



Proposed Tobacco Ordinance Public Input Survey April 2023

Contents

- I. [Background](#)
- II. [Outreach](#)
- III. [Survey Results](#)
- IV. [Demographics](#)
- V. [Emails](#)

I. Background

The Tempe City Council is considering a proposed ordinance that aims to decrease youth tobacco and e-cigarette use. The updated proposal would establish a tobacco sales license, enact fees to ensure compliance and raise the minimum age of tobacco purchase to 21 years old.

Two public meetings were held on March 20, one virtual at noon and one in-person at 6 p.m. In addition, a survey at tempe.gov/forum was open March 20 - April 3 for community members to submit feedback.

Last summer and fall, the Committee engaged in a public feedback process for a proposed ordinance that, in addition to the items above, would restrict the sale of flavored tobacco products, such as e-cigarettes and menthol cigarettes. The current tobacco seller license approach could be the first step in a more comprehensive ordinance that would include product restrictions.

After the public feedback is gathered, the ordinance could be brought to the full Council for discussion at a future City Council meeting. Then, pending Council consensus, any new fees would be posted on the city's website for 60 days before a vote is taken. The Council would also hold two public hearings ahead of a vote, which would take place at two Regular Council Meetings.

II. Outreach

Several methods were used to provide information to the public and stakeholders regarding the project, meeting and opportunities for input.

Social Media, Eblasts and Press Release



- 3/7/23 - Meeting Announcement
 - Reach: 361 | Engagements: 10 | Link clicks: 6
- 3/16/23 - Meeting Reminder
 - Reach: 286 | Engagements: 20 | Link clicks: 0
- 3/28/23 - Survey Reminder
 - Reach: 587 | Engagements: 43 | Link clicks: 8
- 4/2/23 - Survey Reminder



- 3/7/23 - Meeting Announcement
 - Impressions: 629 | Engagements: 13 | Link clicks: 0
- 3/16/23 - Meeting Reminder
 - Impressions: 598 | Engagements: 8 | Link clicks: 4
- 3/28/23 - Survey Reminder
 - Impressions: 1,802 | Engagements: 16 | Link clicks: 7



- 3/13/23 - Instagram story - Meeting Announcement
 - Reach: 441 | Engagements: 15 | Link clicks: 10



- 3/14/23 - Meeting Announcement
 - Impressions: 850 | Engagements: 2
- 3/28/23 - Survey Reminder
 - Impressions: 801 | Engagements: 4



- 1/30/23 - Tempe This Week inclusion
 - 8,031 emails sent, 40.8% open rate, 4.7% click rate, 28 clicks on link
- 2/2/23 - Press release - Updated ordinance
 - 2,264 emails sent, 45.7% open rate, 0.9% click rate, 77 clicks
- 3/6/23 - Tempe This Week inclusion
 - 8,037 emails sent, 39.8% open rate, 4.8% click rate, 2 clicks on link
- 3/7/23 - Press release - Reminder for meetings
 - 2,953 emails sent, 44.1% open rate, 1.2% click rate, 119 clicks
- 3/13/23 - Tempe This Week inclusion
 - 8,077 emails sent, 39.1% open rate, 3.8% click rate, 3 clicks on link
- 3/20/23 - Tempe This Week inclusion
 - 8,075 emails sent, 39.4% open rate, 4.2% click rate, 42 clicks on link
- 3/27/23 - Tempe This Week inclusion
 - 8,078 emails sent, 40.2% open rate, 4.3% click rate, 20 clicks on link
- 3/30/23 - Press release - Survey reminder
 - 2,973 emails sent, 40% open rate, 3% click rate, 89 clicks

Media Hits

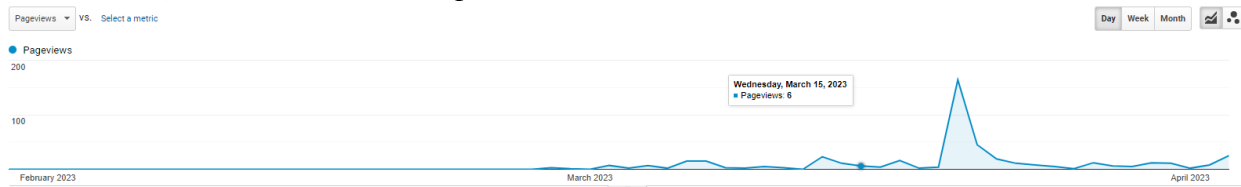
- [FOX10](#)
- [Cronkite News](#)
- [12News](#)
- [AZCentral](#)
- [ABC15](#)

Project Webpage

The project [webpage](#) was updated continuously and included information about the project, the date and access information for the public meeting and online comment information. From Jan. 30 - Apr. 3, the website had 1,618 views.

Top Sources:

- Google
- Direct (Friendly URL)
- Email
- Tempe Forum
- Twitter
- Facebook
- Spikes:
 - 3/20 - Public Meeting



Direct Mailer

A direct mailer was sent to tobacco retailers that included a brief overview of the project and details on how to attend the public meeting and provide comments.

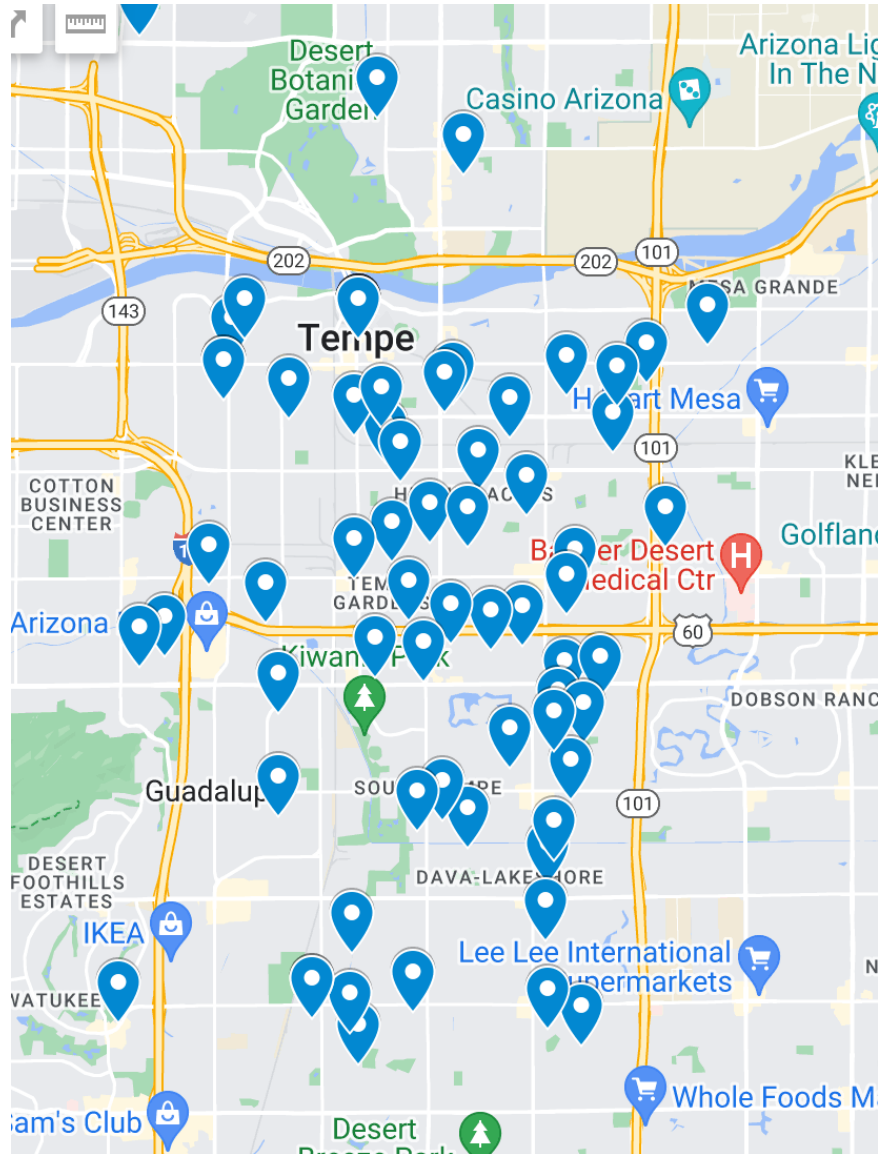
Emails

A notification email was sent to Tempe Forum subscribers, neighborhood contacts, relevant Boards and Commissions and previous participants in Tobacco Ordinance outreach inviting them to attend the meeting or to comment online.

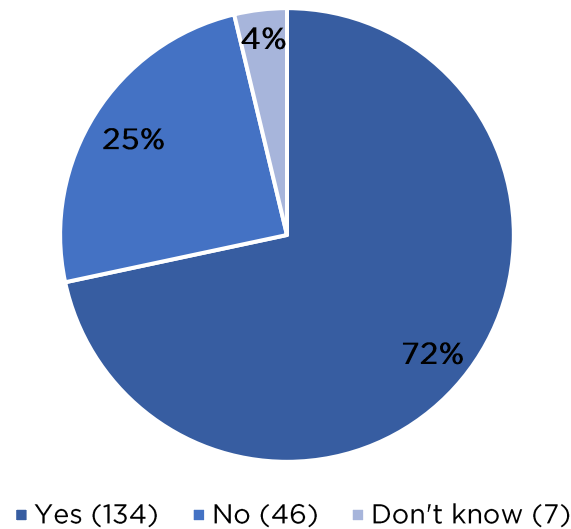
III. Survey Results

The survey was available online at tempe.gov/Forum from March 20 through April 3, 2023 to gather feedback on the proposed ordinance. The combined total hours of public comment on this topic via Tempe Forum was 9.4 hours with 188 responses.

85 respondents provided an address with approximately 75% in Tempe.



1. Do you support establishing a tobacco sales license in the City of Tempe?



Responses: 187

Why or why not? (Responses: 111)

Yes Responses:

1. allows businesses to be held accountable and is the right way instead of banning flavored tobacco in general.
2. Allows city to ensure stores/smoke shops are following age guidelines
3. Anything that makes it more difficult for youth to get tobacco products is worthwhile for their long-term health.
4. Arizona and Tempe would benefit from a TRL so there would be accountability.
5. AS A FORMER PROJECT MANAGER AT PHILIP MORRIS WORLD HEADQUARTERS IN NYC THE CITY NEEDS THIS COMPLIANCE OR YOU ARE SACRIFICING YOUR YOUTH. PERIOD.
6. As an organization concerned with the health and well-being of children in Arizona, CAA supports the proposal for establishing a tobacco retail/sellers license. In considering the enactment of a tobacco retail license ordinance, Tempe leaders are to be credited for recognizing there is a serious problem with underage smoking in the community that needs to be addressed. We are, however, concerned that a tobacco license without an accompanying comprehensive flavored tobacco ban does not go far enough in keeping harmful products out of the hands of Tempe's youth. A retail license isn't a solution it's a tool and won't alone go far enough to keep Tempe's kids, from a lifetime of nicotine addiction. According to a December 2022 poll conducted by FHK-Tempe coalition, 61% of voters favor an ordinance to end the sale of all flavored tobacco products that can appeal to youth. Given this broad support among Tempe community leaders and organizations, it is imperative that Tempe City Council put back the restriction to tobacco

flavored products. We look forward to continued dialogue on enacting a comprehensive ban on all flavored tobacco products in Tempe. Further delays in aggressively tackling this grave public health concern will only lead to greater costs, in dollars and more importantly, lives. Tempe has been and continues to be a leader on this issue let's not let this become a missed opportunity to prioritize the health and well-being of Tempe's kids.

