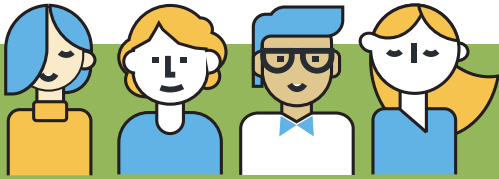


LICENSING TOBACCO RETAILERS IS RIGHT FOR OUR COMMUNITIES

Colorado youth are using tobacco products at alarming rates, threatening the health of our kids, our communities and the state as a whole.



Retailers are selling tobacco to kids, even though it is against the law.

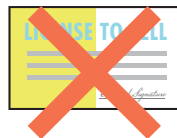
Gaps in federal and state law open the door to illegal sales to minors. Passing local law to include the following provisions would reduce underage sales of tobacco products:



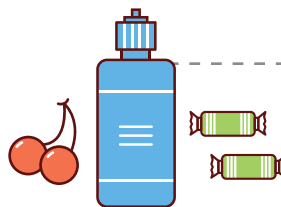
Colorado research shows that more than 68% of youth under the age of 18 who attempt to buy tobacco products can complete the transaction.¹ This is significant because nearly 90% of adult cigarette smokers first tried tobacco before the age of 18.²



Require tobacco retailers to have a license to sell tobacco.



Suspend or revoke the ability of individual retailers to sell tobacco if they repeatedly break tobacco sales laws.



Require cigars and e-cigarettes to be behind the counter.

Prohibit the sale of flavored tobacco including menthol cigarettes, smokeless tobacco, cigars and e-cigarettes.

Retail licensing reduces youth access to tobacco through friends and family, sometimes called “social sources.”³



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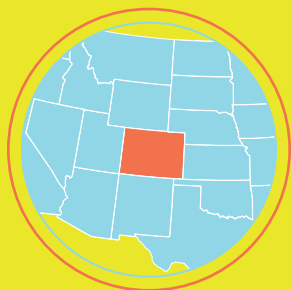
1 Healthy Kids Colorado Survey. (2015). Retrieved July 2016 from <http://www.ucdenver.edu/academics/colleges/PublicHealth/community/CEPEG/UnifYouth/Pages/Healthy-KidsSurvey.aspx>

2 Preventing Tobacco Use Among Youth and Young Adults. (n.d.). Retrieved September 20, 2016, from <http://www.surgeongeneral.gov/library/reports/preventing-youth-tobacco-use/factsheet.html>

3 U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: 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, 2012.



Requiring a license is a common-sense approach that ensures tobacco retailers operate legally, ethically and responsibly and reduces youth tobacco use.



Colorado is one of only 12 states that does not require retailers to have a license to sell tobacco.⁴

In Colorado, local licenses are required to sell goods and services ranging from marijuana and alcohol to ice and Christmas trees. However, there is no statewide license required to sell tobacco, the deadliest consumer product.

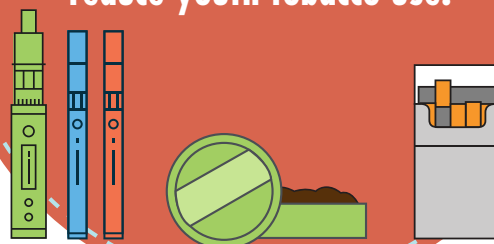
In one study, youth who live in places that had a strong tobacco retailer license were 33% less likely to start smoking and 26% less likely to start vaping.⁵

33%
LESS LIKELY
TO START
SMOKING

26%
LESS LIKELY
TO START
VAPING

Additional studies show robust enforcement of a local ordinance can lower rates of cigarette and e-cigarette use among youth and young adults.^{5,6}

Penalizing youth for purchase, use, and/or possession of tobacco is not an effective strategy to reduce youth tobacco use.⁷



Retailer Licensing is the first step towards countering tobacco industry tactics targeting youth. Raising the minimum legal sale age and prohibiting the sale of flavored tobacco are additional ways to strengthen the policy.

For more information, visit www.TobaccoFreeCO.org/RetailerLicensing



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⁴ Centers for Disease Control and Prevention. State Tobacco Activities Tracking and Evaluation system. [2018]. <https://chronicdata.cdc.gov/Legislation/STATE-System-Licensure-Fact-Sheet/uey9-5sp9>

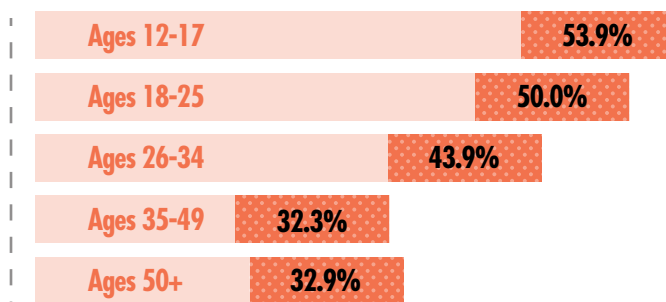
⁵ Astor RL, Urman R, Barrington-Trimis JL, et al. Tobacco Retail Licensing and Youth Product Use. *Pediatrics*. 2019;143(2):e20173536 <https://pediatrics.aappublications.org/content/143/2/e20173536>

⁶ American Lung Association. The Center for Tobacco Policy and Organizing. Retrieved at <https://center4tobaccopolicy.org/wp-content/uploads/2016/10/Tobacco-Retailer-Licensing-is-Effective-September-2013.pdf>. June 2019.

