

# CREATING A HEALTHIER COMMUNITY THROUGH TOBACCO RETAIL POLICIES

FORT BRAGG, CA

*Changing unhealthy habits can be accomplished by addressing social and community norms and upstream prevention. Tobacco retail policies have been adopted by many communities throughout California and are considered public health best practices for reducing harms caused by commercial tobacco.*

**A healthy community is possible!**

## REDUCE TOBACCO RETAIL DENSITY

Reduce tobacco retail density by

- Placing a cap on the number of tobacco retailers to 1 per 2,500 residents
- Prohibit tobacco retailers near schools
- Prohibit a pharmacy from selling tobacco

California Alcoholic Beverage Control recommends just 1 off-sale retailer for every 2,500 residents.

California = 2 tobacco retailers for every 2,500 residents  
Mendocino County = 3.25 tobacco retailers for every 2,500 residents  
Fort Bragg = 6.25 tobacco retailers for every 2,500 residents.<sup>1</sup>

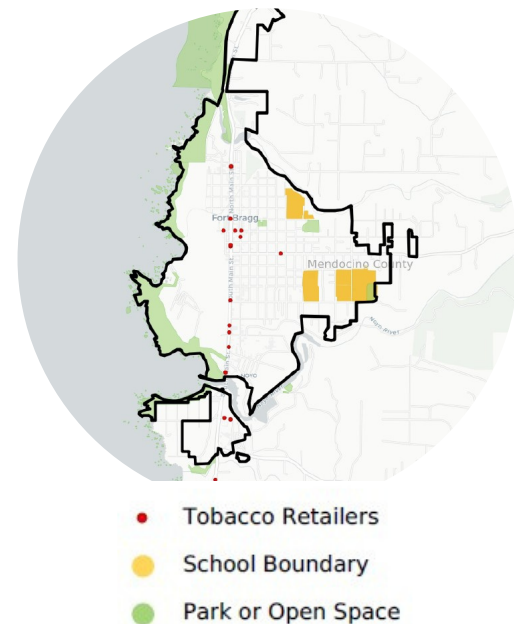
### FACTS:

- Middle school youth exposed to tobacco products in a retail setting multiple times per week are twice as likely to start smoking.<sup>2</sup>
- Ending tobacco sales in pharmacies will reduce the total number of nicotine dealers in our community, and help smokers quit.

### TIP

Prohibiting tobacco retailers near schools and other youth-serving areas such as parks and community centers are reasonable steps to take now to start building a health community.

**FORT BRAGG HAS 18 TOBACCO RETAILERS!**



## ELIMINATE THE SALE OF FLAVORED TOBACCO

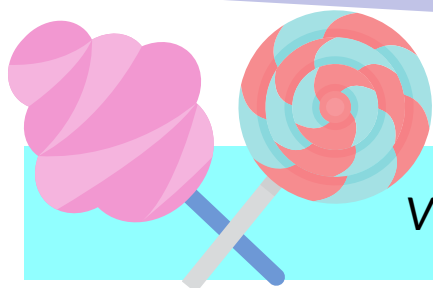
Eliminating flavored tobacco will protect children from gateway addiction.

**Four out of five kids who use - started with a flavored product.**

Internal tobacco industry documents show the industry uses flavors to reduce the harshness of their products to make them more appealing to new users, almost all of whom are under the age of 18.<sup>3</sup>

As of January 2021, there were at least 56 communities in California that completely eliminated the sale of all flavored tobacco, **including unincorporated Mendocino County.**

**Vapes come in candy flavors like Cotton Candy and Blue Razz.**



## LIMIT STOREFRONT ADVERTISING

### Limit Storefront Advertising to No More Than 10% Coverage of Doors and Windows

Mendocino County has a current sign limit of 7% of wall space and 20% of window space

The World Health Organization has described tobacco addiction as

**"A communicated disease - communicated through advertising, sports, marketing and sponsorship."** <sup>4</sup>

Tobacco industry advertising and promotion have been shown to entice children and young people to start using tobacco.