7. As an owner I appreciate consistent laws around tobacco products
8. Because if you need a license to sell alcohol, or marijuana, catch fish, drive a car then you need license for tobacco so you can create a paper trail to make sure you aren't selling to minors
9. Because it's mind-boggling we don't have one now?!?!
10. Better regulation will increase compliance with State and local laws
11. decrease smoking in the community
12. Despite public denials, government records show Tempe tobacco retailers have a truly appalling history of selling tobacco products to kids. Over the past 5 years, 53 percent of the 154 Tempe tobacco retailers have been cited for the sale of products to underage buyers, with over a third of those cited multiple times. But licensing is one part of the solution. BOTH licensing AND a restriction to flavored tobacco products is needed to address the critical and detrimental impact tobacco products are having on increasing tobacco addiction among Tempe youth.
13. Easier for everyone
14. I do personally support establishing a Tobacco Retailers License in the city of Tempe as long as it doesn't proceed with taking our rights to purchase and use Tobacco/ Nicotine Products away.
15. I don't trust or like tobacco companies or their products. If people choose to pollute our communities with them, they should pay taxes that can be used to combat the effects and improve our communities.
16. I support it 100% because we need tobacco in our community
17. I support the City in exercising greater control over who is selling tobacco/vaping products and how and where they are sold. It may be possible the City can use the income from the fees of these licenses for beneficial public purposes.
18. I support the revenue to the city.
19. I support this measure because the addition to a specific license to sell tobacco would ensure that the sellers take the raised age limit seriously, and limit access to tobacco for underage people.
20. I think licenses will be ok for some regulation, and we can stop going after complete bans in the future.
21. I think that a sales license is a reasonable way to regulate the retail nicotine industry.
22. I think that establishing a tobacco sales license is a step in the right direction towards better protecting kids from the harmful affects of tobacco and holding merchants more responsible for who they are selling tobacco products to. The Surgeon General has found that licensing retailers is an evidence-based tobacco control measure to reduce tobacco use. Requiring a license for tobacco retailers lets states and localities know who is selling tobacco products in their jurisdiction, allowing states and localities to enact and enforce policies that that help to prevent young people from ever

starting to use tobacco products. Ultimately, I would like to see a complete ban on flavored tobacco products. We need both licensing and a restriction to flavored tobacco products to address the critical and detrimental impact flavored tobacco products are having on increasing tobacco addiction among Tempe youth.

23. i think this is the right step instead of banning flavored tobacco.
24. I was part of a team from the Arizona Department of Health Services in the early '90s that developed a pilot program intended to reduce the sale of tobacco products to youth in Tempe. This was in response to a federal mandate that required states to demonstrate reduction and limits of sales of tobacco products to youth (tied to behavioral health funding). At the time, licensing was considered to be one of the more effective means of reducing sale of tobacco to minors, creating a mechanism through which enforcement of existing laws was possible. I'm glad to see the city take this issue on in the interest of our youth's health and well being.
<https://www.azdhs.gov/documents/prevention/tobacco-chronic-disease/tobacco-free-az/resources/btcd/tobacco-retailer-licensing.pdf>
25. I would greatly support this new tobacco license. There are a lot of small details that need to be ironed out if this is the route to take. If a flavor ban going into effect with this license then I do not support it.
26. I'm on board with the license process as long as it doesn't target just the retailer with violations. Under age kids should also get ticketed for under age use. I know most kids would not turn in their friends and will say they bought it from a retailer even though they didn't. Most of the times the kids will get products from their friends not the retailers.
27. In hopes that by 21, people will be less likely to smoke, due to the dangers of nicotine, including the horrible effects that vaping is causing the younger generation.
28. In order to sell alcohol you need a license, tobacco should be no different
29. It is an important first step to regulate the sale of tobacco products in Tempe.
30. It is needed to protect youth
31. It restricts the number of licenses issued to current tobacco sellers.
32. It will allow the proposed ordinance to have some form of penalty if provisions in the ordinance are broken.
33. It will help our youth
34. Its important to have a sales license to ensure products are being sold accordingly and the integrity is maintained.
35. It's too easy for minors to buy vape and tobacco products. Businesses should be accountable for selling dangerous products illegally.
36. License will help to stop the dramas which is going on. Try to educate your kids instead of blaming small business owners. Vaping never kill people while alcohol did. Thank you
37. License will protect kids and leave the right to adult for choosing vaping or not.
38. licenses are fine as long as they don't proceed with taking our right to purchase and use tobacco/Nicotine products.
39. licenses are fine as long as they don't proceed with taking our right to purchase and use tobacco/Nicotine products.

40. Makes good sense to know which retailers are selling tobacco products
41. Minors shouldn't be smoking or vaping.
42. More tax revenue
43. Please no bands on nicotine products or flavors
44. Public health improves with reduced tobacco use.
45. Remove this pollution from our surrounding air.
46. Research shows that over 85% of people under 21 are getting their tobacco products from their social network, not retail accounts. Fines and licensing will not really solve the issue. Can you include education in your ordinance? The PSA's on TV are not reaching the younger generations.
47. Revenue and accountability
48. Sales of a drug should require a license....cigarettes have no redeeming qualities and are highly addictive, so I consider it a drug
49. Smoking causes horrible debilitating health problems. Kiddos think it is "cool" and are influenced by peers. I support any way that smoking tobacco is delayed until children fully understand the consequences of smoking or until their brains have been fully developed. Some adults will do anything for a profit. My only hesitation to establishing a tobacco sales license is how it will be enforced.
50. Smoking is dangerous to youth as well as general public. We need to decrease this health damaging habit and this is one way to do that.
51. The additional revenue can be directed at the effort to educate and decrease/stop the use of tobacco by Teens and those impacted the most!!
52. The licensing will help enable more accountability
53. The substance sales should be regulated
54. This dangerous product needs to be regulated.
55. This is better instead of banning flavored tobacco
56. To eliminate the bad actors in the industry
57. To help slow down and end the scourge of tobacco use in our society.
58. To limit sales and pay for needed tobacco governance.
59. To make it fair for all stores
60. To make sure we have better resources to keep tobacco out of the hands of our children.
61. To save the lives of our children regardless of their age(s). Children using tobacco products has become far too ordinary. If their parents refuse to monitor or don't care. then the public will protect their lives and health.
62. Tobacco products are potentially addictive and depending on which product is used, can be deleterious to one's health. If laws are established to monitor sales to minors, there must be penalties to enforce the laws. One penalty would be the removal of the license to sell products to anyone for repeated violations of the prohibition on sales to minors.
63. Tobacco sales are out of hand and causing a lot of problems in Tempe
64. Tobacco should be held in the same regard as alcohol and young adults and children should be shielded from it as much as possible and to the extent possible.
65. Tobacco use and vaping are dangerous and cause significant health problems. This results in people who use these products requiring medical care over and above what people who do not use these products generally need. This increases health care costs. We all pay for other people using

tobacco and vaping products. The use of these products should be discouraged for the health of the people who want to use these products, and for all of us.

66. Tobacco use should be discouraged and controlled.
67. will reduce under age smoking
68. Yes because it's important for any business that sells tobacco related products/items to have a tobacco license to ensure they are legally allowed to sell to the public that is 21+
69. Yes for consistency of laws for 21 age to purchase
70. Yes, businesses should pay a fee for spreading cancer causing products on the public.
71. Yes, however isn't this more of a State legislation Licencing or laws for AZ. I honestly feel as a city, you're being a little ambitious & overreaching your power from city dealing with State Legislators lawmaking decisions. You're acting like influencers for the Stare. But raising the State legal age to 21 takes the State Legislation. In my opinion, you're voting on items in the wrong forum and from the improper elected offices, this is a Stare decision. Not one for the City Of Tempe.
72. Yes. It seems like a more reasonable way to curb youth tobacco use than the last proposal.

No Responses:

1. A tobacco sales license will be best administered and enforced at the state level rather than by the City.
2. Already state and federal rules
3. Are there not state issued restrictions put in place already
4. Arizona has never required a license before. Businesses now days are already having a hard time due to inflation and wage increases. Why make the economy harder on everybody then it already is at the time being?
5. As a former tobacco user, one should be aware of the well documented negative impact to one's health. That being said, I feel this ordinance would place an undue burden on local vendors and small businesses. Tobacco among all demographics has been declining, this ordinance is will not have the intended impact, and will cause more harm than good
6. As a smoker I do not want to see prices go up again.
7. Beverly Hills, CA banned the sale of tobacco products entirely. Tempe should also be above profiting from this public health crisis. Ban sales entirely. Eric Garner of New York City was a retired horticulturist at the NYC Dept. of Parks and Recreation. In 2014, Police murdered him for selling loose cigarettes, as it was illegal for him to sell them. Tempe does not need to create new reasons for authoritarianism, or for police to create and escalate potentially violent situations.
8. Government overreach; this is not constitutional.
9. Govt overreach
10. Harmful
11. I am opposed to the city expanding its regulatory reach to tobacco products, an area already heavy with state and federal regulations, in a misguided attempt to protect adults from themselves.

12. I do not believe that tobacco inhibits the body as alcohol does therefore I do not believe that vendors should be subjected to a license fee.
13. I'd rather no license for smoke shops however if it necessarily i'm ok with it !
14. If you're old enough to vote your old enough to buy cigarettes
15. In 2019, The Journal of the American Heart Association published a study suggesting that nicotine vaping doubles the risk of a heart attack. The authors claimed e-cigarette use is "independently" associated with a heightened risk of myocardial infarction, which is "similar" to the risk among cigarette smokers. Three years later, the World Journal of Oncology published a study that claimed vapers face about the same cancer risk as smokers. The authors said "prospective studies should be planned to mitigate the risk." Both studies were later retracted, largely because they shared the same glaring weakness: The researchers failed to consider whether the medical problems that survey respondents reported were diagnosed before or after they began vaping, a minimum requirement for inferring a causal relationship. As University of Louisville researchers Brad Rodu and Nantaporn Plurphanswat showed in a 2022 Internal and Emergency Medicine article, that failure is characteristic of studies that allege a link between vaping and smoking-related diseases, including several articles that so far have not been retracted. In all of these cases, the researchers seemed so eager to discredit vaping as a harm-reducing alternative to smoking that they overlooked a fundamental methodological flaw. So did the peer reviewers and journal editors. This sort of tendentiously sloppy research compounds a problem that harm reduction advocates have been decrying for years: Although the evidence indicates that vaping is far less dangerous than smoking, most Americans think vaping is just as dangerous, if not more so. And while public health officials could help correct that misconception, which undermines the lifesaving potential of e-cigarettes, they frequently contribute to the confusion by obscuring the difference between these two modes of nicotine consumption. The heart attack study was based on data from the Population Assessment of Tobacco and Health (PATH) Study, which includes questions about when respondents began vaping and when they were diagnosed. Amazingly, the researchers did not use that information, even though it was crucial in testing the hypothesis that vaping causes heart attacks. Even more remarkably, the journal's editors recognized that problem before publication and asked the authors to address it. Although they failed to do so, the Journal of the American Heart Association published the study anyway. A month after publication, Rodu and Plurphanswat pointed out that most of the e-cigarette users who reported heart attacks actually had them before they started vaping, making a causal inference logically impossible. Sixteen prominent tobacco researchers amplified that point in a letter to the American Heart Association, which finally retracted the study eight months after it was published. In their Internal and Emergency Medicine article, Rodu and Plurphanswat analyzed PATH data on four conditions "strongly associated with smoking" that previous research had suggested are also associated with vaping: myocardial infarction, stroke, emphysema, and chronic obstructive pulmonary disease. They again found that the diagnoses generally preceded e-cigarette use. The World Journal of Oncology study, which was based on

the National Health and Nutrition Examination Survey, included information about the timing of cancer diagnoses but not the timing of e-cigarette use. As the authors conceded, that meant "causal or temporal association could not be established." The editors and peer reviewers apparently were unfazed by that difficulty. They also missed writing errors, non sequiturs, failures of reasoning, contradictions, and a blatant inconsistency in the way researchers reported their main results. Perhaps reviewers were reassured by the fact that the article was attributed to no fewer than 13 authors affiliated with reputable institutions such as the University of Illinois, Temple University Hospital, the Mayo Clinic, and the Icahn School of Medicine at Mount Sinai. In addition to glossing over the timing of e-cigarette use, the researchers classified participants as "e-cigarette users" if they had ever vaped and were not current smokers. The study did not take into account whether the respondents in that group had a history of smoking, which is problematic when you are trying to distinguish between correlation and causation. Even while implying that vaping poses about the same cancer risk as smoking, the study cited evidence showing that can't possibly be true. The authors noted that the carcinogenic potency of e-cigarette aerosol is more than 99 percent lower than the carcinogenic potency of cigarette smoke. They added that "mean lifetime cancer risks decline from traditional smoking to e-cigarettes." The researchers said the "exponential increase in the use of e-cigarettes due to their widespread promotion as safer alternatives to traditional smoking" is a "dangerous threat" and a "public health risk." But they also described e-cigarettes as a promising harm reduction tool that "could dramatically decrease the risk of serious disease in nicotine users and other high-risk groups."

