Flavored Tobacco Products Sales Ban Project Plan

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Objectives

- Flavored Tobacco Products Sales Ban
- What is a Flavored Tobacco Product?
- Project Plan Summary
- City Activities to Assist Retailers
- Action Taken by Retailers
- Questions and Answers
Ending the Sale of Menthol and Flavored Tobacco Products in San Francisco (Health Code 19Q)

Adds to the current Tobacco Retail License ordinance:

1. Sale or distribution by a retailer of any flavored tobacco product is prohibited

2. Enforcement will be at the retail sales level; not about individual possession or use of tobacco products

3. Took effect July 20, 2018 and is undergoing a rollout through 2018
   a) Was first adopted in July 2017 after unanimous Board support and Mayor Lee signature
   b) Challenged by tobacco industry through voter referendum
   c) Was re-adopted with over 68% of San Francisco voters in support
Why the ordinance is important to public health: Menthol cigarette users as an example – starter product and an unequal cause of death and disability
Tobacco Industry Engineered Menthol Cigarettes

• **Anesthetic**: Menthol has a minty cooling effect, allowing newer smokers to start use

• **Green Packaging**: Perception of less harsh and reduced harm

• **Harder to Quit**: Menthol smokers more likely to attempt to quit, **less likely to succeed**

  ❑ **Health cost savings**: National studies estimate health cost and human lives saved after eliminating menthol cigarette access
Community Engagement

- DPH is partnering with youth and community agencies to get the word out
- SF Quits program is ongoing and shares quitting resources and a quit kit to support ending tobacco addiction (sfquits.org)
- A media campaign to encourage quitting will be forthcoming
- Getting the word out to retailers in several modes...
What is a Flavored Tobacco Product?

Examples of tobacco products now banned from sale in San Francisco:

“Menthol” is a distinguishable taste and aroma.

“Sour Apple” is a fruit flavor; “Mint” is a distinguishable taste and aroma.

“Cherry”, “Nectar”, “Melon”, “Apple”, “Raspberry”, “Strawberry”, “Berry”, and “Fruit Medley” are fruit flavors; “Crème Brulee” and “Vanilla” are candy flavors; “Mint” and “Menthol” are distinguishable tastes and aromas; “Hawaiian pod” has an image indicating it contains a flavor other than tobacco.

Sold individually and in packs; those that are flavored are banned.

“Strawberry,” “White Grape,” “Grape,” “Peach” and “Blueberry” are fruit flavors.

“Berry” is a fruit flavor; mint is a distinguishable taste and aroma.

“Lemonade” is a fruit flavored beverage; “Raspberry”, “Blueberry”, “Orange”, “Grape”, “Cherry” and “Strawberry” are fruit flavors.
Next steps

**What Can Retailers Do to Follow the Law?**
- Discontinue ordering and stocking banned products
- When in doubt, voluntarily stop selling the product

**What Can Retailers Do to Stay Informed?**
- Participate in DPH & OEWD listening sessions & hearings
- Check Environmental Health website for updates
- Read emails from EHB-TobaccoProgram@sfdph.org
- Contact SF311 at 311 or 415-701-2311 with questions

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Tobacco Retailers Listening Sessions

• 4 Listening Sessions to hear from Tobacco Retailers
  • Bayview, Mission/Outer Mission, Civic Center/Tenderloin and Chinatown

• 3 Questions
  • What do they love about working in SF?
  • What challenges do they have?
  • What are recommendations?
Project Plan Summary

- Aug 2018: Fact Sheet
- Sept 2018: Listening Sessions
- Oct 2018: Educational Materials (FAQs)
- Nov 2018: Outreach and Education On-site Visits
- Dec 2018: Compliance Checks
- Jan 2019: Draft Proposed SF Tobacco Products Licensing Rules and Regulations
- Feb 2019: 30-day Public Comment
- Mar 2019: Final Rules and Regulations effect
- Apr 2019: Public Comment

LEGEND
- Hand-Outs or Mailers
- In-Person Opportunity
- Rules and Regulations
THANK YOU!

Check Environmental Health Website for Updates:

https://www.sfdph.org/dph/EH/Tobacco/flavoredtobacco.asp