

**To,
Board of Supervisors of Contra Costa County**

We are writing this letter in regards to the recent law that was passed in regards to the flavored tobacco ban for the un-incorporated towns of Contra Costa County. This law went into effect starting on the 1st January 2018. According to this stores located in towns that are under the direct order of the County(un-incorporated) which happen to be within a 1000 feet of a school, school building, library or a park are not allowed to sell flavored tobacco. This affects the livelihood of a numerous number of stores. The problem we are facing is that there are towns just down the street from us who don't fall under the un-incorporated criteria and have their own city councils and mayors who were not been banned under this law and only affects stores in the un-incorporated towns.

**We understand that this has been done because:
Menthol cigarettes are targeting minorities.
Swishers and cigars that are flavored are targeting youth.**

The problem with this ban is that:

The age for buying tobacco was changed from 18 years old to 21 years old sometime last year. Anyone and absolutely anyone under 21 is not allowed to make a tobacco purchase anywhere in California. All the stores follow this compliance and kids are not supposed to have access to these products in the 1st place anyway. The county offices along with the help of law enforcement do sting operations time to time and check if the stores are being compliant. Anyone who doesn't comply either gets a suspension or a fine. This has been happening for years. Youth get access to these products not from store employees but probably from irresponsible adults who buy the product for them. We don't stand inside or outside the store to promote these products nor is there any ads on TV promoting these products.

We don't even have a problem with the ban if it relates to the betterment of the youth and the community.

Our problem is that people who fall under this category are not going to stop because a handful of stores are affected or don't have access to these products.

As an example, approximately 4 of the convenience stores that are in Rodeo, CA have stopped carrying these products according to the compliance. But there remains 1 store by the name of "Rodeo Grocery" 1000 Mariposa Avenue, Rodeo, CA, 94572 who does not fall within a 1000 feet of the above mentioned places. That particular store does have a YMCA and an elementary school located down the street but of course they are not within the 1000 feet limitation. Hence this stores flavored tobacco sales are through the roof and I hear customers always saying that the store is so busy that they can't keep enough product on the sheif. Rodeo, CA is a very small town and this store is

within walking distance of all the stores that have been banned from selling flavored tobacco product.

How is it that we are helping the youth or adults who smoke flavored tobacco by banning them from a few handful stores if all they have to do is walk or drive down the street. Also Rodeo being as small as it is, the city of Hercules, CA happens to be within walking distance and literally down the street there is a 76 gas station 828 Willow Avenue, Hercules, CA, 94547 and also another liquor store by the name of Willow Food & Liquor, 844 Willow Avenue Ste A1, Hercules, CA, 94547. These 2 stores which fall under Hercules and not under the direct order of the Contra Costa County are selling all types of flavored tobacco. As far as my own personal knowledge goes, their tobacco sales especially on the banned product like menthol cigarettes and flavored cigars and blunts has sky rocketed and there is of course paper proof and invoices from each stores weekly tobacco purchase which tell the whole story.

This is an example of just 1 town. Same is the situation in towns like El Sobrante where the stores have been banned from selling the flavored stuff are suffering dire consequences and all the retail business is being pushed to cities of San Pablo and Richmond.

The problem is that customers came to the retail locations not only to buy the tobacco product but also Beer, Liquor, Sodas, Snacks and so on. If the customer cannot buy 1 product at any of these locations they take their business elsewhere where they are able to purchase everything that they desire in 1 stop. Basically a 1 stop shop situation. All our other product sales are taking a hit too because of this situation.

Work and life are progressive equations. Earlier a few years ago we were still recovering from the economic recession. Finally things were starting to brighten up and sales were starting to pick up. Also with Marijuana being legalized in the state of California obviously the tobacco sales were going to go up too. Now we stand in a place where everyone else around us are skimming the cream from the tobacco sales and we are in a position where eventually stores are going to start shutting down because everything is like a ripple effect and not having enough sales will lead to laying off employees and cause financial hardship for numerous people. Our sales produce a lot of revenue in taxes which we pay to the Contra Costa county in a timely fashion. Since the County makes direct decisions for the un-incorporated towns, this 1 decision seems like has made it inevitable to drive us into the ground and eventually put a whole bunch of people out of business.

We are in no way against the betterment of the community or the youth. Of course the youth is our future. We have to do whatever is reasonable to ensure the wellbeing of our society. But at the same time how does picking on a handful of stores establish the intent of what this ban is supposed to do. Right now as I write this it is as easy as walking/ driving a few miles in either direction for people who want access to flavored tobacco. All this ban has done is hurt our sales in a disastrous manner and upped the sale of the surrounding stores and establishments.