Ten months after publication, the journal printed a retraction notice.

"Concerns have been raised regarding the article's methodology, source data processing including statistical analysis, and reliability of conclusions," the editors said. But "the authors failed to provide justified explanations and evidence" in response to those concerns. Publication of such a "grossly flawed" study, Rodu notes, raises an obvious question: "How could it get through peer review?" Respiratory specialist Riccardo Polosa and smoking researcher Konstantinos Farsalinos suggest an answer in a commentary that accompanied Rodu and Plurphanswat's Internal and Emergency Medicine article. Polosa and Farsalinos note that the failure to consider the temporal relationship between vaping and disease is a "fatal" flaw that should be obvious to reviewers. "The unopposed acceptance of these (low-quality) papers by prestigious journals is symptomatic of a significant dysfunction in scientific publishing, which is distorting the practice of science," they write. "In the context of highly polarized scientific debates (as in e-cigarette research) the peer review process becomes strongly biased for or against a certain narrative." In this case, the favored narrative says vaping products should be viewed with suspicion, despite their potential to reduce smoking-related disease and death. Statements from the Centers for Disease Control and Prevention (CDC) reinforce that narrative by inaccurately describing vaping as "tobacco use" and portraying it as a grave threat to public health. The result of such obfuscation is apparent in opinion surveys. According to a 2020 survey, less than 3 percent of Americans recognize that e-cigarettes

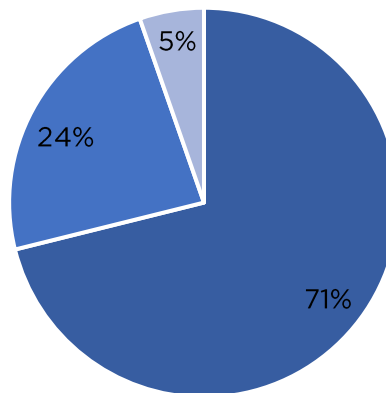
are "much less harmful than combustible cigarettes." Brian King, director of the Center for Tobacco Products at the Food and Drug Administration (FDA), acknowledges the gap between what the evidence shows and what Americans commonly think. "I'm fully aware of the misperceptions that are out there and aren't consistent with the known science," he told the Associated Press in September 2022. "We do know that e-cigarettes, as a general class, have markedly less risk than a combustible cigarette product." King did not acknowledge the role that his own agency, which sponsors hyperbolic propaganda aimed at deterring adolescent vaping, has played in creating those "misperceptions." Nor did he reflect on the damage done by discouraging smokers from switching to vaping. The upshot will be more tobacco-related deaths, exactly the opposite of what the CDC and the FDA claim they are trying to accomplish.

16. It is an unnecessary administrative cost to the city and business owners.
17. It isn't going to stop kids from getting cigarettes or vape. You're just going to make cigarettes more expensive because those who sell them are not going to pay the license, the customers are.
18. It will ultimately be used as a tool to pick and choose winners (favored business owners) and losers (less favored business owners) and as a barrier to entry to prevent competition (like all license based occupations).
19. It would hinder the success of multiple small businesses and Vape is NOT tobacco.
20. Its simply wrong. Stop attacking the citizens trying to get more money. This is not the time for any new taxes of any kind.
21. Just another 'Fee Grab' by politicians sticking their noses where those noses do not belong.
22. Just another overreach of government.
23. Just more government overreach. Someone 18 or older should be responsible to make their own choices when it comes to smoking. The government does not need to tell us how to live.
24. Just more graft for the city. No more taxes.
25. Mom and pop business struggles to make money that would just be another expense
26. More fees on businesses is ridiculous
27. more 'sin taxes' only hurt the commerce and lower income consumers
28. not needed
29. State wide not city
30. There are already laws that prohibit and fine any business that sells tobacco to a minor. This annual fee will simply get passed onto the consumer with nothing in exchange.
31. this is an unfair charge that will be passed to the smokers.
32. This will effect local independent businesses.
33. We are already paying so many fees in different way
34. We do not need additional taxes raised, better spending if what we have.
35. What good would it do...? We have liquor licenses and we still have alcoholics. Why punish a retailer if someone is too stupid to know the dangers of tobacco use.

Don't Know Responses:

1. I don't particularly care compared to other problems residents currently face.
2. I support the initiative that individuals or companies, or vendors who sale tobacco products should be licensed, and there should be a fee attached to that licensing. Additionally, if the vendor, company, individual who violates the license requirements should be fined heavily for that violation. The fines received should be allocated to tobacco prevention programs.
3. Vendors already require a liquor license, so I do not see why proper licensing would be a negative.

2. If a tobacco sales license is established, do you support the proposed fees to ensure compliance?



■ Yes (133) ■ No (44) ■ Don't know (10)

Responses: 187

Why or why not? (Responses: 87)

Yes Responses:

1. A reasonable fee, to take care of administrative costs
2. Absent enforcement, evidence suggests compliance becomes lax. Retailers need to be held accountable for compliance.
3. Accountability
4. Accountability. Let's all work together to help young people not get addicted to harmful substances.
5. Anything for simplicity and fairness
6. As long as reasonable
7. As long as they are justified ,sound like a state law thing
8. as long as they don't proceed with taking our right to purchase and use tobacco/Nicotine products.
9. Avoiding fines should be a straightforward task for any competent store that trains its employees to check IDs. If they do receive a fine, it could serve as motivation to improve employee training. If they still struggle to comply with regulations, it may be an indication that they are not suitable for business.
10. Cancer causing things such as tobacco should be taxed to the highest because if u really want to provide people with possible death and cause

people who didn't agree to second hand death, then pay the responsibility and consequences that come with it.

11. Ensuring compliance
12. Fee structure should align with corresponding responsibility of selling retail tobacco products.
13. Fees are good to keep the bad players out and the city gets fees for enforcement.
14. fees discourage breaking the law
15. Health benefits of not smoking and decreasing 2nd hand smoke.
16. I am not opposed to reasonable fees to fund the administration of the licensure system, though it would be helpful to know how the city arrived at these numbers.
17. I do support establishing a fee to ensure compliance as long as by doing so does not proceed with taking our rights to purchase and use tobacco/nicotine products away.
18. I do think there should be higher fees to ensure compliance or longer suspensions.
19. I support the fees as an agreement to business owners that they will continue to make a living, and an agreement to consumers that they will be able to continue purchasing their preferred devices in the future.
20. I think the proposed fees and fines should be higher. With higher fees and fines the retailer will be more cautious in selling to minors and losing their license.
21. I wish they were higher
22. If a seller is out of compliance in a way that increases harm to public health, the proposed fees and suspensions should be implemented.
23. If people have to spend more to smoke, maybe they will think twice about it and not have this nasty habit.
24. It is a way to keep store owners accountable
25. It is the right thing to do
26. It may be possible the City can use the income from the fees of these licenses for beneficial public purposes. Fees may encourage greater compliance.
27. it will ensure compliance
28. It's fair and transparent
29. It's fair.
30. It's the only positive measure to support the license requirements
31. licenses are fine as long as they don't proceed with taking our right to purchase and use tobacco/Nicotine products.
32. Matches other cities
33. Not more than \$300.00 per license. Please do some research to ensure you have the staff in place to accommodate this extra work.
34. Punish those that don't follow the rules
35. Rules aren't effective without compliance measures.
36. See answer above.
37. the assurance of compliance is vital to this working.
38. The fees appear to be aligned with existing ordinances in the state and will therefore not create a situation where consumers are compelled to venue shop. Licensing systems are powerful tools in part because the two most

common penalties employed – fines and the suspension or revocation of the tobacco retail license, provide substantial incentives to comply with the law. It is essential that Tempe bring together key stakeholders and define a strategy to implement and enforce these local laws in a way that addresses retailers' concerns but stays centered on the public health objectives of the licensing system.

39. THE FEES ARE REALLY LOW!!
40. the fees are reasonable
41. The fees seem reasonable as long as this isn't a road to banning all tobacco products.
42. The fees should be used exclusively to pay for enforcement activities. Otherwise, enforcement activities are not likely to happen or not frequently enough to be effective.
43. The fines are fair.
44. There is a cost for everything and if this cost helps to protect young adults, fine by me.
45. They seem fair
46. Those fees are very reasonable for legitimacy in sales
47. To make sure we have better resources to keep tobacco out of the hands of our children.
48. Tobacco falls under luxury taxes anyway, so the city might as well make money off of them. I'd only support it if the fee money DOES NOT support "public safety" and instead supports youth programs.
49. Tobacco is such a damaging substance, and a menace to public health. Fees should be paid by its profiteers.
50. Who will collect the fees and how will the money generated be spent?
51. Yes because anyone or any business needs to understand the repercussions of violating said rules when it comes to withholding a tobacco sales license
52. Yes but the money should be put back into education
53. Yes I support the fees. I ask though, Do you support holding the minors who smoke under the age of 21 accountable with tickets & fines? The minor who is in possession of tobacco is breaking the law, but you have absolutely NO consequences for these teens and young adults. Why? You expect adults to act within the law, but as adults we have consequences for breaking laws, so why then do you let minors run the streets of Tempe with tobacco products and no punishments for the youths. In their schools, where is the fines and punishment. When you start holding everyone accountable for proper use, and tobacco sales. Then will this be a just and fair law or ordinance. If any of you are parents, if you don't have consequences for your child and you ask them to stop – will they – we all know the answer is NO, not without sufficient punishment for the minor. And that minor is truly breaking the law when it comes to tobacco! So punish the right people, hold the stores to our professionalism. And hold the minors to obeying the laws!! Instead of continuing to give them a free pass. Make under age tobacco consumption laws equal to alcohol underaged consumption laws, with equal punishment!! If you start there, you'll get further to helping out the community to the fullest. Protecting business integrity with tobacco licensing, while saving our youth with new underage tobacco consumption laws! It's a real win for the

community. You don't have to do a flavor ban when you hold the teens breaking the laws accountable! It's that simple.

