



Published December 25, 2018

City explores options on banning flavored tobacco products

By Pippa Fisher

One of the first agenda items before the new council at the Dec. 10 meeting concerned a proposed ordinance banning the sale of flavored tobacco products in the city. The council voted unanimously, with Vice Mayor Mike Anderson absent, to direct city staff to explore options for instituting a ban on FTPs and imposing a tobacco retailers' license. Staff will bring options back to the council in February.

In the Nov. 26 meeting, then-Vice Mayor Cam Burks initiated discussion regarding the banning of FTPs. "I believe we are facing a serious public health crisis in our community. Our school kids, specifically at the Lafayette middle school and high school ages, are using flavored tobacco products at an alarming rate; products that based on clear evidence, cause profound medical harm to our children. The stakes are enormous and our kids depend on us. We must act now to stop what is enabling our next generation to become addicted - for life - to nicotine and tobacco," said Burks.

Statistics from the Acalanes Union School District California Healthy Kids Survey suggests there is reason to be concerned, particularly with the use of electronic cigarettes with 41 percent of juniors reporting they have used a vaping device.

And, among high school age smokers, over half use menthol-flavored products, according to the California Department of Public Health.

"It is time to put kids above profit," said speaker Dr. Phillip Gardiner, co-chair of The African American Tobacco Control Leadership Council during public comments, as he explained that the flavors used to entice kids is "putting flavor in the poison."

The council heard from several speakers, including Lafayette resident and member of the American Cancer Society Cancer Action Network Margo Connolly who urged for a citywide ban, and from Amanda Gutzwiller of the American Lung Association, who stated that four out of five kids who start smoking do so with a flavored product.

In 2009 the FDA banned flavored cigarettes excluding menthol. Although the FDA is currently considering a ban on the sale of FTPs there is no timeline for imposing such a ban. There are moves to impose a ban at the state level too, which is welcomed by Burks.

"I applaud federal and state government action in this space, specifically the leadership of our state Sen. Steve Glazer, and his other legislative colleagues who recently announced plans to ban sales of flavored tobacco products and flavored e-cigarettes. But we cannot wait for these large government institutions to move slowly through the process," said Burks. "As an independent city, we can act more nimbly and more quickly - this is where local government can make the biggest impact and it's exactly why I joined the city council."

Several neighboring towns and cities, such as Alameda, have imposed a ban and require licensing of tobacco retailers.

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