To be able to make an impact on any group of folks, whether young or old, the bottom line should be to either ban each and every retailer across the board or don't ban anyone at all.

As an example the city of Hayward passed a ruling in which sale of cigars under 5 pack size was banished but the retailers are still able to sell menthol cigarettes and flavored 5 pack cigars and blunt wraps. This has made a big difference.

Smoking menthol cigarettes is a lifestyle that people have been following for years. Its hard to break a habit if a person tried on their own, but being forced to quit smoking a certain product is something that people should be able to decide for themselves. Believe me when I say this but 100% of my customers who used to buy menthol cigarettes and flavored product have not quit doing it at all, all they are doing now is going elsewhere and spending the money that they used to spend at my retail location. This ruling has not hurt or changed anyone but only the retailers who are losing business day by day and watch customers go elsewhere to spend their money. As a proof we can get you numerous official signatures of adults above 21 who will tell you that the only way they will quit is if flavored tobacco was banished from the whole country. If they can't buy the product from us, they will walk, if it isn't walking distance they will drive and if it isn't within driving distance they will order product online as long as it is still available for purchase.

It is out humble request to look into this matter as soon as possible and come to terms with the long term aftermath that this is going to have on everyone. Every retail location pays their due taxes and hires at least 2-6 people who are on the payroll. As is jobs are hard to find. Getting laid off or retailers being shut because of not being able to cope to this situation is going to cause a domino effect. Lots of families are going to suffer because of this. If in the future at any time the State of California bans flavored tobacco sales we will be very willing to comply. Because if the customers can't buy the product from us they sure can't buy it anywhere else either. Please look into this matter and reconsider the effects this is going to have on the retailers and everyone elses livelihood that are lined to these locations. In the whole County of Contra Costa only a handful of stores have been banned from selling these so mentioned products, everyone else who didn't fall under that category are enjoying the fruit of other stores misery.

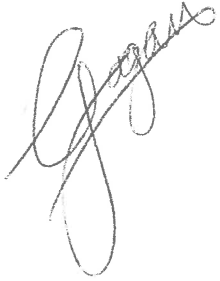
Store Owners from the un-incorporated towns of Contra Costa County.

SHELL GAS STATION
500 APPIAN WAY
ELSOBRANTE, CA 94803
Phone : (510)- 222-2165

Jamie Glover
Ogden

QUICK GAS & MART
4069 San Pablo Dam Rd,
El Sobrante, CA 94803
Phone : (510)- 222- 4440

M. Ruiz

A handwritten signature in dark ink, appearing to be "R. J. 29", with a long horizontal stroke extending to the right.A handwritten signature in dark ink, appearing to be "G. J. 29", with a long horizontal stroke extending to the right.

UNITED GAS & FOOD
521 Appian Way,
El Sobrante, CA 94803
(510) 222-3408

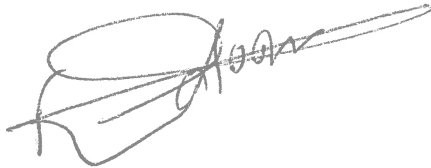
SMOKE DEPOT

4100 San Pablo Dam Rd,

El Sobrante, CA 94803

Phone: (510) 283-5969

Freedom Azim

A handwritten signature in black ink, appearing to be 'Freedom Azim', written over a horizontal line.

RANCHO LIQUORS

3914 San Pablo Dam Rd,

El Sobrante, CA 94803

Phone: (510) 223-3581

Amarjot Singh

APPLIAN FOOD & LIQUOR
4247 Appian Way,
El Sobrante, CA 94803
Phone: (510) 758-7543



1-2518

APN SMOKE SHOP
452 Appian Way,
El Sobrante, CA 94803
Phone: (510) 275-3838

A. Wainwright

PEOPLES MARKET & LIQUOR
386 PARKER AVENUE,
RODEO, CA 94572
Phone : (510)- 245-7808

Subtle Fish

SUPER STOP
718 Fourth St,
Rodeo, CA 94572
Phone: (510) 799-6115

Jagdish Masin

RODEO SPORTS LIQUORS

133 Parker Avenue,

Rodeo, CA 94572

Phone: (510) 799-2816

Jaswant Singh

CENTRAL FOODS
4352 Appian Way,
El Sobrante, CA 94803
Phone: (510) 223-4532

X *Jesús D. Mera*

01-25-18

APPIAN EXPRESS MART & GAS
4917 Appian Way,
El Sobrante, CA 94803
Phone: (510) 223-0734

ASHOK ATTRI
Ashok A 1/25/18