



## Ordinance No. 878

### *An ordinance to limit the access of tobacco, flavored products, synthetic nicotine and inhalant delivery systems to individuals under 21 years old and repealing Ordinance 599*

#### Overview:

During the 2021 legislative session, statewide Tobacco Retail Licensing (TRL), known as Senate Bill 587, passed and is scheduled to go into effect January 2022. TRL is a foundation to be and do more than just requiring a license to sell tobacco. By restricting all flavors to 21-and-over establishments and prohibiting price promotions and discounts, we have an opportunity to prevent youth access and initiation. Tobacco retailers cluster in neighborhoods with a high percentage of low-income residents or residents of color. These individuals, families and children are targeted by tobacco companies, and they disproportionately suffer the health harms caused by tobacco use. By strengthening the statewide TRL, we can alter the systems and policies that perpetuate inequity by replacing them with new policies that purposefully lead to health equity.

#### Key Facts:

#### Marketing

- The tobacco industry has long used the point of sale to target consumers not just based on their race, ethnicity and income, but on their mental health, gender and sexual orientation as well<sup>1,2,8</sup>.

#### Flavors

- National trend: By the end of December 2020, 331 localities have placed some type of restriction on flavored tobacco products<sup>3</sup>.
- In Oregon 63% of 8<sup>th</sup> graders and 75% of 11<sup>th</sup> graders report using a flavored tobacco product<sup>10</sup>.
- In Washington County 9% of 8<sup>th</sup> graders and 18.4% of 11<sup>th</sup> graders currently use e-cigarettes<sup>10</sup>.
- At least two-thirds of youth tobacco users report using tobacco products “because they come in flavors I like.”<sup>9</sup>

#### Menthol

- About half of all high school smokers use menthol cigarettes<sup>7,11</sup>.
- Menthol cigarettes have antiseptic properties that mask the harshness of the tobacco smoke, allowing users to inhale more deeply, leading to a higher level of exposure to all the other chemicals in the smoke. Some researchers believe menthol aids in increasing a user’s nicotine addiction<sup>4,8</sup>.
- In terms of menthol, research has shown that:
  - If menthol cigarettes were banned, 39% of all menthol smokers and 44.5% of African American menthol smokers reported they would try to quit<sup>5</sup>.
  - Among young adult menthol smokers (aged 18-24), 65% reported they would quit smoking and not use any other products if menthol cigarettes were banned<sup>6</sup>.
  - If a menthol cigarette ban had gone into effect in 2011, researchers estimate that more than 320,000 smoking-attributable deaths would be averted by 2050, almost a third of them among African Americans<sup>5</sup>.

#### Price

- Youth and young adults are more price-sensitive than older adults. Lower prices encourage youth to initiate tobacco use and, along with coupons and other price discounts, encourage youth to move from experimentation to regular smoking<sup>1</sup>.
- According to the research, for every 10% increase in the price of cigarettes, adult smoking decreases by 3-5% and youth smoking decreases by 6-7%. The tobacco industry knows that cheap prices help to lure new users and keep current users hooked, so they spend billions of dollars each year on price discounts and coupons to reduce prices<sup>1</sup>.

## Citations:

1. U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012. Available from [https://www.cdc.gov/tobacco/data\\_statistics/sgr/2012/index.htm](https://www.cdc.gov/tobacco/data_statistics/sgr/2012/index.htm)
2. Centers for Disease Control and Prevention. Best Practices User Guide: Health Equity in Tobacco Prevention and Control. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2015. Available from <https://www.cdc.gov/tobacco/stateandcommunity/best-practices-health-equity/index.htm>
3. Campaign for Tobacco Free Kids. (2021, June 8). "States & Localities That Have Restricted the Sale of Flavored Tobacco Products". <https://www.tobaccofreekids.org/assets/factsheets/0398.pdf>
4. Food and Drug Administration. (2013). *Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol Versus Nonmenthol Cigarettes*. <https://permanent.access.gpo.gov/gpo39032/Preliminary%20Scientific%20Evaluation%20Menthol%20508%20reduced.pdf>
5. Levy DT, Pearson JL, Villanti AC, Blackman K, Vallone D, Abrams D. Modeling the future effects of a menthol ban on reduced smoking prevalence and deaths averted in the United States. *American journal of public health*. 2011;101(7):1236-1240.
6. Wackowski OA, Manderski MT, Delnevo CD. Young Adults' Behavioral Intentions Surrounding a Potential Menthol Cigarette Ban. *Nicotine & tobacco research : official journal of the Society for Research on Nicotine and Tobacco*. 2014.
7. Hersey JC, Nonnemaker JM, Homs G. Menthol cigarettes contribute to the appeal and addiction potential of smoking for youth. *Nicotine & tobacco research : official journal of the Society for Research on Nicotine and Tobacco*. 2010;12 Suppl 2:S136-146.
8. Campaign for Tobacco Free Kids. (2021, April 14). "Impact of menthol cigarettes on youth smoking initiation and health disparities". <https://www.tobaccofreekids.org/assets/factsheets/0390.pdf>
9. Ambrose, BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014," *Journal of the American Medical Association*, published online October 26, 2015.
10. Oregon Health Authority, 2019, *Oregon Healthy Teens Survey*, <https://www.oregon.gov/oha/PH/BIRTHDEATHCERTIFICATES/SURVEYS/OREGONHEALTHYTEENS/Documents/2019/2019%20State%20of%20Oregon%20Profile%20Report.pdf>
11. Wang, TW, et al., "Tobacco Product Use and Associated Factors Among Middle and High School Students—United States, 2019," *MMWR* 68(12), December 6, 2019, <https://www.cdc.gov/mmwr/volumes/68/ss/pdfs/ss6812a1-H.pdf>.