

The Cause and Effect of Tobacco Ordinances

A Question/Answer Guide for Local Government



Tobacco Ordinances – Take Another Look

Overview

Local councils throughout the country are considering passing ordinances that will ban certain tobacco flavor profiles, increase the legal age to purchase tobacco to 21, set minimum prices to certain tobacco products, mandate minimum package sizes for various tobacco products, prohibit the redemption of tobacco product coupons, outlaw multi-pack discount pricing and/or assess new taxes on other tobacco products.

These ordinances are sweeping the nation and causing far more harm than good.

The impact of these local ordinances on youth tobacco usage is incredibly low, but the impact on local businesses and retailers is detrimental.

Background

These ordinances are often submitted under the guise of curbing youth tobacco usage.

They often seem like a "win win."

In reality, however:

When passed, the ordinances negatively affect local retailers, businesses and economies, and contribute to job loss.

The ordinances do not affect youth tobacco usage or how today's youth are actually procuring tobacco products—social sources.

QUESTION:

WHAT *DO* THESE ORDINANCES DO?

Answer:

Penalize Law Abiding Constituents

These ordinances penalize:

- Compliant retailers who sell legal products to adults
- Compliant business owners who will lose profits from not only tobacco sales but also gas, beverages and snacks associated with tobacco purchases to stores in neighboring communities
- Compliant employees who depend on store profitability to maintain their employment and income
- Adults who legally enjoy tobacco products

Answer:

Conflict With Research

These ordinances directly conflict with established scientific, government and consumer research.

Through data and research studies provided by the CDC, FDA and Journal of School Health research studies, this presentation explores why these ordinances are ineffective in reducing youth tobacco use and are also harmful to local businesses and economies.

Key Resources:

- The Population Assessment of Tobacco and Health (PATH) Study, sponsored by the U.S. Food and Drug Administration (FDA) and National Institute of Health
- Usual Source of Cigarettes and Alcohol Among U.S. High School Students Study, published in August 2014 in the Journal of School Health
- Tobacco Product Use Among Middle and High School Students Morbidity and Mortality Weekly Report

Key Points Considered:

- Youth and Tobacco
- Mandating minimum package sizes
- Enacting flavor bans

QUESTION:

**WHAT DO WE KNOW ABOUT THE TOBACCO
HABITS OF YOUTH?**

Answer:

They Aren't Buying it From Retailers

- Youth are continuing to use tobacco; but they are not getting their cigarettes from retailers
- 86% of youth under the age of 18 who smoke obtain cigarettes from sources other than retail stores
- Retailers take the job of preventing cigarette and tobacco sales to minors very seriously
- According to FDA data, 96% of Retailers pass tobacco compliance checks

QUESTION:

THEN WHERE ARE YOUTH GETTING TOBACCO?

Answer:

Social Sources

- 75% of underage youth get tobacco from social sources; social sources include older siblings, friends, parents and even strangers
- PATH Study:
 - 86% of 15- to 17-year-olds obtained cigarettes by:
 - Asking someone else for cigarettes or being offered cigarettes from someone (43%)
 - Giving someone else money to buy cigarettes (32%)
 - Buying cigarettes from another person or taking cigarettes from someone or from a retail store (7%)
 - Obtaining cigarettes from some other nonretail source (5%)
- Journal of School Health Study:
 - 85.9% of underage youth obtained cigarettes by:
 - Borrowing or “bumming” cigarettes from someone else (27.7%)
 - Giving someone else money to buy cigarettes (27.3%)
 - Having someone older than 18 give them cigarettes (10.1%)
 - Taking cigarettes from a family member or store (6.1%)
 - Buying cigarettes in a vending machine (1.3%)
 - Getting cigarettes some other way (13.5%)

PATH



Journal of School Health



**QUESTION:
WHAT ABOUT PACKAGING SIZE AND FLAVOR
MANDATES?**

On Mandating Pack Size?

- **The Argument?** Larger pack sizes are more expensive and will discourage youth from purchasing
- **The Data?** Larger portions or quantities in packaging equate to a greater perceived economic value which, in turn, tends to drive consumption. Research also suggests that large packages may encourage greater use because consumers are less concerned about running out of the product
- **The Implications?** Larger quantity and multi-pack packaging of tobacco at retail may very well be accelerating and encouraging increased consumption of tobacco products, creating a scenario that is opposite of the desired effect that current and proposed packaging regulations for tobacco at retail are intended to achieve

Additionally, because retailers are compliant in not selling tobacco to youth, this ordinance does nothing to address how youth actually procure tobacco— social sources

On Banning Flavors?

- **The Argument?** Flavored tobacco, like dip, is attractive to youth, not adults
- **The Data?** 9 out of 10 high school students don't use dip, regardless of flavor. Beyond that, 63% of adults that are 25 years old or older that use e-cigarettes have a preference for flavored e-cigarettes
- **The Implications?** Much like their coffee and spirits, adults enjoy flavored tobacco products. Removing these products from shelves will only drive adults to purchase flavored tobacco elsewhere

Additionally, because retailers are compliant in not selling tobacco to youth, this ordinance does nothing to address how youth actually procure tobacco— social sources.

**QUESTION:
SO WHAT DOES IT ALL MEAN?**

Answer:

Adopting further regulations and restrictions on retailers in an attempt to reduce underage youth smoking will be minimally effective because 86% of youth under the age of 18 who smoke obtain cigarettes from sources other than retail stores.

Demand for cigarettes by underage youth can be reduced through methods like parental communication regarding smoking, school-based tobacco use prevention programs, media campaigns, and indoor smoking restrictions.

QUESTION:

**SO WHY ARE WE PENALIZING RETAILERS
(YOUR CONSTITUENTS) INSTEAD OF FINDING
SOLUTIONS FOR THE REAL PROBLEM (SOCIAL
SOURCES)?**

Answer:

That's up to you.

Penalizing local retailers and businesses is ineffective in curbing youth tobacco usage and affects their bottom line.

Vote NO when these local ordinances come to your town.