**In Mendocino County, unhealthy ads on stores near schools including alcohol and tobacco ads increased from 63.6% of stores to 70.6% between 2016 and 2019.**

*Excessive signage may create an overall image of blight, inhibit public safety and contribute to a reduction in property values and business in the surrounding areas.*

## ADDRESS DRUG PARAPHERNALIA AND WHIPPITS

*A recent fad amongst recreational drug users is the use of nitrous oxide in the form of tiny canisters called "whippits."*

**Including drug paraphernalia and whippits provisions in a TRL policy provides additional tools to combat illegal sales at tobacco retailers.**

If a retailer is found to have violated state laws regarding drug paraphernalia or controlled substances, that retailer will also be in violation of the tobacco retailer license, and the penalties of the licensing ordinance will apply.

Alternatively, the City can develop and adopt a policy to license ALL retailers of smoking devices and whippits along lines similar to that of the Tobacco Retail Licensing policy.

Local legal counsel could consider best options.

These cannisters are legal and readily available, normally used in whipped cream dispensers.

Prolonged and overuse of nitrous oxide can lead to:

- Vitamin 12 deficiency
- Disabling neurological effects, such as degeneration of the spine
- Death

***Local tobacco control programs can provide model policy language, free legal technical assistance, and draft retail licensing policy specific to the needs of Fort Bragg, CA.***

1 - California Tobacco Health Assessment Tool. <https://cthat.org/> Accessed 2/19/21

2 - Feighery EC, Henriksen L, Wang Y, Schleicher NC, Fortmann SP. An evaluation of four measures of adolescents' exposures to cigarette marketing in stores. *Nicotine & Tobacco Research*. 2006;8(6):751-759

3 - HHS, Preventing Tobacco Use Among Youth and Young Adults, A Report of the Surgeon General, 2012, <http://www.cdc.gov/Features/YouthTobaccoUse/>

4 - World Health Organization. European Union Directive Banning Tobacco Advertising Overturned - WHO Urges Concerted Response. Press Release. 2000 Oct 5. Available from: <https://www.who.int/inf-pr-2000/en/pr2000-64.html>.

5 - Healthy Stores for a Health Community Survey supported by the California Department of Public Health, Tobacco-Control Program and local County programs available online at <https://healthystoreshealthycommunity.com/>

# PROPOSED ADDITIONS TO TOBACCO RETAIL LICENSE POLICY

FORT BRAGG, CA

## ***A healthy community is possible.***

Changing unhealthy habits can be accomplished by addressing social and community norms that perpetuate the unhealthy behaviors that lead to chronic disease. There may be no better example than the tobacco prevention work done by California. The tobacco control program, with its mix of state and local policy activities, has produced substantial reductions in diseases caused by tobacco products, and health care cost savings. The Tobacco Retail Licensing (TRL) policy options provided below have been adopted by many communities throughout California and are considered public health best practices for reducing the harms caused by commercial tobacco. The list below has been reviewed by a team of tobacco control professionals for their appropriateness to the City of Fort Bragg. Local tobacco control programs can provide model policy language, free legal technical assistance, and draft a tobacco retail licensing policy specific to the needs of Fort Bragg.

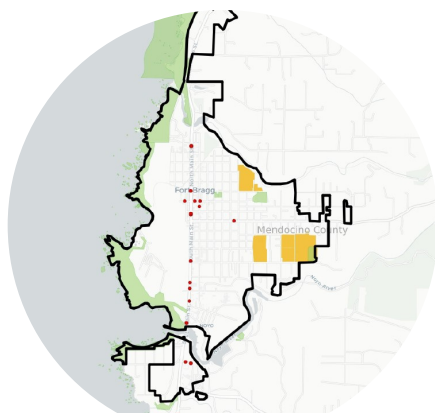
## ELIMINATE THE SALE OF FLAVORED TOBACCO

Eliminating flavored tobacco will protect children from gateway addiction. Four out of five kids who use - started with a flavored product. For every adult smoker that switches to an electronic nicotine delivery system (VAPE), eighty children start vaping.<sup>1</sup> Internal tobacco industry documents show the industry uses flavors to reduce the harshness of their products to make them more appealing to new users, almost all of whom are under the age of 18.<sup>2</sup> Flavored electronic smoking products (VAPES) are mainly responsible for a rapid increase in youth and young adult tobacco use.<sup>3,4</sup> Menthol flavorings are more popular with young smokers. 54.5% of current high school and 48.4% of middle school tobacco users smoke menthol cigarettes, compared to 30-35% of adults.<sup>5</sup> As of January 2021, there were at least 56 communities in California that **completely eliminated** the sale of all flavored tobacco, including unincorporated Mendocino County.