54. Yes to deter businesses from selling to minors and getting them hooked on cancer causing products.

No Responses:

1. adding another layer to small businesses getting fed up with being taxed to death and fed up with control freak politicians interfering in their day to day operations.
2. Again this will effect local independent businesses.
3. Again, more fees on businesses is ridiculousâ fine the people using fake ids to get it
4. All of us as Americans already pay enough taxes and fees on everything.
5. Because it would place an undue burden on small/local businesses
6. Expensive to enforce.
7. Government has no role in further restricting the personal choices of adults 18+.
8. higher license tax and fees negatively affect local merchants and lower income consumers; will not effectively support those influenced by peers, those already subject to habit/addiction, and will provide no relief to health cost,
9. I do not support the sales license proposal so I do not agree with the fees.
10. I don't support a licensure requirement, nor do I support fees for "violations"
11. I don't want to pay extra but if have to I will
12. If wrongheaded laws are going to be passed, I have no interest in financing their enforcement.
13. Increasing fees will directly effect consumers causing more cost to the public which is a huge negative, i believ this is not the correct approach for the situation.
14. Increasing fees will directly effect small business and consumers causing more cost to the public is a huge negative, i believe this is not the correct approach for the situation.
15. No more taxes.
16. Once again, there are laws already passed that will fine any business selling tobacco illegally.
17. Please no bands on nicotine products or flavors
18. same reason as above. this is an unfair charge that will be passed to the smokers.
19. Tempe doesn't need more money and Vape is NOT tobacco.
20. The amount of the fee is concerning because the costs of the program remain unknown. If the program costs much more to run than the current fee amount raises, will the City continually increase the fee? What if the state were to also impose a licensing fee? Tucson and Flagstaff are not running the same type of program and enforcement that the City of Tempe is contemplating in this ordinance.
21. The fees and penalties are too strict, a 3 year period is too short. A busines owner in good faith could have bad luck with this structure, the purpose is to get rid of bad actors and bad actors will continue to act badly beyond 4

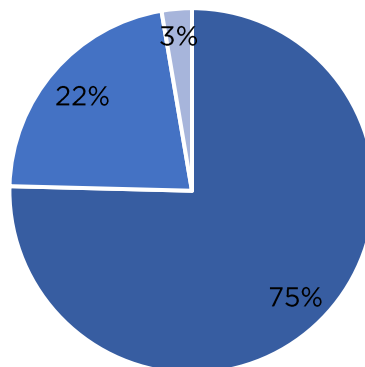
strikes. There should be more warnings and the penalties and fees should get steep after more than 4 occurrences, many of these businesses struggle with temporary help and inconsistent workers - that has to be considered because in a three year period they could fire 4 separate low level clerks that have made mistakes and still lose their license. The structure is too strict.

22. The fees are only going to be passed on to customers not hurt the business.
23. The money will just end up in politicians pockets.
24. Too onerous
25. We do not need addition taxation, better utilization of what you have already.
26. What about small business owners? It seems to me that the City doesn't want to support small businesses.
27. You adding red tape then charging then up charging the consumer for it seems unnecessary

Don't Know Responses:

1. fees are justified but insane amount of fee is crazy too high of a fee.
2. Fees should be reasonable
3. How will enforcement take place? Will police be investing time and effort into sending minors into establishments in order to entrap violators? Is this a worthwhile use of police resources, and of the city budget, which is already overburdened by the unwarranted and unmerited the police budget?
4. I support fees but not as high of fees.
5. I support fees but not high fees.
6. That doesn't affect me

3. Do you support increasing the minimum age for purchase of tobacco products to age 21?



■ Yes (141) ■ No (41) ■ Don't know (5)

Responses: 187

Why or why not? (Responses: 101)

Yes Responses:

1. A better chance for brain development and understanding consequences.

2. Anything that makes it more difficult for youth to get tobacco products is worthwhile for their long-term health.
3. As a female owner and manager I employ many people and we take age verification seriously so products only go to legal adults
4. As above they are better able to understand the consequences.
5. as long as they don't proceed with taking our right to purchase and use tobacco/Nicotine products
6. Because of its terrible smell, damage to lungs and mess around the parks and roadways raise the cost to where people have to pay more! And be 21yrs old!!
7. Because studies show that you aren't done growing at 18, and still are considered too young to do anything else (i.e. gamble, smoke weed, drink) why should this be any different
8. Don't treat us adults like children. If we band tobacco and capes especially flavors you might as well band flavored alcohol. I'm at a age I should be able to choose if I harm myself
9. Every account I know ID's people that come in to purchase tobacco products. I don't know any accounts that sell to anyone under 21.
10. Federal law already dictates that retailers cannot sell tobacco or vapor products to anyone under 21. Enforcement of the age of purchase should be done statewide.
11. Federal law dictates the age requirement is already 21 years of age.
12. Follows US law on age of selling tobacco. Follows age to drink, another drug that is regulated.
13. For ease and to keep same as federal law
14. For ease and transparency
15. Health reasons
16. High school should be smoke free inside and out.
17. Hold these teens down until they can make an informed, educated, thoughtful decision. Kids should talk personally to a cancer survivor.
18. I agree with it being over 21 as long as I can purchase my legal flavors of choice. Don't treat adults like children.
19. I believe the age of 21 is a fine requirement and can help keep it away from younger teens which is the current issue stated, this should in theory keep it away from areas populated by those of said age.
20. I don't agree with being able to purchase cigarettes if you can't buy alcohol until 21.
21. I have 17 year old, and I'm trying to keep him from smoking e-cigarettes etc.
22. I have a freshman at Marcos and I want the vaping to STOP!
23. I started smoking at 16, and wouldn't have had such easy access to tobacco if this legislation existed in the early 1980s.
24. I would support it regardless of age.
25. If alcohol sales are restricted to age 21, tobacco products which have been shown to have serious negative health consequences then should be as well.
26. If Tempe is REALLLLLLLLY about ASU AND developing the pipeline of your economic future you raise the age to 21. If money is #1 concern you don't, even though the economic benefits of a healthier tempe far surpass letting 18 yos by tobacco.

27. I'm a smoke shop owner and we have been doing the 21 years old since 3 years now
28. In March 2015, a report from the National Academy of Medicine revealed that "Tobacco 21" could prevent 223,000 deaths among people born between 2000 and 2019, including reducing lung cancer deaths by 50,000. These are compelling statistics if the goal is to save lives, which it is. Nearly all smokers start as kids or young adults, and these age groups are heavily targeted by the tobacco industry. Increasing the tobacco age to 21 will help to prevent young people from ever starting to smoke and to reduce the deaths, disease and health care costs caused by tobacco use. The ages of 18 to 21 are also a critical period when many smokers move from experimental smoking to regular, daily use. While less than half of adult smokers (46 percent) become daily smokers before age 18, four out of five do so before they turn 21. Nicotine is addictive, and adolescents and young adults are more susceptible to its effects because their brains are still developing. Delaying the age when young people first experiment with or begin using tobacco can reduce the risk that they will become addicted smokers.
29. is Fine as long as they don't proceed with taking our right to purchase and use tobacco/Nicotine products
30. It has been the most effective method of reducing access to minors. When the legal age is 18 a senior at high school could legally purchase tobacco and potentially share it with other teenagers. Those 21 and over are able to choose if they want to purchase alcohol, marijuana and tobacco products and be responsible for their own actions and not commit a crime choosing the flavor or product of their choice. Adult products, adult choices. Bans or restrictions on alcohol, marijuana or tobacco would only make the user a criminal for accessing them and create a black market as history has proven.
31. It is another tool to help youth be safe
32. It would discourage youngsters from becoming addicted.
33. It's a Federal Law, and once again this is a question and a vote for our State Legislators. As City Council members your taking on State laws as a city. But, here again, the Federal Government has already raised the age over a year or two ago. Our state is late to the party but every retailer is only selling to 21 and up. So, maybe you should push this on up to the Capital building for the correct people to make it a state law.
34. It's the law
35. legal age nationwide is 21 let's get on top of it.
36. Lots of brain development (judgement, self control) still lacking even at 21
37. Minors should not be able to buy tobacco products, which will affect their health the rest of their lives.
38. Nationally the results are bad for younger age people smoking. It's public health problem so needs to be addressed in multiple ways.
39. nationwide is 21
40. Nicotine is very addicting and I would want my children to make the decision to start using nicotine when they are more mature and developed.
41. Personally, I have seen every shop that I have been into already enforcing the 21 and up minimum to purchase. This will no be an issue to enforce because everyone already does.
42. Please no bands on nicotine products or flavors

43. Preventing tobacco product use among youth is critical to ending the tobacco epidemic in the United States. According to the Centers for Disease Control and Prevention, tobacco product use is started and established primarily during adolescence. Nearly 9 out of 10 adults who smoke cigarettes daily first try smoking by age 18, and 99% first try smoking by age 26. Each day in the U.S., about 1,600 youth smoke their first cigarette and nearly 200 youth start smoking every day.
44. See answer above.
45. Should be even higher! But this is a good start.
46. State law should correspond with Federal law.
47. That is currently what we are doing right now.
48. The legal age in the US is 21 and should be the same for purchasing tobacco.
49. The products damage health. People's brains should be fully developed before being allowed to purchase them.
50. They are adult products meant to be used by full grown adults
51. They are of legal age
52. This is a mature adult decision that could stick with them for the rest of their lives.
53. This is compliant with federal law and it will help deter underage and juvenile smoking.
54. This will help the grey area of age restrictions in this city.
55. This will prohibit/decrease underage selling to minors.
56. To be in line with federal laws and keep out of kids under 21
57. To make sure we have better resources to keep tobacco out of the hands of our children.
58. Tobacco is a dangerous and addictive product. The city should be doing as much as it can to ensure minors are not getting access to the dangerous products.
59. Tobacco is just as dangerous as alcohol.
60. Tobacco is scourge that plagues society.
61. Tobacco products are potentially addictive and depending on which product is used and can be deleterious to one's health. Similar substances like alcohol and marijuana have age 21 sale limitations. If laws are established to monitor sales to minors, there must be penalties to enforce the laws.
62. Tobacco sales should not be legal for anyone. Nicotine is an addictive carcinogen that causes a tremendous number of illnesses and deaths, with no positive benefit. Society has a huge problem with rationalizing sale of illicit drugs like heroin and cocaine, while tobacco and alcohol remain perfectly legal? We need to move past this 1950s thinking.
63. We can try but won't make much of a difference. Are their to be "minor in possession" ordinances?
64. We live in a society where tobacco companies have been able to poison our populations while developing and implementing inequitable policies. Children are particularly susceptible to the harmful effects of tobacco use; the age should be raised. Our health care system cannot support the chronic diseases that are consequences of the use of tobacco products.
65. will reduce under age smokers
66. Yes, maybe young people will have more sense when they are older and not start smoking, inhaling or chewing cancer causing products.

67. Yes, this will mitigate the confusion between state and federal standards on age to purchase.
68. Yes, Youth should not be able to buy without consequences something that could prove deadly in the long run. Those (3) years could add to someone's life span.
69. Youth need to be protected

No Responses:

1. 18 is adult enough to die as a soldier or go lose a limb in a factory. They can smoke if they want.
2. 18 is been established for years. If your old enough to serve your country you old enough to smoke
3. 18 is considered an adult. They have choices and options. Restricting to 21 just creates a reason to "go around" the law.
4. 18 is the legal age for most adult rights.
5. 18 year olds can join the military and vote, but not decide for themselves regarding their own health?
6. Are we changing the age of becoming an adult to 21? No. Then this makes no sense. It is not the city's job to police what an adult does LEGALLY with their body.
7. Federal law is 18, they can be charged as an adult, die is battle in our military and yet they can decide whether or not to smoke? Just dumb. I honestly feel the same way about liquor.
8. I believe in a state wide, 21 year old age, but not City of Tempe only. Tempe only would punish Tempe businesses unfairly.
9. I do not believe that is it fair that we ask our troops to go support our country and defend it with their lives and we can't allow them to smoke until they are 21. It's insane that such a hike would be put on our youth like that. It doesn't matter what age you raise smoking to, if they want to smoke they are going to find a way. Why not allow them to purchase at 18 and tax them. People legally become adults at 18, let's treat them as such. Let them smoke at 18 and tax them for their decisions.
10. I do not support increasing the minimum age for purchasing tobacco products to 21. In my opinion, individuals who are old enough to vote and serve in the military should also have the freedom to choose whether or not to use tobacco products at the age of 18. While I understand the concerns about the health risks associated with tobacco use, I believe that it is important to respect the autonomy and decision-making abilities of young adults.
11. I think city employees have better things to do than keep people who can legally operate motor vehicles or be sent to fight our country's wars from vaping and smoking. I personally do not use tobacco or vaping products and am aware of their health impacts. However, I am more concerned with government encroachment on the activities of consenting adults. We already have laws that forbid people from smoking/vaping indoors or near entrances of buildings to protect others from secondhand smoke.

