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Flavored Tobacco Fact Sheet

What is “flavored tobacco”?

Flavored tobacco is any tobacco-based product, whether cigarette, smokeless, e-product, or otherwise, that has an added characterizing flavor, such as mint, grape, bubblegum, or cotton candy.

Why ban flavored tobacco?

Research shows that flavored tobacco can be more addictive and more harmful for one’s health than unflavored tobacco¹. Additionally, the tobacco industry selectively targets youth and young adults, African Americans, Asian Pacific Islanders, and LGBTQ people with marketing for these products². These groups are disproportionately impacted by tobacco-related illness^{3,4}. Menthol, in particular, is more difficult to quit than unflavored tobacco because menthol **decreases** the metabolism of nicotine and **increases** the amount of the addictive substance in the blood⁵.

What products will the proposed legislation include?

This restriction includes cigarettes, cigars, cigarillos, hookah tobacco, and e-products advertised as having a “characterizing flavor.” This includes, but is not limited to, text and/or images on the product’s Labeling or Packaging that are used to explicitly or implicitly communicate that the Tobacco Product has a flavor, taste, or aroma other than the flavor, taste, or aroma of tobacco. Examples of such advertised flavors may include, but are not limited to, fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, or spice.

Will this increase police interactions with citizens?

No. This ordinance only restricts the sale of flavored tobacco products by retailers. Individuals in possession of flavored tobacco will not be criminalized or prosecuted.

¹ Products, Center For Tobacco. "Tobacco Products Scientific Advisory Committee - Menthol Report: Overview." U S Food and Drug Administration Home Page. Center for Tobacco Products, 11 Aug. 2015. Web. 18 Apr. 2017.

² Carpenter, C. M., G. F. Wayne, J. L. Pauly, H. K. Koh, and G. N. Connolly. "New Cigarette Brands With Flavors That Appeal To Youth: Tobacco Marketing Strategies." *Health Affairs* 24.6 (2005): 1601-610. Web.

³ Yerger VB, Przewoznik J, & Malone RE (2007). Racialized geography, corporate activity, and health disparities: Tobacco industry targeting of lower income inner city residents. *Journal of Health Care for the Poor and Underserved*, 18(S4), 10-38.

⁴ Fallin A, et al., Menthol cigarette smoking among lesbian, gay, bisexual, and transgender adults. *Am J Prev Med*. 2015; 48(1):93-97.

⁵ Benowitz, N.L., B. Herrera, and P. Jacob, Mentholated cigarette smoking inhibits nicotine metabolism. *Journal of Pharmacology and Experimental Therapeutics*, 2004. 310(3): p. 1208-1215.

How will this be enforced?

SFDPH will be responsible for educating retailers about the new law. Enforcement will begin January 1, 2018.

Does a ban like this exist elsewhere?

Local and state health departments have already taken the initiative to regulate the sale of non-regulated flavored tobacco products in their jurisdictions.

- The State of Maine banned the sale and distribution of flavored cigarettes and cigars in the state in 2009.
- In 2011, New York City banned the sale of flavored tobacco products, excluding menthol.
- Providence (RI) banned sale of flavored tobacco products and redemption of tobacco industry coupons and discounts in 2013, excluding menthol.
- In 2014, Chicago banned the sale of all flavored tobacco products, including menthol, within a 500-foot radius of any elementary, middle, or secondary school.
- Effective January 2017, the City of Berkeley created a tobacco retail buffer zone, prohibiting the sale of flavored tobacco and electronic tobacco products, including menthol, around schools.
- In October 2016, Santa Clara County restricted the sale of all flavored tobacco products, including menthol, with an exemption for retailers only accessible to those 21 and older.

What are the financial impacts of tobacco use for the City?

The financial cost of tobacco use in San Francisco amounts to \$380 million per year in direct health care expenses and lost productivity.