



June 5, 2020

The Honorable Ariston Julian
City of Guadalupe
918 Obispo Street
Guadalupe, CA 93434

RE: Agenda Item # 9

Dear Mayor Julian and City Council:

The American Cancer Society Cancer Action Network (ACS CAN) is committed to protecting the health and well-being of the residents in the City of Guadalupe through evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem. **As such, we are writing to urge this council to accept the draft comprehensive tobacco retail license (TRL) ordinance and the Smoke-Free amendment that are currently under review.** If passed, ordinance No. 2020-489 would create a tobacco retail licensing requirement that would prohibit the sale of *all* flavored tobacco—including menthol cigarettes, create a minimum pack size and minimum price, and prohibit pharmacies from selling tobacco products within the City of Guadalupe. Chapter 8.60 would prohibit smoking in most public places and all multi-unit housing (MUH).

Tobacco remains the leading cause of preventable death in our country, and sadly, greater than 90% of adult smokers begin smoking before the age of 21. Of the 9 million youth currently living in our state, nearly 1.4 million of them will become smokers, and approximately 440,000 of those kids will die prematurely as a result of tobacco use. Actions taken now at the local level can help to encourage a generation of tobacco-free kids—potentially saving them from a lifetime of addiction and the deadly consequences of tobacco use.

Both opponents of smoking and purveyors of cigarettes have long recognized the significance of adolescence as the period during which smoking behaviors are typically developed. Adolescents are still going through critical periods of brain growth and development, and they are especially vulnerable to the toxic effects of nicotine. A study published in the journal, *Pediatrics*, found that the earlier youth are exposed to nicotine, the less likely they will be able to quit smoking. Tobacco companies have a long history of marketing to vulnerable populations, and target youth with imagery and by marketing appealing flavors.

The use of e-cigarettes by teens has sky-rocketed in recent years. A 2018 study by the Food and Drug Administration (FDA) and the Centers for Disease Control and Prevention (CDC) found that vaping increased 78% among high school students in just the past year alone. These products are designed to be discreet and come in a wide variety of candy flavors that appeal to youth and beginning smokers.

American Cancer Society Cancer Action Network
99 S. Lake Avenue, Suite 400 ■ Pasadena, CA 91101
626.243.5614 ■ FAX: 626.568.2888 ■ Primo.Castro@Cancer.org

Prohibiting the sale of flavored tobacco products, including menthol, is not only a health issue; it is also a social justice issue. Targeted marketing to communities of color, low income communities and LGBTQ communities adds to the health disparities in populations already impacted by social inequities. In African American communities, the tobacco industry has aggressively marketed menthol flavored tobacco products to youth. Approximately 85% of African American smokers smoke menthol cigarettes, and consequently, African American men have the highest death rates from lung cancer, when compared to other demographic groups. The anesthetizing effect of menthol masks the harshness of tobacco, making menthol cigarettes more appealing to beginning smokers, and menthol smokers demonstrate greater dependence, and are less likely to quit.

Similarly, while adult cigar use has declined, cigar use by young men and teenage boys has continued to increase. It is not coincidental that these are the same products that are available in a wide array of kid-friendly flavors, packaged in bright colors, and sold in small packs with product names designed to be alluring to young people. Many of these small packs are available, which adds an additional appeal to price sensitive youth. These inexpensive products, with their targeted marketing, make it easy for youth to experiment. Creating a minimum pack size and a minimum price, while prohibiting discounting or coupons, adds deterrents for beginning smokers, who often have limited disposable income.

ACS CAN also supports the elimination of tobacco sales in pharmacies. Pharmacies are in the business of improving health, and it is a contradiction to be a facilitator of health and wellness, while selling tobacco products alongside over-the-counter medications and prescription drugs. Youth are often confused about the safety of e-cigarettes, and mistakenly believe that these products are harmless. Selling these products next to approved cessation devices creates additional confusion and helps to diminish the hazards of tobacco use.

Chapter 8.60 prohibits smoking in most public places and all MUH. According to numerous Surgeon General's reports, there is no safe level of exposure to secondhand smoke. Secondhand smoke contains at least 7,000 chemicals, including hundreds that are toxic, and about 70 that can cause cancer. Smoking is estimated to cause 480,000 deaths in the U.S. each year, including an estimated 42,000 from exposure to secondhand smoke. More than 80% of lung cancer deaths in men, and more than 90% in women, are attributable to smoking, but tobacco use also increases the risk for many other types of cancers. Even brief exposure to secondhand smoke has immediate adverse health effects in adults and children.

Prohibiting smoking in MUH improves the quality of life and helps to protect the health of nonsmoking residents by preventing the unintentional exposure that many receive as the result of smoking neighbors. More than 80% of Californians completely prohibit smoking in their homes, and yet, in MUH, one smoking resident can expose the neighbors in all surrounding units. Californians are making wiser choices for themselves and their families, and they should not have to endure being exposed to the smoke of others. Everyone has the right to breathe clean air, especially in their own homes. An ordinance that prohibits all smoking in MUH units, on

balconies, patios, and in common areas to protect all residents who live in MUH within the City of Guadalupe.

ACS CAN urges this council to pass Ordinance No 2020-489 and Chapter 8.60 that are currently under review. Prohibiting the sale of *all* flavored tobacco products, without exemptions, removes much of the allure of these products and is a key component of a comprehensive strategy to effectively help reduce tobacco initiation and subsequent addiction. Additionally, adding the minimum pack size and minimum price, as well as eliminating sales in pharmacies are all important pieces of a comprehensive approach to protecting youth from the influences of the tobacco industry. Passing the comprehensive smoke-free policy, including smoke-free MUH will help to protect all who live, work, play, or visit Guadalupe from exposure to secondhand smoke, creating a healthier city for all and creating an example of health for all surrounding communities..

Sincerely,



Primo J. Castro
Director, Government Relations
American Cancer Society Cancer Action Network