12. If 18 year Olds can be tried for a crime, go to military or comply with anything stating they are 18 or over then why should we ignore their right to tobacco products. It's their body.
13. If one is responsible enough to vote, drive, or serve military service, their freedom to choose in a legal substance should not be restricted.
14. if someone under 21 wants tobacco products, they will find a way to get them. Bet you aren't concerned about the Big Pharma drugs, such as Ritalin being pumped into these kids from a early age, are you? No, I bet not. Big Pharma has deep pockets and will freely dole out campaign money to politicians willing to go along with their agenda.
15. If you can vote and die for your country, you should be able to have a beer, smoke, or gamble.
16. Kids are able to decide their gender and get surgeon for it, so they are clearly smart enough to make informed decisions on their nicotine use by the time they're 18
17. Loads of companies and business will be loosing money since a majority of sales come from adults ages from 21-35. It'll also start creating a plethora of business and customers being sold product to even if the minimum age raises anymore than it already has. It also defeats the purpose of selling alcohol at 21 if minimum age of tobacco is being threatened to raise even higher.
18. Not necessary.
19. Once your 18 your a young adult who can make choices on his/her own
20. People can vote at 18, join the military and die for this country. If they want to smoke they should be able to.
21. Reduction of liberty for legal adults.
22. Should go back to 18. If you are expected to live alone at 18 and pay taxes and work you should be able to buy Nicotine
23. The federal age is already 21. Everyone already sells to 21 and up and it is enforced through the court system with fines, raising the age to 21 is purely symbolic - the age is already 21 and up everywhere.
24. The law has always been 18. You are allowed to join the military as an adult and an adult is considered the age of at least 18 years old. We can risk our life at war but we don't have the privilege for tobacco use at the age of 18. Tobacco use is a choice individuals make. Let the people make their own choices.
25. The war on drugs is winding down, and the war on tobacco is ramping up. E-cigarettes, a safer nicotine-delivery alternative, have contributed to plummeting use of traditional cigarette smoking. Yet the Food and Drug Administration (FDA) has effectively made it harder for cigarette smokers to switch by limiting vapes from the market. The agency also recently announced a ban on menthol cigarettes and flavored cigars, which will push more products onto the black market, with all sorts of unintended consequences. "As tobacco, e-cigarettes, and e-liquids transition from legal to illicit, law enforcement agencies will more aggressively interfere with production, distribution, retail sales, and in some cases even individual use," wrote Jacob Grier, author of *The Rediscovery of Tobacco: Smoking, Vaping, and the Creative Destruction of the Cigarette*, in a recent issue of *Reason*. And there's no way to know how far police will go when black market

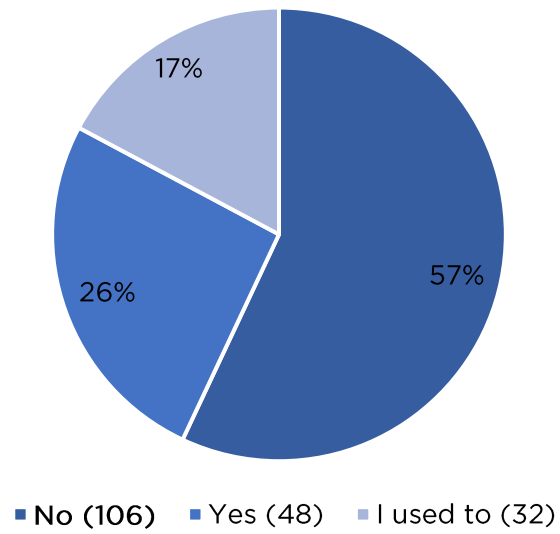
purveyors inadvertently break the law by selling banned smoking products. There's overwhelming evidence that vaping is safer than smoking regular cigarettes, and that policymakers should be making it easier for Americans to switch. "Vaping isn't completely risk-free but is far less harmful than smoking tobacco," according to the British Royal College of Physicians. "Laboratory tests of e-cigarette ingredients, in vitro toxicological tests, and short-term human studies suggest that e-cigarettes are likely to be far less harmful than combustible tobacco cigarettes," according to the National Academies of Sciences, Engineering, and Medicine. "We are in this kind of collective hysterical mindset that really resembles what happened with the war on drugs, back in the late eighties and nineties," says Ethan Nadelmann, the founder and former director of the Drug Policy Alliance and a central figure in the unwinding of America's longest war. By banning options that smokers overwhelmingly prefer, and leaving the traditional cigarette untouched, the FDA is repeating the mistakes of the drug war, says Nadelmann. "Every society needs a boogeyman."

26. Unconstitutional; adults can choose to live how they want.
27. Until we change the age to purchase firearms to 21, and the age to enlist in the military, no I don't support this.
28. While tobacco use should be discouraged, the use of tobacco in and of itself is not a criminal activity. Tobacco does not have the same cognitive impact that alcohol and marijuana does.
29. Why incarcerate someone at eighteen but yet not give a choice to purchase tobacco products.
30. You can fight for your country at 18.

Don't Know Responses:

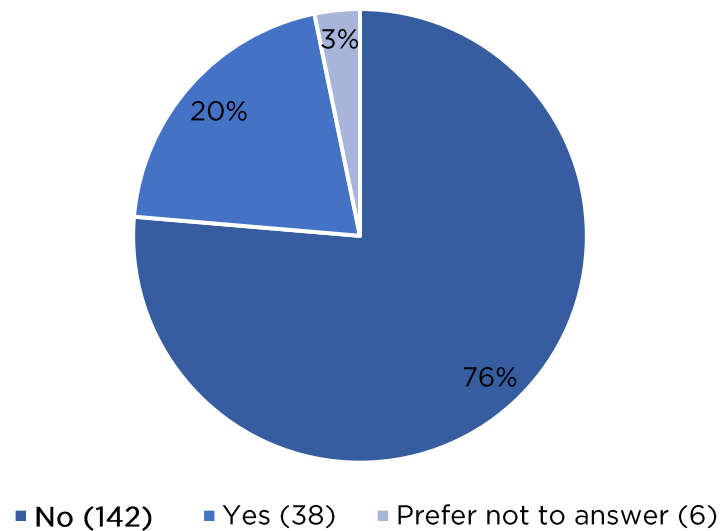
1. If someone is going to smoke no matter what age they are they will find away to get smokes
2. This is more of a debate since people can serve and die for our country at 18, but it is an unhealthy substance so would be good to put off its use as long as possible

4. Do you currently use tobacco products?



Responses: 186

5. Do you currently own, manage or work at an establishment that sells tobacco products?



Responses: 186

6. Do you have any other comments?

1. "According to the Centers for Disease Control and Prevention, cigarette smoking is the leading cause of preventable death in the United States. Cigarette smoking causes more than 480,000 deaths each year in the United States. This is nearly one in five deaths. Smoking causes more deaths each year than the following causes combined: Human immunodeficiency virus (HIV) Illegal drug use Alcohol use Motor vehicle injuries Firearm-related incidents More than 10 times as many U.S. citizens have died prematurely from cigarette smoking than have died in all the wars fought by the United States. Smoking causes about 90% (or 9 out of 10) of all lung cancer deaths.^{1,2} More women die from lung cancer each year than from breast cancer. Smoking causes about 80% (or 8 out of 10) of all deaths from chronic obstructive pulmonary disease (COPD). Cigarette smoking increases risk for death from all causes in men and women. The risk of dying from cigarette smoking has increased over the last 50 years in the U.S. Smokers are more likely than nonsmokers to develop heart disease, stroke, and lung cancer. Estimates show smoking increases the risk: For coronary heart disease by 2 to 4 times For stroke by 2 to 4 times Of men developing lung cancer by 25 times Of women developing lung cancer by 25.7 times Smoking causes diminished overall health, increased absenteeism from work, and increased health care utilization and cost
2. Adults should be able to choose what they put in their bodies without government telling them provided it is legal.
3. Approaching this at the wrong angle will cause harm tho those who are already over the age of 21 and choose to use tobacco products, we do not want to enforce a higher cost onto those people already in our current economy.
4. As a Tempe resident I applaud the city in this FIRST step in addressing the tobacco and vaping use of minors. The licensing ordinance will help in this matter, but more must be done to really affect change. A comprehensive ordinance that includes the end of selling flavored tobacco products must be enacted. The flavors are what entices kids to use tobacco products. When it tastes or smells like some kind of candy, that masks the harshness of the product, it is easy for kids to use. Also how many tobacco retailers does Tempe need? I understand there's new vaping shop being proposed down the street from me. The city already has too many. Tobacco related illnesses not only affects the individual, but the family and community as well. It affects their economic well being as well. As African Americans suffer disproportionately from health disparities, if you lose a breadwinner or co-breadwinner it will throw your family into financial chaos, not to mention depression. With over 45,000 African Americans dying from tobacco related illnesses each year, families are suffering financially and emotionally. A comprehensive ordinance that ends the sell of ALL flavored tobacco products is needed asap along with the licensing ordinance.
5. As an owner of 25 years flavor bans do not work I currently scan ids to verify age and only sell to adults thank you for not including flavor tobacco ban
6. Concerned with dispensaries selling their products to individuals that have diagnosed with mental issues such a Schizophrenia.

7. DO NOT BAN FLAVORS. MANY VAPERS WILL REVERT TO SMOKING IF SO
8. Don't we have larger issues in Tempe then this? Homelessness? Drug problem?
9. Everyone I talk to is fine with the license process and fees associated with it but if this pushes forward into a ban based off of old data that will not be a good move. I am a parent as well and my child knows that this stuff is for adults. If my child ever used these any of these tobacco products then I will need to deal with it not our government. Prohibition didn't work for alcohol and it wouldn't work for this.
10. Glad Tempe wants to be pro-active against cancer causing products.
11. Historically, tobacco companies more heavily advertise and offer steeper price discounts in stores located in ethnic minority and low-income neighborhoods than in majority white and more affluent neighborhoods. Flavored products, and especially menthol cigarettes, have been notoriously targeted to disadvantaged groups. For example, evidence indicates more price promotions for premium menthol cigarettes in neighborhoods with more Black youth. Additionally, menthol cigarettes are cheaper near schools with more Black students. Policies restricting the sale of flavored tobacco products have proven effective in reducing tobacco use by people of all ages. In short, prominent tobacco marketing creates an environment that contributes to tobacco experimentation and makes quitting exceedingly difficult. Low-income populations are exposed to more retail marketing and have more access to tobacco products. None of this will change until the sale of tobacco and flavored tobacco products is more controlled and regulated.
12. How about this? Visualize politicians not thinking they have to micromanage every damn thing on the planet!
13. I Also do not support a flavor ban, vaping helps many people who are quitting cigarettes, to impose such things is actively saying you do not care for the health of your citizens but only for the profits of cigarette companies.
14. I am 65 years old and smoke 2 menthol cigarettes a day. I am very opposed to banning menthol as a choice. I do not drink alcohol so just imagine someone coming in and saying what kind of alcohol you can have available. It's just nit fair. As for the added tax, a pack of cigarettes already costs around \$10 so I can imagine this fee will just be tacked on that. It's a lot of money.
15. I am submitting written testimony on behalf of Parents Against Vaping e-cigarettes. We are a national organization with Tempe members and supporters that prioritizes the health and well-being of youth. I'm a doctoral student researching the public health impacts of youth substance use. We're in full support of a comprehensive tobacco seller license with effective enforcement as well as a minimum age of purchase ordinance. Tobacco products are blatantly targeting youth, and we have the data that over 50% of Tempe's tobacco retailers have been issued citations for selling tobacco products to kids. This is a serious public health epidemic with kids having access to and using tobacco products -- especially e-cigarettes. It's important to go a step further and take all flavored tobacco products off the market. Eliminating youth access = reduced youth usage. Things need to change. We need the combination of licensing and a restriction to flavored

tobacco products to address this epidemic and protect the health of Tempe's youth and the health of the greater Tempe community. Thank you again for your time.