⁷ Institute of Medicine. [2015]. Public health implications of raising the minimum age of legal access to tobacco products. Washington, DC: The National Academies Press. <https://www.nap.edu/read/18997/chapter/1>

RESTRICT FLAVORED TOBACCO PRODUCTS TO PROTECT YOUTH

Menthol cigarette use among current smokers in the U.S. by age (2012-2014)¹



At least two-thirds of youth tobacco users report using tobacco products "because they come in flavors I like."²

Most youth who use flavored tobacco say that they would stop using tobacco products altogether if they couldn't get them in flavors.³



The Family Smoking Prevention and Tobacco Control Act of 2009

bans flavored cigarettes, but menthol cigarettes and flavored chewing tobacco and e-juices are not included.⁴

CANDY FLAVORS AREN'T THE ONLY ISSUE: NEARLY 9 IN 10 AFRICAN-AMERICAN SMOKERS AGED 12 AND OLDER USE MENTHOL CIGARETTES.⁵

TODAY, FLAVORED TOBACCO PRODUCTS ARE WIDELY AVAILABLE AND MARKETED IN CONVENIENCE STORES FREQUENTLY VISITED BY YOUTH.^{6,7}



Vape products sold in flavors like gummy bear, cotton candy, mango and mint appeal to young people and are often marketed in kid-friendly packaging.



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¹ Villanti AC, Mowery PD, Delnevo CD, et al. "Changes in the prevalence and correlates of menthol cigarette use in the USA, 2004-2014." https://tobaccocontrol.bmj.com/content/tobaccocontrol/25/Suppl_2/ii14.full.pdf

² Ambrose, BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12 – 17 Years, 2013 – 2014," JAMA. 2015;314 (17):1871–1873.

³ Harrell MB, Loukas A, Jackson CD, et al. Flavored Tobacco Product Use among Youth and Young Adults: What if Flavors Didn't Exist? Tob Regul Sci 2017;3:168–73.

⁴ Family Smoking and Prevention Act. Retrieved June 2019. <https://www.congress.gov/bills/111/11th-congress/house-bill/1256>

⁵ Giovino GA, Villanti AC, Mowery PD et al. Differential Trends in Cigarette Smoking in the USA: Is Menthol Slowing Progress? Tobacco Control, doi:10.1136/tobaccocontrol-2013-051159, August 30, 2013 [cited 2018 Jun 12].

⁶ Ribisl KM, D'Angelo H, Feld AL, et al. Disparities in tobacco marketing and product availability at the point of sale: Results of a national study. Prev Med 2017;105:381–8.

⁷ Sanders-Jackson A, Parikh NM, Schleicher NC, et al. Convenience store visits by US adolescents: Rationale for healthier retail environments. Health Place 2015;34:63–6.

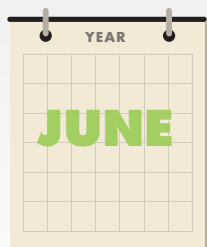


**THROUGH RETAIL LICENSING ORDINANCES,
LOCAL COMMUNITIES CAN CLOSE THE
GAPS IN STATE AND FEDERAL LAWS TO
PROTECT YOUTH AND BAN ALL FLAVORS.**



Prohibiting the sale of flavored tobacco products is a proven strategy recommended by the CDC to reduce youth initiation and use.⁸

There is support for flavor restrictions. At least two states and more than 180 communities have passed restrictions on the sale of flavored tobacco products.⁹



In June 2019, the city of Aspen passed an ordinance that banned the sale of all flavored tobacco products including mint and menthol.

www.tobaccofreeco.org/retailerlicensing



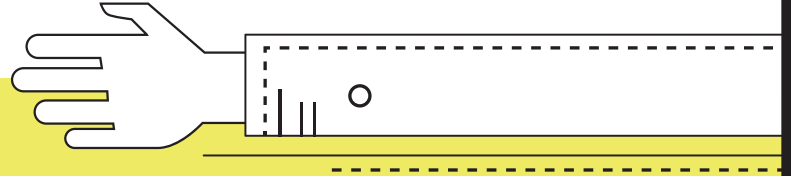
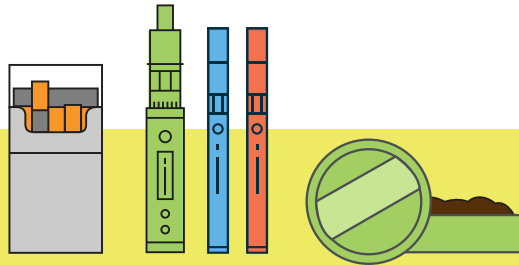
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⁸ CDC, Progress Erased: Youth Tobacco Use Increased During 2017-2018. Press Release. Feb 2019. <https://www.cdc.gov/media/releases/2019/p0211-youth-tobacco-use-increased.html>

