

Responses to Questions Posed During the July 11, 2019 Information Webinar

Proposed Changes to the County of Los Angeles' Regulations of Tobacco Retailers in the Unincorporated Areas

[Please note all questions are listed verbatim as received from webinar participants.]

Question: why is the meeting labeled nuisance tob shops? I find that offensive .

Response: The September 25, 2018 Board of Supervisors (Board) motion *Expanding Regulation of Nuisance Tobacco Shops* uses the term Nuisance Tobacco Shops. This webinar is in response to that motion.

Question: how many traditional cigarette users were there under the age of 21 prior to e-cigarettes. has that number devreased?

Response: According to a report by the U.S. Surgeon General, e-cigarette use is strongly associated with the use of other tobacco products among youth and young adults, particularly the use of combustible tobacco products. For example, in 2015, 58.8% of high school students who were current users of combustible tobacco products were also current users of e-cigarettes.ⁱ

Question: Why now? Tobacco products have been around for a long time. this seems to be targeted specifically at Vape.

Response: It is important to address youth-attractive products on the market, including newer products, such as vape. According to the CDC youth tobacco use increased dramatically in 2018, with 4.9 million middle and high school students using tobacco products, up from 3.6 million in 2017. This increase was driven by a surge in e-cigarette use.ⁱⁱ

Question: Why not have law enforcement enforce underage consumption

Response: There are many ways to enforce underage tobacco laws. In the unincorporated areas of the County a Tobacco Retail License is required of all tobacco retailers. The Sheriff's Department enforces the TRL by conducting undercover youth decoy operations.

Question: On the first section of the webinar you guys talked about "Alcohol Use & Sales Prohibited" How would this effect liquor stores ?

Response: The ban on alcohol sales for consumption on the tobacco shop premises will not affect liquor stores. The proposed ordinance requires a business license for tobacco only retail establishments whose main purpose is to sell tobacco products, including but not limited to cigars, pipe tobacco, and smoking accessories.

Question: Also if menthol cigarettes are stopped wouldn't that just drive traffic to neighboring cities? In essence taking away business from certain geographical locations that are not that far away from other cities that are not in "Unincorporated Los Angeles county"

Response: While that is a possibility, the proposed changes to the County of Los Angeles' regulation of tobacco retailers will only affect tobacco retailers in the unincorporated areas of the County, where the County has authority to regulate.

Question: Also can't individuals in "unincorporated LA county" just get deliveries of e-cigarettes from online retailer thus hurting business for local businesses or do you guys plan on stopping online retailers from shipping "flavored tobacco or e-cigarettes" to individuals in "unincorporated LA county" ?

Response: A bill under consideration by the California Legislature, SB 38, would create more strict requirements for online tobacco sales. That said, the proposed changes to the County of Los Angeles' regulation of tobacco retailers is focused solely on the retail sale of tobacco products by brick-and-mortar retailers in the unincorporated areas of Los Angeles County.

Question: Also are there any proposed changes regarding marijuana delivery to Unincorporated LA county? Seems like the shift for the young generation is also heading towards marijuana but they can use delivery apps to get that stuff extremely easy. It just seems like "flavored tobacco" will be harder to get more they can just easily shift to marijuana (which in LA county is so so easy to get and delivered). There just needs to be an equal playing field for everyone thus including online delivery services.

Response: The proposed changes to the County of Los Angeles' regulation of tobacco retailers is focused solely on the sale of tobacco products. Currently, the County has banned all retail sales of any marijuana products in the unincorporated areas of the County.

Question: Also have you guys thought of raising the age for flavored tobacco maybe to 25 or even 30?

Response: The County is preempted by State law from raising the age to purchase tobacco products.

Question: A big part of any tobacco business is the mini cigars ie black and mild and things like that will this be affecting that as well ?

Response: The proposed changes to the County of Los Angeles' regulation of tobacco retailers will affect tobacco retailers in the unincorporated areas of the County that sell flavored tobacco products such as little cigars and cigarillos. Little cigars and cigarillos, such as Black and Mild, come in a variety of flavors including cherry, grape and white peach, and all flavored tobacco products will be restricted from being sold in the unincorporated areas of the County.

ⁱ US Department of Health and Human Services. E-cigarette use among youth and young adults: a report of the Surgeon General. Atlanta, GA: US Department of Health and Human Services, CDC, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health; 2016. https://e-cigarettes.surgeongeneral.gov/documents/2016_SGR_Full_Report_non-508.pdfpdf icon

ⁱⁱ Centers for Disease Control and Prevention. Vital Signs: Tobacco Product Use Among Middle and High School Students-United States 2011-2018. Morbidity and Mortality Weekly Report 2019, 68(06)