16. I appreciate this business and this would be the right step into the business' future. This will keep businesses held accountable for selling to underage while allowing businesses to continue selling flavored tobacco.
17. I believe that this ordinance is a rational middle ground that addresses the youth vaping epidemic without resorting to prohibition. I oppose a flavor ban and hope that this ordinance settles the nicotine policy issue for the City of Tempe.
18. I do not support a flavor ban. These products SAVE lives.
19. I hope it doesn't go the way of prohibition.
20. I really thank you guys as a business, this is the step in the right direction to hold businesses accountable from selling to underage customers and allows smoke shops to keep selling flavored tobacco.
21. I support my customers rights to purchase what they want in the legal limits.
22. I work with children. I have a child. I want tobacco away from our children.
23. I would like to see apt complexes and community habits be Smoke/Vape Free (smoking of any kind)
24. I would like to thank all the council members and staff that put time into this. It is important to get all stakeholders involved to make sure there is good governance without an unintended consequences. This ordinance has been molded where I believe it will better regulate the selling of tobacco, lower juvenile and underage smokers, as well as not have major negative impacts on law enforcement or the general budget. There will also not be the major opportunity for an illicit market to come to Tempe. Thanks for all the time put into this ordinance. Jobe Dickinson Border Security Alliance"
25. I'm a business owner in Tempe for many years with many employees and I want to first thank the City for not going forward with a tobacco flavor ban. I don't think it's fair to penalize owners in Tempe and encourage bad behavior from consumers. Also it would affect my employees that have been here for years. We have invested a few thousand dollars in pos systems that scan IDs to verify age and we only sell to 21 and up! Thank you
26. I'm a business owner of multiple businesses for over 20 years we verify IDs and only sell to adults. Tobacco bans do not work and lead to bad behaviors thank you for not adding any kind of tobacco bans or flavor bans
27. I'm very disappointed the original ban of sale of flavored tobaccos was dropped. It would protect our youth so much more than this watered down ordinance. Looks like the Council Committee were bullied by a few vape shop, Hooka and convenience store owners AND DISREGARDED THE HEALTH OF OUR YOUTH WITH THEIR CONSIDERABLE RISK OF NICOTINE ADDICTION, POSSIBLE MARIJUANA ADDICTION AND MORE. Tempe has always been progressive and they backed down and blew it on this. The original proposed ordinance should be brought back.
28. In considering the enactment of a tobacco retail license ordinance, Tempe leaders are to be credited for recognizing there is a serious problem with underage smoking in the community that needs to be addressed. Flavored tobacco products are fueling the youth nicotine addiction crisis and it's time for Tempe to take action, as hundreds of communities across the country

have done. According to a December 2022 poll conducted by FHK-Tempe coalition, 61% of voters favor an ordinance to end the sale of all flavored tobacco products that can appeal to youth. Given this broad public support, as well as support among Tempe community leaders and organizations such as the Tempe Coalition to Reduce Underage Drinking and Drug Use, Tempe Union High School District, Tempe Elementary School District, the Tempe African American Advisory Committee and 50+ state and regional health, education, youth service, faith-based, and social justice organizations, it is imperative that Tempe City Council enact restriction to the sale of flavored tobacco products.

29. In general, this ordinance draft is an improvement on prior versions because it removes the product ban concept. Flavor bans are not effective and are extremely harmful to retailers in the City. A flavor ban would drive sales of not just preferred tobacco or vapor products to retailers in other cities or on tribal lands, but also the associated fuel, food or drinks that the purchaser makes when they stop. Even worse, flavor bans support the expansion of illicit markets where unregulated sellers will not check ID and adulterated products can thrive. We do have some concerns with the ordinance as currently drafted and we hope to meet with City staff soon to share ideas on areas for improvement.
30. I've been an owner of many stores for almost 26 years and age verify for compliance. Thank you for not going through with a flavor ban. I do not feel this is right and can lead to bad behaviors in city.
31. Keep tobacco smoke out of buildings.
32. Licenses and fees should be implemented for regulation, and to assure that we won't be pursuing bans in the future.
33. More regulation is not what we need.
34. My mother is a lifelong smoker. She has COPD and is on oxygen, and despite countless hospitalizations, refuses to stop smoking. Her tobacco addiction has ruined her quality of life, and will likely kill her. As I child, I had many chronic health issues as a result of living in second-hand smoke.
35. My son and his friends regularly bought vape and tobacco products at the tobacco store on the southeast corner of Rural and Guadalupe while they were in high school. We had no idea. If the business had been responsible and demanded ID it couldn't have happened. More gatekeeping is needed. And since a business doesn't care about the minors they sell to, then they'll care about money and fines.
36. No
37. No more laws!
38. NOBODY in the city of Tempe knows the tobacco industry like I do. they use flavors like bubble gum and cotton candy to market to youth. if they were marketing to adults they would have flavors like filet mignon and scotch. PLEASE LETS NOT MAKE A CLEAR CUT DECISION A DEBATE.
39. People have the right to make their own choices without the government telling them how to live. I
40. Please adhere to no smoking on the bus stops
41. Please do anything you can to discourage smoking, especially with young people.
42. Please no bands on nicotine products or flavors

43. Public health should be of grave concern for public officials. Health disparities should implore the Human Services & Community Safety Committee to spring into action. While licensing is a part of the strategic plan, it's only a part of it. This is not the silver bullet that will stop children from being hooked. Without establishing an end of the sale of flavored tobacco, you're ignoring public health disparities. The tobacco industry has a long history of targeting communities like the Black community through their sale of menthol products. This is a social justice issue. Over eight five percent of Black smoker's smoke menthol and over forty-five thousand die each year due to tobacco related deaths. They've targeted our youth with over two hundred highly addictive flavors that will likely hook kids for a lifetime. Eight out of ten of our youth say that flavored nicotine entices them, ultimately hooking them. The initial language in the proposed ordinance included establishing the end of sale flavor tobacco. What changed? The City of Tempe must take bold action by addressing this as a public health crisis at the intersection of a social justice issue and restore the original language of prohibiting the sale of flavored tobacco. We must not further delay the impetus. I encourage staff to gleam from Boston, San Francisco, Sacramento, Minneapolis and St. Paul. It's time for The City of Tempe to restrict the sale of flavored tobacco. All flavors. All products. All Locations. Lastly, out of 300 jurisdictions that has adopted this ordinance, there's been no reports of widespread business closures.
44. Stop requiring all of these fees for companies that want to come and do business in Tempe. It drives out the mom and pop shop owners who are more close to the community and can serve the needs of those who currently live here. Tempe is meant to stay as a family / college student neighboring city, NOT an upscale high price area like New York City. That is going to ruin Tempe.
45. Stop with the nanny state nonsense. Perhaps the city and it's council's time, money, and enforcement efforts would be better spent reducing the homeless problem that keeps increasing in Tempe.
46. Tempe needs to focus on fixing the problems it has, not potentially creating more.
47. Thank you for allowing me to respond. I think it is nice to have a lot of students write essays on the dangers of smoking. Essays are easy to get out of a classroom from almost every teacher if they ask their students. And that extra credit point only goes so far. Because without underage tobacco consumption laws kids will continue to be kids! We need laws holding all underage tobacco use punishable by fines, and holding the youths who are breaking the laws accountable. This will drastically drop your underage smoking. You give the minors free rein over smoking and vaping, and stand with the minor pointing the fingers at retailers. Well, the problem is the minor who is smoking and making the decision to smoke! Hold them accountable, give them a ticket for breaking the laws. Stop letting the real tobacco criminals go free with out any punishment, the minors who continually break the laws and smoke. They need to be held accountable and stopped, before they turn the bad decision into a bad habit that they can't easily break. If you really want to help the youth of the community then put in fully comprehensive laws for underage tobacco consumption as

well as the tobacco Licencing. Make the entire community safe that way. If you do a vape ban you will be crossing into the mmj industry, and a lot of mmj patients Vape their meds! A flavor ban would simply be telling adults they have no freedoms of choice. Because you couldn't control the youth in our community, by having underage tobacco consumption laws. It has at that point nothing to do with flavors.. more of controlling tobacco from retail and from minors who break the laws. It really can be that simple. Not a political standing point!

48. Thank you for not going forward with flavor ban! I feel this would not work, lead to bad behaviors and really hurt our business
49. Thank you for not going through with flavor ban
50. The creation of a local retail licensing program is ONE PART of the solution. We need BOTH licensing and a restriction to flavored tobacco products to address the critical and detrimental impact flavored tobacco products are having on increasing tobacco addiction among Tempe youth.
51. The failed war on marijuana punished the users it was trying to protect and gave opportunity, money and power to drug cartels at a severe cost. Now in AZ marijuana is regulated and safe and the government makes tax money from it while monitoring and controlling it. To put flavored tobacco products on a banned list would create a black market for criminals to profit from, they would not card buyers, and the government would lose the ability to monitor and control it as well as the loss of tax revenue but have to spend more to enforce the prohibition. While tobacco has risks, there is more risk when it is illegal.
52. The license is pointless, go after the bad actors. The good businesses don't need to be punished for a few bad apples.
53. The ordinance is an important first step in the city's process to protect the youth of the city. All flavored tobacco products need to be banned. This ordinance will help that
54. The World Journal of Oncology recently retracted a February 2022 article claiming that nicotine vapers face about the same cancer risk as cigarette smokers. ""After publication of this article,"" the editors explain, ""concerns have been raised regarding the article's methodology, source data processing including statistical analysis, and reliability of conclusions."" Because ""the authors failed to provide justified explanations and evidence for the inquires [sic], subsequently this article has been retracted at the request of Editor-in-Chief." Some of the concerns raised by this article are similar to the problems with other studies that have linked vaping to smoking-related diseases. Most conspicuously, this study failed to address the question of whether diagnoses were made before or after people started vaping, a minimum requirement for inferring causation. In 2020, the same problem led to the retraction of a Journal of the American Heart Association article that reported an association between vaping and heart attacks. The World Journal of Oncology article which was attributed to no fewer than 13 researchers at institutions such as the University of Missouri, Temple University Hospital, the Mayo Clinic, and the Icahn School of Medicine at Mount Sinai has other obvious problems that should have been apparent before publication. It features enough inconsistencies, writing errors, non sequiturs, and failures of reasoning to make you wonder whether peer

reviewers and editors actually read it, let alone carefully evaluated its strengths and weaknesses. As critics have noted, the publication of such studies suggests that the peer review process is biased against vaping, favoring articles that highlight its potential hazards even when the science underlying them is weak. In an email, Brad Rodu, a University of Louisville professor of medicine who has been studying tobacco harm reduction for decades, says the "grossly flawed" study of vaping and cancer raises a troubling question: "How could it get through peer review?" In the retracted study, University of Illinois internist Anusha Chidharla and her 12 co-authors analyzed data from the National Health and Nutrition Examination Survey. The sample included 154,856 respondents surveyed from 2015 through 2018, of whom 5 percent reported that they had ever used e-cigarettes, 31.4 percent said they were current smokers, and 63.6 percent said they did not smoke and had never used e-cigarettes. The survey also asked whether participants had ever been diagnosed with cancer. Crucially, the study does not include information on when the e-cigarette users began vaping. But the authors note that "e-cigarettes [were] used as a strategy to quit smoking in most cancer respondents," which suggests that their diagnoses generally preceded their e-cigarette use. If so, that would be consistent with what Rodu and University of Louisville research economist Nantaporn Plurphanswat found when they analyzed data on other smoking-related diseases from the Population Assessment of Tobacco and Health Survey, which includes information on the timing of both diagnoses and e-cigarette use. Chidharla et al. classified participants as "e-cigarette users" if they had ever vaped and were not current smokers. The researchers did not take into account whether the respondents in that group had a history of smoking, which is obviously problematic when you are trying to distinguish between correlation and causation. "The authors reclassified former smokers as nonsmokers, thereby obscuring the effects of 'former,'" Rodu notes. "That also raised the cancers in their reference group, which was inappropriate." Keeping those points in mind, what did the researchers find? They seemed confused about that. According to the abstract, "the e-cigarette users [had] lower prevalence of cancer compared to traditional smoking (2.3% vs. 16.8%; $P < 0.0001$)." That is consistent with the numbers reported in Table 2. But according to the "Results" section of the article, "respondents with cancer [had] a lower prevalence of e-cigarette [use] compared to traditional smoking (2.3% vs. 16.8%; $P < 0.0001$)." The "Discussion" section reiterates that "cancer respondents had a lower prevalence of e-cigarette use than traditional smoking (2.3% vs. 16.8%)." All those passages cite exactly the same numbers, but they are talking about two different things: prevalence of cancer among e-cigarette users and smokers (the study's "secondary aim") vs. prevalence of e-cigarette use and smoking among people diagnosed with cancer (the study's "primary aim"). "I have made a serious attempt," Rodu says, "but I cannot figure out how the authors switched from cancer prevalence among e-cig users to e-cig prevalence among participants with cancer." It seems neither the peer reviewers nor the journal's editors noticed that inconsistency prior to publication. Assuming the version of the results presented in the abstract and Table 2 is the correct one, 2.3 percent of e-cigarette users reported