⁹ Campaign for Tobacco Free Kids. "States and Localities That Have Restricted the Sale of Flavored Tobacco Products." <https://www.tobaccofreekids.org/assets/factsheets/0398.pdf>

RAISE THE AGE OF TOBACCO SALES TO 21

One in three Colorado high school students use tobacco.¹ Vaping's rising popularity among youth threatens to completely erase decades of progress to reduce nicotine and tobacco addiction.



Nearly 90% of adult cigarette smokers first tried tobacco before the age of 18² and nearly 95% by the age of 21.³

Current laws aren't enough. The legal age to purchase tobacco in most Colorado communities is 18 years old, but 56% of high school students think it's easy to get cigarettes and 58% think it's easy to get e-cigarettes.⁴



WHEN PAIRED WITH A STRONG RETAILER LICENSING ORDINANCE, RAISING THE MINIMUM LEGAL SALE AGE TO 21 WILL HELP SAVE LIVES.

There is evidence that raising the minimum legal sale age prevents youth use: The rate of youth smoking decreased by nearly 50% in Needham, MA within five years of raising the age to 21.⁵

¹ Healthy Kids Colorado Survey. (2017). Retrieved July 2018 from <https://www.colorado.gov/pacific/cdphe/hkcs>

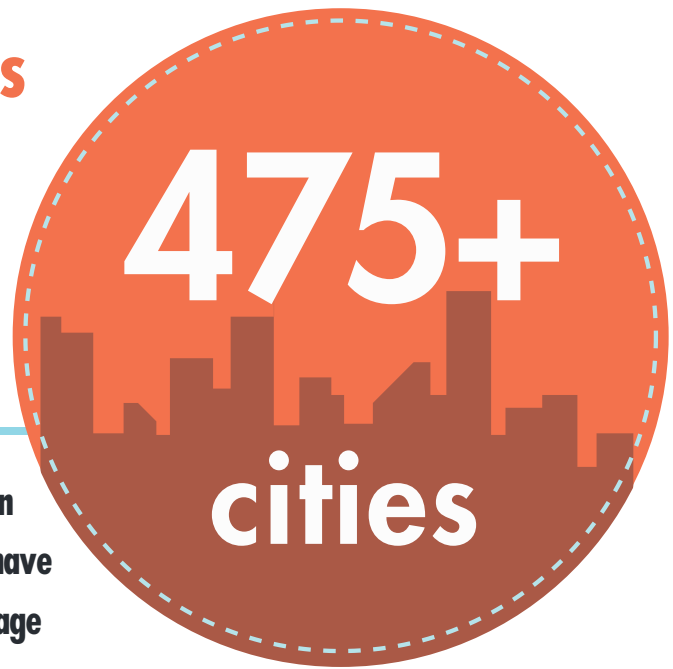
² Preventing Tobacco Use Among Youth and Young Adults. (n.d.). Retrieved September 20, 2016, from <http://www.surgeongeneral.gov/library/reports/preventing-youth-tobacco-use/factsheet.html>

³ Calculated based on data from the Substance Abuse and Mental Health Services Administration (SAMHSA)'s public online data analysis system (PDAS), National Survey on Drug Use and Health, 2016, <https://pdas.samhsa.gov/#/survey/NSDUH2016-DS0001>

⁴ Healthy Kids Colorado Survey. (2017). Retrieved July 2018 from <https://www.colorado.gov/pacific/cdphe/hkcs>

⁵ Kessel Schneider S, Buka SL, Dash K, et al "Community reductions in youth smoking after raising the minimum tobacco sales age to 21 Tobacco Control" 2016;25:355-359. <http://dx.doi.org/10.1136/tobaccocontrol-2014-052207>

**More than a dozen states
and 475+ cities have
raised the legal sale age
for tobacco to 21.**



As of June 2019, Colorado city and town councils in Aspen, Basalt, Edgewater and Snowmass Village have added a provision raising the minimum legal sales age to 21 to their tobacco retail licensing law.



Service members between 18 and 21 deserve the same protections as their civilian counterparts from tobacco addiction. Of current smokers in the military, 38% report they began after joining the service.⁶



Raising the minimum legal sales age should be done in conjunction with retailer licensing in order to provide enforcement and have the greatest impact on reducing youth access to tobacco.

www.tobaccofreeco.org/tobacco21



⁶ Secretary of Defense Ash Carter April 2016 Policy Memorandum 16-001. Department of Defense Tobacco Policy. Available at <http://www.med.navy.mil/sites/nmcphc/Documents/health-promotion-wellness/tobacco-free-living/INCOMING-CARTER-Tobacco-Policy-Memo.pdf>; accessed December 20, 2016.