

## County of San Diego Tobacco Ordinance No. 10647

### Flavor and Devices Ban Fact Sheet

#### Background:

On January 28, 2020, County of San Diego Board of Supervisors approved an ordinance:

- Banning the sale or distribution of flavored smoking products, and
- Imposing a temporary ban on the sale or distribution of electronic smoking devices in the unincorporated area of the County.

On September 29, 2020, County staff will return to the Board with recommendations for a Tobacco Retail Licensing Program as well as further review and recommendations for hookah and the addition of smokeless tobacco in the flavored tobacco products ban. This fact sheet provides a brief overview of the Ordinance.

#### The sale or distribution of the following is prohibited:

- All flavored smoking tobacco products and electronic smoking devices, including e-hookahs.
- Electronic smoking devices, including e-hookahs, are prohibited until February 28, 2021 or an earlier date, depending on the results of the Centers for Disease Control and Prevention's ongoing vaping illness investigation.

#### Exemptions:

- "Shisha", which is a flavored smoking product that is traditionally mixed with molasses, honey, fruit pulp, or dried fruits and is sold for use in a water pipe known as a hookah, and
- Any product that has been approved by the Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes.

#### How to comply with the Ordinance:

- Be knowledgeable about the sections of Ordinance No. 10647 that are related to the sale or distribution of flavored smoking products and electronic smoking devices.
- Remove all flavored smoking products and electronic smoking devices from shelves.
- Do not sell or distribute flavored smoking products or electronic smoking devices.

#### Fines associated with the Ordinance:

- First violation: Warning and educational session with the County
- Second violation within a 12-month period: \$100
- Third violation within a 12-month period: \$200
- Each additional violation within a 12-month period: \$500

Additional information, including a copy of the Ordinance and educational resources, is available at: [www.sandiegocounty.gov/hhsa/tobacco](http://www.sandiegocounty.gov/hhsa/tobacco). If you have questions, please contact the County of San Diego Tobacco Control Resource Program by e-mail at [tobacco@sdcounty.ca.gov](mailto:tobacco@sdcounty.ca.gov) or call (619) 542-4178.