UPDATE ON THE TOBACCO RETAIL LICENSING PROGRAM

Health Services Advisory Board Meeting
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SANDIEGOCOUNTY.GOV/HHSA

OVERVIEW

- Background and Program Funding
- Highlights, Collaborative Efforts, Key Findings and Accomplishments
- Looking to the Future

BACKGROUND AND PROGRAM FUNDING

BACKGROUND

- In December of 2020, the San Diego County Board of Supervisors approved a new Tobacco Retail Licensing Ordinance.
- The Tobacco Retail Licensing Program in Public Health Services is responsible for oversight of the County's Tobacco Retail Licensing Ordinance.
- Oversight includes administration, education, compliance verification and enforcement activities.
- The goal is to limit youth access to tobacco products and reduce the initiation of overall tobacco use by County residents.

PROGRAM FUNDING

WHERE IT COMES FROM

The Tobacco Retail Licensing Program is funded by two sources:

- Revenue from the annual Tobacco Retail Licensing fee.
- Three grants from the California Department of Justice.

PROGRAM FUNDING

WHAT IT COVERS

Fee Revenue

- Process application
- Issue license and/or renewals
- Conduct retailer education
- Conduct Compliance Inspections
- Process findings from Compliance Inspections and Minor Decoy Operations
- Conduct enforcement activities and issue penalties

Grant Funds

- Conduct annual Compliance Inspections
- Create a networking group on enforcement
- Create a data management system
- Conduct annual Minor Decoy Operations
- Create a retailer education option for violations
- Expand data management system

HIGHLIGHTS, COLLABORATIVE EFFORTS, KEY FINDINGS AND ACCOMPLISHMENTS

PROGRAM HIGHLIGHTS

The Tobacco Retail Licensing Program launched in Winter 2020 and was phased in over several years.

- FY 21/22: Focus on retailer education; licenses issued with no fee.
- FY 22/23: Annual license fee introduced at $730, half of the calculated full cost of $1,460.
- FY 23/24: Compliance inspections began for all licensed retailers.
- FY 24/25: Enforcement began, including administrative citations and suspensions for sales to minors.
- FY 25/26: Preparing to launch a new data management system to streamline applications, renewals, and reporting.

COLLABORATIVE EFFORTS

Since its inception the program has:

- Participated in joint compliance inspections with the California (CA) Department of Tax and Fee Administration.
- Led quarterly SD County TRL Enforcement Network; supported new TRL ordinances.
- Participated as a panelist at 2025 National Association of Attorney General Conference on Tobacco Product Responsible Retailing.
- Presented at 2026 CA DOJ Enforcement Training: “Realities of Local Enforcement.”
- Created Unflavored Tobacco List retailer flyer; selected for State tobacco library.

KEY FINDINGS

Over the past four years the program has noted:

- A decrease in the percentage of retailers in the incorporated area of the County who sold to minors from 45% for FY 22/23 to 24% for FY 24/25.
- During FY 24/25 about 65% (162/251) of retailers were found to be out of compliance with the Ordinance (95% surveyed/inspected). Most common infractions included:
  - Offering flavored products (22%)
  - Not displaying prices (16%)
  - Not adhering to minimum package size for cigars and little cigars (15%)

County of San Diego Tobacco Retail License Program

COUNTY OF SAN DIEGO TOBACCO RETAIL LICENSE

STORE NAME/DBA:

BUSINESS NAME:

STORE ADDRESS:

BUSINESS MAILING ADDRESS:

LICENSE NUMBER:

LICENSE EXPIRATION DATE: SEPTEMBER 1, 2025

Ankita S. Kadakia, M.D.
Interim Public Health Officer
Public Health Services

THIS LICENSE MAY BE REVOKED OR SUSPENDED FOR CAUSE.
THIS LICENSE MUST BE DISPLAYED WITHIN VIEW OF THE PUBLIC.
Questions: (619) THE-TRLP or tobacco@sdcounty.ca.gov

ACCOMPLISHMENTS

Over the past four years the program has successfully:

- Educated and licensed over 265 retailers.
- Ensured that an average of 260 retailers remain licensed each year.
- Created and implemented an appeals process for retailers disputing fines, licenses denials and license suspensions.
  - Since FY23/24 over 50 appeal hearings have been conducted.
- Created as a retailer education option as one-time alternative to serving a suspension for selling tobacco to minors.

LOOKING TO THE FUTURE

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In the upcoming years, the program looks to:

- Automate several processes to improve program efficiency and reporting.
- Implement a new tobacco sales curriculum for retailers with first-time offenses of selling to minors.
- Possibly impose stricter penalties for repeated tobacco sales to minors.

QUESTIONS

THANK YOU

HIP POCKET

TOBACCO USE IN SAN DIEGO

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Information from the 2023 California Youth Tobacco Survey and the 2024 California Health Interview Survey for San Diego County found:

- The percentage of 10th and 12th grade high school students who reported current usage of any tobacco product is 9.0%.
- Overall, 13.5% of adults reported currently using any tobacco products.
- Roughly 27.0% of adult smokers reported using menthol-flavored cigarettes.

OBJECTIVES

The program helps to support County and Maternal, Child, and Family Health Services Branch objectives.

- To “reduce promotions of tobacco products, exposure to secondhand smoke, and access to tobacco products through the Tobacco Control Resource Program in order to prevent smoking and encourage tobacco cessation.”
- The countywide *Live Well San Diego* vision of providing funding to activities that will promote a healthy, safe, and thriving region.

ELEMENTS OF THE TOBACCO RETAIL LICENSING ORDINANCE

The Ordinance mandates that all tobacco retailers:

- Apply for and receive an annual County tobacco retail license to sell tobacco products.
- Adhere to specific tobacco pricing and packaging requirements.
- Not sell flavored tobacco products and adhere to certain operating requirements.

TOBACCO RETAIL LICENSING PROGRAM

- The Tobacco Retail Licensing Program in Public Health Services is responsible for oversight of the County's Tobacco Retail Licensing Ordinance.
- TRLP's goal is to limit youth access to tobacco products and reduce the initiation of overall tobacco use by County residents.
- Oversight activities include:
    1. Conducting general administration related to licensure
    2. Providing retailer education
    3. Ensuring compliance through inspections and Minor Decoy Operations
    4. Conducting enforcement activities

LOCAL TOBACCO LICENSING AND LICENSING IN CALIFORNIA

- Tobacco retail licensing is a common regulatory approach to reduce youth and adult tobacco use.
- There are at least 230 municipalities in California with Tobacco Retail Licensing policies.
- Locally, these include 11 municipalities with Tobacco Retail Licensing policies:

1. Chula Vista
2. El Cajon
3. Escondido
4. La Mesa
5. Lemon Grove
6. Oceanside
7. San Diego
8. San Marcos
9. Solana Beach
10. Vista
11. Unincorporated San Diego County