

Tobacco Retail Licensing in San Diego County



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The Issue

- Youth tobacco use is skyrocketing
 - a. In 2019, over 1 in 4 high school students used e-cigarettes
 - b. In 2019, over 1 in 10 middle school students used e-cigarettes
 - c. Students use all types of tobacco products: (in order) e-cigarettes, cigars, cigarettes, smokeless tobacco, hookahs, and pipe tobacco
- Youth obtain tobacco from retail stores
 - a. Nearly 75% of youth that tried to buy tobacco products stated they were not refused sale

Wang TW, Gentzke AS, Creamer MR, et al. Tobacco Product Use and Associated Factors Among Middle and High School Students — United States, 2019. *MMWR Surveill Summ* 2019;68(No. SS-12):1–22. DOI: <http://dx.doi.org/10.15585/mmwr.ss6812a1>

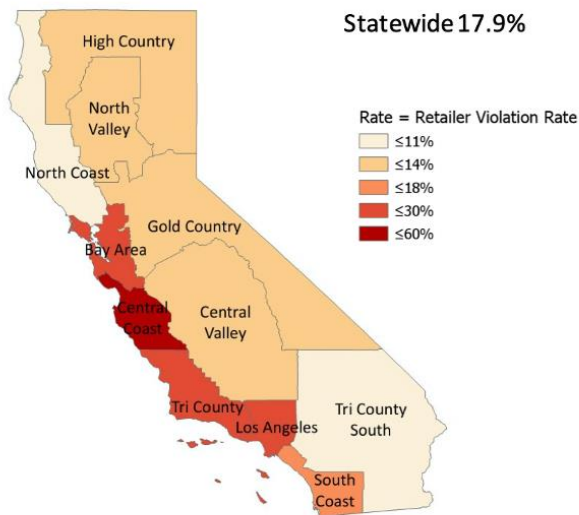
Pediatrics February 2019, 143 (2) e20173536; DOI: <https://doi.org/10.1542/peds.2017-3536>

Tobacco Retailers are Illegally Selling to Youth

TOBACCO SALES TO YOUNG ADULTS UNDER AGE 21 YEARS BY CALIFORNIA REGION, 2019

Counties	Rate
Central Coast (n=29)	
Monterey	
San Benito	55.2%
Santa Cruz	
Tri County (n=59)	
San Luis Obispo	
Santa Barbara	25.4%
Ventura	
Bay Area (n=218)	
Alameda	
Contra Costa	
Marin	
San Francisco	21.6%
San Mateo	
Santa Clara	
Solano	
Los Angeles (n=383)	
Los Angeles	20.4%
South Coast (n=217)	
Orange	
San Diego	16.6%
Central Valley (n=131)	
Fresno	
Kern	
Kings	
Madera	13.7%
Mariposa	
Merced	
Tulare	
High Country/North Valley (n=37)	
Lassen	
Modoc	
Plumas	13.5%
Sierra	
Siskiyou	
Trinity	

Counties	Rate
High Country/North Valley (n=37)	
Butte	
Colusa	
Glenn	13.5%
Shasta	
Tehama	
Yuba	
Gold Country (n=151)	
Alpine	
Amador	
Calaveras	
El Dorado	
Inyo	
Mono	
Nevada	13.2%
Placer	
Sacramento	
San Joaquin	
Stanislaus	
Sutter	
Tuolumne	
Yolo	
North Coast (n=36)	
Del Norte	
Humboldt	
Lake	11.1%
Mendocino	
Napa	
Sonoma	
Tri County South (n=150)	
Imperial	
Riverside	9.3%
San Bernardino	



Notes: Weighted percentages (%) are shown. A regionally-stratified, random sample methodology was used. Young adult decoys were 18 - 19 years old. Tobacco sold to young adults includes cigarettes, electronic tobacco products, cigars, little cigars or cigarillos. Only stores that are accessible to youth (e.g. stores that do not require membership, stores that do not enforce 21+ age restriction at the door) are inspected. Source: Young Adult Tobacco Purchase Survey, 2019. Prepared by: California Department of Public Health, California Tobacco Control Program on September 12, 2019.

Tobacco Retail Licensing (TRL):

- A government license issued to retailers of tobacco products and e-cigarettes that provides retailing standards to ensure the minimum legal sales age is being enforced and that local, state, and federal laws are being followed.
- **An effective policy tool to reduce youth tobacco access, initiation, and use.**



Benefits of an Effective TRL

Enforces Laws

Prioritizes enforcement of critical local, state, and federal laws

Tracks Tobacco Sales

Provides a list of all businesses selling tobacco

Protects Youth

Decreases illegal tobacco sales to youth

Improves Health Equity

Reduces inequities in tobacco sales and marketing in underserved communities

What Makes a TRL Effective?

Key Elements of an Effective TRL

Annual Compliance Checks

Compliance checks monitor for adherence to the law, especially the minimum legal sales age

One compliance check per retailer each year

Rechecks for stores found to be in violation

Escalating Penalties

Penalties include escalating civil fines, license suspension, and eventually license revocation

Penalties levied on the store owner or operator, not the clerk

Annual License Fees

The license fee is paid annually by all retailers

High enough to cover the cost of program administration and enforcement

2019 Study on California's Local TRL Ordinances -

Communities with **TRL policies including the key elements** had:

- Lower rates of youth e-cigarette and cigarette use
- Youth who were less likely to smoke in high school
- Youth who were less likely to initiate smoking at 18

TRL and Flavored Tobacco

The Need for Local Action

- Senate Bill 793 restricting flavored tobacco could be delayed or overturned by Referendum
 - 37,000 high school kids will start using e-cigarettes during the delay
 - Current County flavors policy exempts flavored hookah and smokeless tobacco
 - Local policies can **go beyond the state law and protect communities now**
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Thank you



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