cancer diagnoses, compared to 16.8 percent of current smokers and 9.5 percent of the nonsmokers. But when the researchers ran a regression analysis that included several demographic variables and "comorbidities" (including other diagnoses and use of other drugs), they calculated that e-cigarette users "had 2.2 times higher risk and traditional smokers had 1.96 times higher risk of having cancer compared to non-smokers." In other words, the prevalence of cancer among the e-cigarette users was about one-quarter the prevalence among nonsmokers and one-seventh the prevalence among current smokers. But after the regression analysis, the risk for e-cigarette users was about the same as the risk for smokers i.e., roughly twice the risk for nonsmokers. Since the retraction mentions "concerns" about "source data processing including statistical analysis," we can surmise that the editors, after taking a closer look at the study, questioned that calculation. In any event, the lack of information about the timing of e-cigarette use makes it impossible to draw causal conclusions from whatever correlations these survey data do support. Or as Chidharla et al. put it, "causal or temporal association could not be established." Despite that concession, the authors' conclusion assumes a risk they have not proven. "Our study found e-cigarette users had an early age of cancer onset as well as higher odds of having cancer compared to non-smokers," they write. "Prospective studies should be planned to mitigate the risk." In light of the study's fundamental weaknesses, what value would it have had even if the "source data processing including statistical analysis" had been sound? "Despite the limitations," the authors say, "to our knowledge, this is the first large population-based study to find [a] potential association between e-cigarette use and cancer in humans." So there's that. Stanton Glantz, the American Legacy Foundation Distinguished Professor of Tobacco Control at the University of California, San Francisco, thought that was good enough. In a blog post, he hailed the "first epidemiological evidence linking e-cigs to cancer in people." Glantz, who co-authored the retracted Journal of the American Heart Association article alleging a connection between vaping and heart attacks, said Chidharla et al.'s study provided "direct evidence that people who use e-cigarettes are at increased risk of some cancers" (emphasis his). He added that "e-cigarette use was associated with higher risks of some cancers than smoking cigarettes, including cervical cancer, leukemia, skin cancer (non-melanoma), skin (other) and thyroid cancers" (again, emphasis his). For those of us who are less eager to undermine the case for vaping as a harm-reducing alternative to smoking, what would this study have meant if it had not been retracted? Chidharla et al. were not sure. If you ignore the glaring methodological weaknesses, the study suggests that vapers and smokers face similar cancer risks. Yet the authors note that "vaporized nicotine emissions from e-cigarettes contain carcinogens generally in lower concentrations with cancer potencies < 1% that of tobacco smoke." In other words, the carcinogenic potency of e-cigarette aerosol is more than 99 percent lower than the carcinogenic potency of cigarette smoke. The researchers add that "mean lifetime cancer risks decline from traditional smoking to e-cigarettes." Chidharla et al. say the "exponential increase in the use of e-cigarettes due to their widespread promotion as safer alternatives to traditional smoking" is a "dangerous threat" and a

""public health risk."" But they also describe e-cigarettes as a promising harm reduction tool. ""Although smoking in any form is never safe, e-cigarettes can be recommended by clinicians as an alternative to traditional smoking in populations with a history of cancer who would otherwise continue to smoke or those who want to start smoking at all cost,"" the authors write. ""This could dramatically decrease the risk of serious disease in nicotine users and other high-risk groups."" That is exactly the point of harm reduction. A dramatic decrease in health risks among people who otherwise would be smoking is unambiguously an improvement. So why do Chidharla et al. seem ambivalent at best about products that help people achieve that outcome? ""Due to higher prevalence of certain types of cancers in e-cigarette [users] and unknown consequences of e-cigarette use, more guidelines are needed regarding the use of e-cigarettes and their association with cancer,"" the authors write. ""E-cigarette[s] should not be considered as a safe alternative to dual or traditional smoking without stronger clinical evidence on [their] safety."" But to reduce health risks, e-cigarettes do not have to be ""a safe alternative""; they need only be a safer alternative, which Chidharla et al. concede they are. The authors sometimes seem desperate to obscure that point. ""The recent outbreak of e-cigarette vaping-associated lung injury (EVALI) in the USA suggests caution,"" they write. ""EVALI is primarily attributable to vitamin E acetate in cannabis oils distributed through illicit channels [emphasis added]."" What does that have to do with the risks posed by the legally distributed nicotine products the article is ostensibly discussing? Chidharla et al. worry that e-cigarettes are ""gaining popularity"" among ""never-smokers and adolescents."" They add that ""the potential for negative health effects from exposure to nicotine or other chemicals in e-cigarettes among non-smokers is concerning."" Adolescent vaping actually has been falling in recent years. And according to a survey the researchers cite, never-smokers account for less than 9 percent of Americans who report that they have tried e-cigarettes. A more recent survey found that less than 3 percent of Minnesota never-smokers reported ""current"" e-cigarette use, meaning they used e-cigarettes ""every day or some days."" Chidharla et al. also worry that vaping products ""are commonly marketed as a safe alternative"" when ""the long-term effect of e-cigarettes is not known yet."" But as they concede, the evidence indicates that vaping, even if it may pose some long-term risks, is far less hazardous than smoking. Surveys suggest that Americans generally do not understand that, thanks largely to deliberate obfuscation by anti-smoking activists and public health officials. When it comes to public perceptions, the problem is not that people mistakenly think vaping is completely risk-free; the problem is that less than 3 percent of Americans recognize that e-cigarettes are ""much less harmful than combustible cigarettes."" Brian King, director of the Food and Drug Administration's Center for Tobacco Products, acknowledges the gap between what the evidence shows and what Americans commonly think. ""I'm fully aware of the misperceptions that are out there and aren't consistent with the known science,"" he told the Associated Press in September. ""We do know that e-cigarettes, as a general class, have markedly less risk than a combustible cigarette product."" Since those ""misperceptions"" discourage smokers from switching to vaping, they are a

- significant obstacle to reducing smoking-related disease and death. Ill-conceived, poorly reasoned studies like this one compound that problem.
55. These laws strike the correct balance between the public health need to protect youth but allow access for adults. Specifically, we should not restrict e-cigarettes (tobacco and other flavors included) because they are a proven lifesaving tobacco harm reduction strategy for adults who want to use nicotine but are unable or unwilling to quit the much more dangerous forms of nicotine like combustible cigarettes. Complete prohibition of products that adults want to use did not work for alcohol or marijuana and it will not work for e-cigarettes.
 56. This is just a beginning. We need a statewide ordinance.
 57. Vape products helped me quit a 30 year combustible cigarette habit. My lungs are clear. PCP has me down as a non smoker. That the dangers of cigarettes can fill a book. The dangers of vaping a single page. Also parents need to parent. Not have the government do it for them. I will also take my purchases to another city.
 58. We own a store and have owned many stores for almost 30 years as a woman I take selling tobacco products seriously we scan on pos system to verify ages. Thank you for not banning flavor tobacco products we know this creates many problems in the city including black market activities
 59. We're ACTUALLY protecting the children...verses those shmo's that are voting against drug queens reading, or performing In front of children. People are ACTUALLY dying here.
 60. Why are we constantly forcing people away from having choices in life. If we didn't have any choices in life we would loose all of our freedoms if we keep giving our freedoms what did we fight for when we created the bill of rights.
 61. Why doesn't the city of Tempe follow the laws that are already established? Why do we need more laws for the same thing?
 62. yes! I'd rather to give a ticket or punish the minors or the kids under age that gets caught with e-cigarette or tobacco since the older age is buying for the younger age and the smoke shops have no controls of this , and in the end of the day the smoke shops looks that bad guys!
 63. Yes, Eight years ago Tempe was the first Arizona city to enact a ban on smoking and vaping in cars when children were present. Here are some of the comments then Councilmembers made which accompanied a unanimous decision then by the Tempe City Council. Tempe Councilmember Schapira: 'It's an acute problem in the Valley because so many of us drive, we drive long distances, we drive in high temperatures, and so we have our windows rolled up and the effects of secondhand smoke on in that closed contained environment on a young person are very acute'''. Also from Councilmember Schapira: ''Exposure to secondhand smoke - especially in that closed, confined small proximity - is damaging, is dangerous,'' he said. ''And so, as many other states, municipalities and counties across the country have done, were looking to ban that practice in Tempe'''. It's obvious that Tempe has a progressive history on smoking policy and tobacco control issues. In 2002 the Citizens of Tempe passed 'Tempe for Healthy Smoke-free Workplaces' which made all workplaces (Bars, Bowling Alleys, Billiard Halls, Restaurants) smokefree to promote health. Tempe now has another unique opportunity to demonstrate Tobacco Control leadership with a Tobacco Retail License

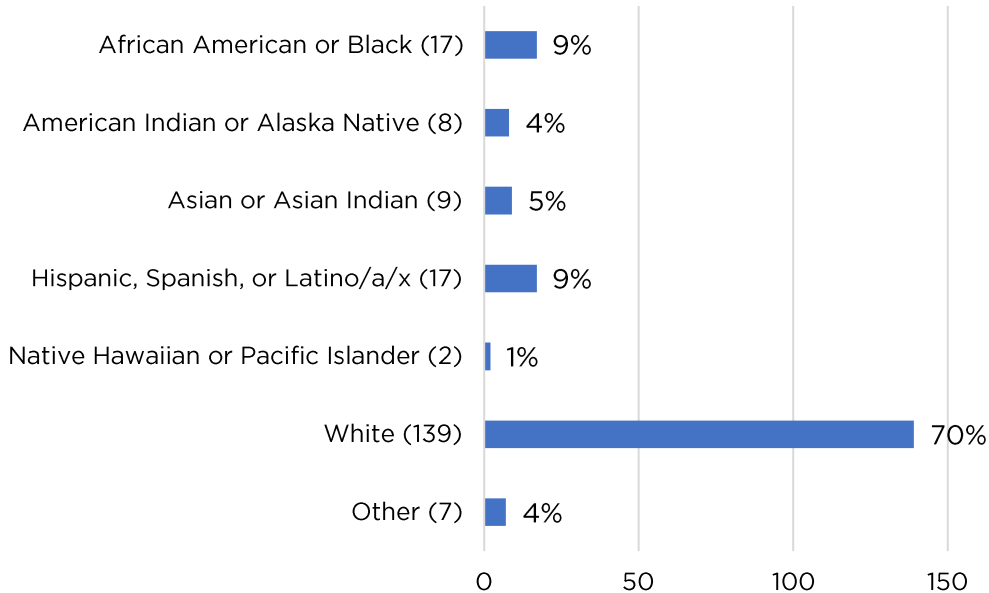
(TRL) with high fines for violations and a 100% Comprehensive Flavored Tobacco Ban. According to Campaign for Tobacco-Free Kids as of 03.17.23 please review this:

<https://www.tobaccofreekids.org/assets/factsheets/0398.pdf> Tempe has an opportunity to demonstrate Tobacco Control leadership and join countless municipalities/localities across the nation along with the following five states (Massachusetts, New Jersey, New York, Rhode Island and California) and enact a 100% Comprehensive ban (restriction) on the sale of Flavored Tobacco products inside City limits.