## REDUCE TOBACCO RETAIL DENSITY

Reduce tobacco retail density by a) Placing a cap on the number of tobacco retailers to 1 per 2,500 residents b) Prohibit tobacco retailers near schools c) Prohibit a pharmacy from selling tobacco

### FORT BRAGG HAS 18 TOBACCO RETAILERS!



- Tobacco Retailers
- School Boundary
- Park or Open Space

California Alcoholic Beverage Control recommends just 1 off-sale retailer for every 2,500 residents. Statewide, California has 2 tobacco retailers for every 2,500 residents. In Mendocino County there are 3.25 tobacco retailers, and in **Fort Bragg there are 6.25 tobacco retailers for every 2,500 residents.**<sup>6</sup> Higher density of tobacco retailers in a community is associated with increased susceptibility of non-smokers starting to smoke.<sup>7</sup> Middle school youth exposed to tobacco products in a retail setting multiple times per week are twice as likely to start smoking.<sup>8</sup> Pharmacies are part of the health care delivery system. The U.S. stands virtually alone as a country that still allows tobacco sales in pharmacies. More than 228 U.S. cities prohibit pharmacies from selling tobacco products.<sup>9</sup> Two-thirds of U.S. adults agree that pharmacies should not sell tobacco products, and the majority of pharmacists agree.<sup>10</sup> Ending tobacco sales in pharmacies will reduce the total number of nicotine dealers in our community, and help smokers quit.<sup>11</sup> Prohibiting tobacco retailers near schools and other youth-serving areas such as parks and community centers, and capping the total number of tobacco retailers are reasonable steps to take now to start building a healthy community.

## LIMIT STOREFRONT ADVERTISING

**Build a healthy and safe community by limiting storefront advertising to no more than 10% coverage of doors and windows.**

It is clear that the tobacco industry is the leading systemic structural cause of tobacco-related diseases.<sup>12</sup> The World Health Organization has described tobacco addiction as "a communicated disease - communicated through advertising, sports, marketing and sponsorship."<sup>13</sup> Tobacco industry advertising and promotion have been shown to entice children and young people to start using tobacco, as youth are the "replacement smokers" so essential to the industry's ongoing success.<sup>14</sup> In Mendocino County, unhealthy ads on stores near schools including alcohol and tobacco ads increased from 63.6% of stores to 70.6% between 2016 and 2019.<sup>15</sup> Keeping window at retail stores unblocked by signage assists law enforcement personnel in their crime-prevention efforts;<sup>16</sup> and the U.S. Occupational Safety and Health Administration recommends that stores limit window signs so workers can see incoming customers and police have visibility from outside the establishment.<sup>17</sup> In addition, the appearance of the community is essential to the long-term economic viability, aesthetic culture, and quality of life for the community. Excessive signage may create an overall image of blight and contribute to a reduction in property values and business in the surrounding areas.

## ADDRESS DRUG PARAPHERNALIA AND WHIPPITS

A recent fad amongst recreational drug users is the use of nitrous oxide in the form of tiny canisters called "whippits." These cannisters are legal and readily available, normally used in whipped cream dispensers. Prolonged and overuse of nitrous oxide can lead to vitamin 12 deficiency, disabling neurological effects, such as degeneration of the spine<sup>18</sup> and even death.<sup>19</sup> Community policies can ban, limit the sales and/or display of these cannisters to help reduce impacts. Including drug paraphernalia and whippits provisions in a TRL policy provides additional tools to combat illegal sales at tobacco retailers. If a retailer is found to have violated state laws regarding drug paraphernalia or controlled substances, that retailer will also be in violation of the tobacco retailer license, and the penalties of the licensing ordinance will apply. Alternatively, the City can develop and adopt a policy to license ALL retailers of smoking devices and whippits along lines similar to that of the Tobacco Retail Licensing policy. Local legal counsel could consider best options.

