibit the sale of flavored (non-cigarette) tobacco products

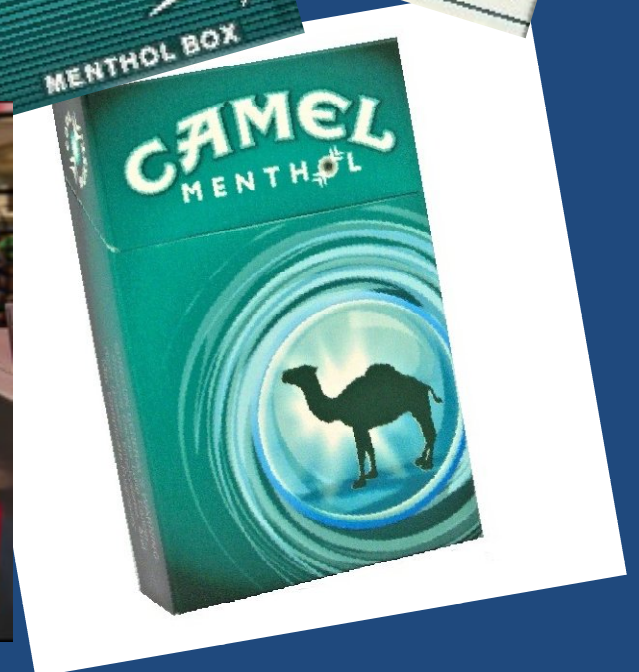


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Box mod



# c. Prohibit the sale of menthol flavored cigarettes near schools



# d. Require minimum pack size for cigars





e. Restrict location of tobacco retailers near schools and other youth sensitive areas

f. Prohibit new tobacco retailers from locating within certain proximity of other retailers

**Bay Point Tobacco Retailers with  
1,000 foot buffer around schools, libraries, parks, playgrounds and  
500 foot buffer around existing tobacco retailers.**

*Note: Yellow areas denote places where no new retailers would be located.*