IV. Demographics

The City of Tempe wants to better understand how well it is serving community members. Collecting demographic data allows the city to effectively plan and distribute its programs and investments. The collection of data provides a more precise picture of current Tempe residents and businesses. Providing this information is highly encouraged and helpful to the city, but it is not mandatory.

Race:

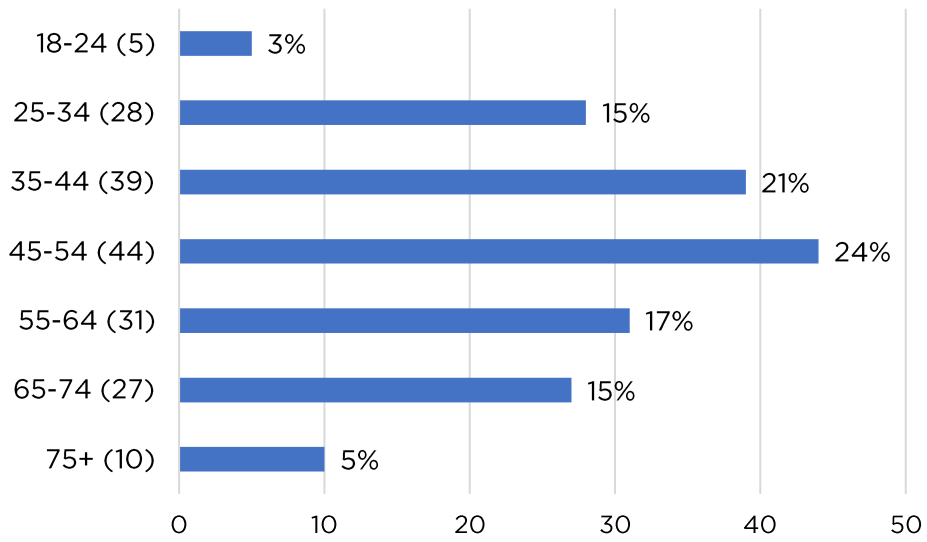


Responses: 188

Other - mixed:

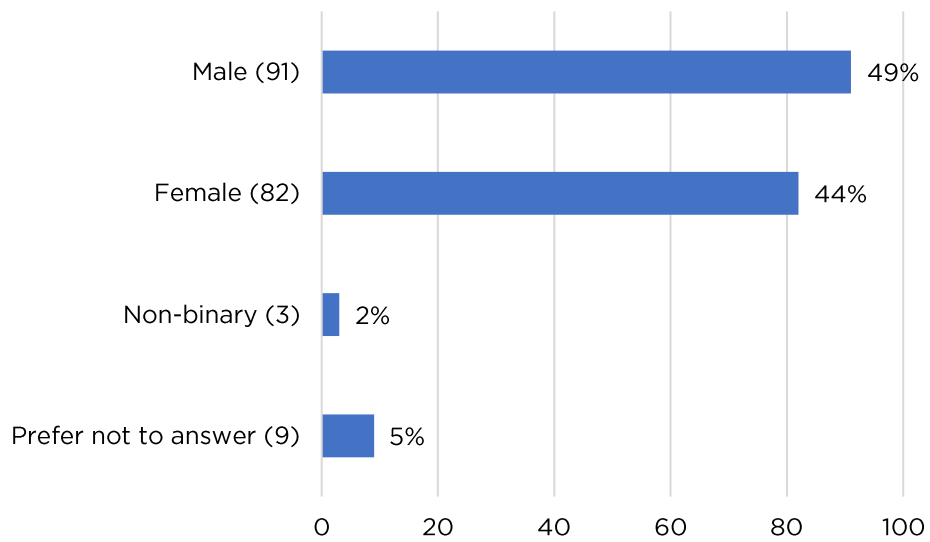
- Other - Slavic
- Other - White as a sheet
- Other - American
- Other - Italian
- Other - Mixed
- Other - Arab
- Other - Prefer not to answer

Age:



Responses: 184

Gender:



Responses: 185

V. Emails

1. **March 20, 2023** - Good morning, Please pause on the distribution of new occupancy permits, business licenses and/or other authorizations by enacting an immediate moratorium on new vape shops, hookah lounges, smoke shops and cigar lounges to stop their proliferation around the city until city leaders pass both the proposed Tobacco Seller License and Minimum Age Purchase Ordinance to include abolishing sales of ALL flavored tobacco products, especially menthol cigarettes and shisha tobacco charcoal for hookah water pipes. This gives time to develop clearer regulations on where and how these businesses can operate, given the health risks associated with vaping and the way in which many electronic cigarette companies target young people with their marketing.
2. **April 13, 2023** - Please see the attached/below release regarding the continuing efforts to restrict the sale of flavored tobacco products in the City of Tempe. Black community leaders have continued to call on Tempe's mayor and city council to return to the comprehensive approach they originally sought to curtail underage tobacco use in the city, which included restrictions on the sale of flavored products, which have been used to target kids, and which have been used for decades to specifically target Black communities, particularly with menthol-flavored products. In addition, I've attached a copy of the resolution passed by the Tempe History Museum's African American Advisory Committee, calling on the city's leadership to adopt the full and comprehensive action. I have also attached a well-sourced FAQ regarding menthol cigarettes and the targeting of Black consumers. If you have any questions or need additional information, please reach out to me at any time, by phone or via reply email. You have my sincere appreciation for your time and interest in this ongoing issue that is vital.



www.FlavorsHookKidsAZ.com

FOR IMMEDIATE RELEASE

April 13, 2023

Contact:

Jeremy M. Helfgot
J.M. Helfgot Communications
Mobile: (310) 413-3360
Email: jm@helfgot.com

TEMPE AFRICAN AMERICAN ADVISORY COMMITTEE

RESOLVES TO END THE SALE OF FLAVORED TOBACCO PRODUCTS

TEMPE, Ariz. — The **Flavors Hook Kids–Tempe Coalition** leadership is lauding the support of the **Tempe History Museum’s African American Advisory Committee** in their efforts to restrict the sale of flavored tobacco products within the municipality.

The Committee, whose members are charged with addressing issues of importance to the African American community of Tempe, recently adopted a resolution urging the mayor and council to “enact a comprehensive ordinance to end the sale of all flavored tobacco...products within the City of Tempe, making no exemptions.” (A copy of the full resolution is attached.)

Despite strong calls from throughout the community to end the sale of flavored tobacco products in the city, City leadership has delayed inclusion of those restrictions, moving forward with only a plan to license tobacco retailers.

“To mark Black History Month, a group of leaders from the African American community stood in front of Tempe City Hall and made a strong and impassioned plea to our city’s leaders to end the sale of flavored tobacco products – including menthol products – in our city, knowing full well that for decades, the tobacco industry has used those products to entice and hook Black kids at a wildly disproportionate rate,” **JoAn Cooks**, former president of the Committee, stated. “We adopted our resolution calling on Mayor and Council to enact these restrictions, because we see this not only as a public health crisis, but also as a social justice issue. Black children are our future, and we cannot

- more -

J.M. HELFGOT COMMUNICATIONS

6635 West Happy Valley Road • Suite A104-127 • Phoenix, Arizona 85310 • United States of America
Telephone: (623) 252-5642 • Electronic mail: info@jmhelfgot.com

**TEMPE AFRICAN AMERICAN COMMITTEE CALLS TO END SALE OF FLAVORED TOBACCO
APRIL 13, 2023
PAGE 2**

allow the continued erosion of that future by health and safety risks that we can legislate to reduce, and ultimately, prevent.”

Current data show that tobacco-related illness kills more than 45,000 Black Americans every year. More than 85 percent of Black smokers report using menthol-flavored products, compared to only 29 percent of white smokers.

On February 23, in conjunction with Black History Month, leaders representing the **African American Christian Clergy Coalition, Black Mothers Forum, Tanner Community Development Corporation, Positive Image Sports** and the grassroots community, gathered at Tempe City Hall to call on the City Council to return the comprehensive flavor restrictions *immediately* to the ordinance they are considering. They represent a coalition of more than 15 local organizations calling for the end to flavored tobacco sales, including the **East Valley Branch NAACP, Arizona Alliance of Black School Educators, Arizona Black Physicians, Black Nurses Association of Greater Phoenix, Black Mothers Forum, the Center for Black Health and Equity, the Greater Phoenix Urban League, the National Coalition of 100 Black Women (Metro Phoenix), and Phoenix OIC.**

On March 20 of this year, during public forums with city staff to collect feedback on the changes to the ordinance, the public response was overwhelmingly in favor of enacting the flavored tobacco restrictions without delay. In addition to local residents and community leaders, City representatives at the in-person evening workshop heard directly from Tempe youth who have had adverse experiences with flavored tobacco products and who urged the return of the comprehensive restrictions originally proposed.

Further action on the issue by the Tempe City Council is pending. The City also collected public comment on the matter via online submission, a process which concluded earlier this month, on April 3.

Additional information regarding ongoing efforts to address underage tobacco and nicotine use, can be found online at www.FlavorsHookKidsAZ.org.

RESOLUTION

WHEREAS, it is the mission of the African American Advisory Committee of Tempe to address topics of interest and importance to the African American community of Tempe;

WHEREAS, tobacco use remains a significant public health problem and impediment to health equity and is the leading cause of preventable death in the U.S.;

WHEREAS, the growing market for flavored tobacco products is undermining the nation's overall progress in reducing youth tobacco use;

WHEREAS, the tobacco industry for decades has targeted communities of color through sponsorship of community and music events, targeted magazine advertising, discounted pricing and retail establishments heavily concentrated in minority neighborhoods, and other retail promotions;

WHEREAS, 85 percent of all African American smokers smoke menthol cigarettes compared to 25 percent of white smokers, with most starting to smoke during their youth;

WHEREAS, seven out of ten African-American youth smokers smoke menthol cigarettes;

WHEREAS, the Tempe City Council is considering an ordinance to end the sale of some flavored tobacco products, most notably e-cigarettes that come in over 15,000 flavors including kid-friendly flavors like cotton candy and gummy bear;

WHEREAS, an ordinance that fails to include all flavored tobacco products will allow the continuing targeting kids with remaining flavored tobacco products such as menthol cigarettes, cigars sold in over 250 flavors such as Banana Smash, Chocolate Brownie and Cherry Dynamite, flavored tobacco pouches, flavored chew tobacco, and other flavored products;

WHEREAS, an ordinance that includes all flavored tobacco products, particularly those that have historically targeted African-American youth smokers and have thus contributing to higher rates of tobacco use in communities of color, is a matter of social justice that would address long standing health inequities;

WHEREAS, healthcare, public health, education, public safety, and youth service organizations such as the Tempe Coalition to Reduce Underage Drinking and Drug Use, Tempe Union High School District, Tempe Elementary School District, Tempe Firefighters, American Cancer Society Cancer Action Network, American Lung Association, American Heart Association, Arizona School Nurses Organization, Maricopa County Medical Society and nearly 50 other organizations as well as parents and students have endorsed a comprehensive ordinance to end the sale of all flavored tobacco products in Tempe that includes all tobacco and nicotine products with no exemptions;

Whereas, in response to the long history of by the tobacco industry targeting communities and youth of color, social justice and advocacy organizations such as the NAACP East Valley Branch, National Coalition of 100 Black Women Phoenix Metro Chapter, Arizona Alliance of Black School Educators, Urban League of Greater Phoenix, African American Christian Clergy Coalition, Alpha Phi Alpha Fraternity, Black Nurses Association, OIC – Phoenix, and Black Mothers Forum have endorsed a comprehensive ordinance to end the sale of all flavored tobacco and nicotine products in Tempe with no exemptions;

BE IT RESOLVED BY THE AFRICAN AMERICAN ADVISORY COMMITTEE:

That it hereby urges the City Council of the City of Tempe to enact a comprehensive ordinance to end the sale of all flavored tobacco and nicotine products within the City of Tempe, making no exemptions,

Be It Further Resolved, that a copy of this resolution be transmitted to the City Clerk of the City of Tempe.