1 - [www.flavorshookkids.org](http://www.flavorshookkids.org)

2 - HHS, *Preventing Tobacco Use Among Youth and Young Adults, A Report of the Surgeon General*, 2012, <http://www.cdc.gov/Features/YouthTobaccoUse/>

3 - Zhu S-H, Zhuang Y, Braden K, et al. Results of the Statewide 2017-18 California Student Tobacco Survey. San Diego, CA: Center for Research and Intervention in Tobacco Control, University of California, San Diego;2019

4 - University of California Los Angeles. California Health Interview Survey. Los Angeles, CA 2019

5 - California Department of Public Health. *Menthol and Cigarettes*. Sacramento, CA: California Department of Public Health. Retrieved from <https://www.cdph.ca.gov/Programs/CCDPHP/DCDIC/CTCB/CDPH%20Document%20Library/ResearchandEvaluation/FactsandFigures/FinalMentholFactSheet05022017.pdf>

6 - California Tobacco Health Assessment Tool. <https://cthat.org/> Accessed 2/19/21

7 - Chan WC, Leatherdale ST. Tobacco retailer density surrounding schools and youth smoking behavior: a multi-level analysis. *Tobacco induced diseases*. 2011;9(1):1.

8 - Feighery EC, Henriksen L, Wang Y, Schleicher NC, Fortmann SP. An evaluation of four measures of adolescents' exposures to cigarette marketing in stores. *Nicotine & Tobacco Research*. 2006;8(6):751-759

9 - American Nonsmoker's Rights Foundation. Municipalities with Tobacco-Free Pharmacy Laws, January 1, 2021. Accessed 2/19/21

<https://no-smoke.org/wp-content/uploads/pdf/pharmacies.pdf>

10 - Wang TW, Agaku IT, Marynak KL, King BA. Attitudes Toward Prohibiting Tobacco Sales in Pharmacy Stores Among U.S. Adults. *American Journal of preventative medicine*. 2016;51(6):1038-1043. Available at Truth Initiative: Action Needed: Tobacco and Pharmacies.

11 - Jin Y, Lu B, Klein EG, Berman M, Foraker RE, Ferketich AK. Tobacco-Free Pharmacy Laws and Trends in Tobacco Retailer Density in California and Massachusetts. *American journal of public health*. 2016;106(4):679-685. Available at Truth Initiative: Action needed: Tobacco and pharmacies.

12 - U.S. Department of Health and Human Services, National Institutes of Health, National Cancer Institute. *The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General*. Atlanta, GA: 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;2014

13 - World Health Organization. European Union Directive Banning Tobacco Advertising Overturned - WHO Urges Concerted Response. Press Release. 2000 Oct 5. Available from: <https://www.who.int/inf-pr-2000/en/pr2000-64.html>.

14 - Slater SJ, Chaloupka F, Wakefield M, Johnston LD, O'Malley P. The Impact of Cigarette Marketing Practices on Youth Smoking Uptake. *Archives of Pediatrics & Adolescent Medicine*. 2007; 161:440-445.

15 - Healthy Stores for a Health Community Survey supported by the California Department of Public Health, Tobacco-Control Program and local County programs available online at <https://healthystoreshealthycommunity.com/>

16 - One of the elements of the Crime Prevention Through Environmental Design (CPTED) model - which aims to reduce the risk for robbery by modifying the business environmental - is natural surveillance and the ability to clearly see into and outside of a business. Jeffery CR. *Crime Prevention Through Environmental Design*. Beverly Hills: Sage Publications, 1971.

17 - Occupational Safety and Health Administration. Recommendations for Workplace Violence Prevention in Programs in Late-Night Retail Establishments. 2009, p.9. [www.osha.gov/Publications/OSHA3153.pdf](http://www.osha.gov/Publications/OSHA3153.pdf)

18 - <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4453489/>

19 - <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4794556/>

# Tobacco Retailers in Fort Bragg, CA

- Tobacco Retailers
- School Boundary
- Park or Open Space

