

Communication from Public

Name: Rima S. Khoury
Date Submitted: 06/14/2021 12:17 PM
Council File No: 18-1104
Comments for Public Posting: Dear LA City Council, Please see attached letter from the National Hookah Community Association. Best Regards, Rima S. Khoury, NHCA Secretary



Preserving Hookah Culture & Protecting Hookah Tradition across the USA

June 11, 2021

Dear Mayor and Councilmembers,

My name is Rima S. Khoury and I am one of the founding members of the National Hookah Community Association and Hookah Chamber which was established to protect and preserve the cultural tradition of hookah.

<https://www.nationalhookah.com/> Before you inadvertently vote to ban the thousand year cultural tradition of hookah in Los Angeles at the June 15/16 city council meeting, please understand the facts.

Please see presentation link below for your consideration.

<https://docs.google.com/presentation/d/1ncei30aa64p7Tq3CJPL2Yppde0VZ8iyN2mRg5EPPHkQ/present?usp=sharing>

There is no teen hookah epidemic. The FDA and CDC reports have made it clear that hookah is not the problem with youth. There are no facts that support a ban on hookah.

Hookahs are not being confiscated in schools. Hookahs are 3 feet tall and cannot be easily concealed in your pocket or backpack like vape. Hookahs take 25 – 30 minutes to set up and need hot coals, therefore it cannot be smoked during recess in the bathroom at school. Hookah's cost over \$200 for all the parts and accessories, making it out of reach for most kids.

California Gov. Gavin Newsom stated in his executive order address on September 16, 2019 that "hookah is not the problem in classrooms". See video link <https://youtu.be/XWjL4r8TWaU>

Furthermore, FDA recently stated in their Guidance for the Industry dated January 2020 that although data shows that flavored tobacco entice youth, that such data does NOT appear to raise comparably urgent public health concerns with youth usage of hookah products because the lower prevalence of youth use of these products suggests that they do NOT appear to be as appealing to youth at this time. Emphasis added.

Hookah is not the problem.

Yet hookah is becoming collateral damage in the war against vape. Hookah is not vape. Hookah has been practiced for over a thousand years by Persians, Arabs, Armenians, Turks, Indians, and other minority groups many of which have immigrated to America and still practice their cultural traditions. Hookah is the center piece of social gatherings and is often offered to guests as a sign of hospitality and respect.



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Many immigrant small business owners have built their business doing what they know from their home country. Often times they work 20 hour days, seven days a week to support multiple generations of their family. Rather than banning hookah and crippling these immigrant small business owners who are already struggling due to COVID-19, please consider passing reasonable regulations that address youth usage and access. Many of these business owners that have been operating legally for years would be happy to work with law makers to address youth access issues. These hookah lounge and retailer owners often have several years remaining on their leases and have personally guaranteed their leases. They will not only lose their business, but their homes and no longer be able to support their family and extended family.

A tobacco flavor ban is a ban on hookah because it only comes in flavors. Even hundreds of years ago hookah was made with molasses and honey.

The federal government has recently passed a 21 and over minimum for tobacco products across all fifty states. In addition, the FDA has passed an e-cigg ban on flavored cartridges. September 9, 2020 is the FDA deadline for all vape and hookah products to be accepted for FDA review, after which any products without FDA authorization will be unlawfully on the market and their products seized and injunctions restricting sales will be issued along with fines and penalties. Just recently the FDA announced that they will be banning menthol. The federal government is addressing the youth access issue and also providing legislation across the board, eliminating the patchwork of laws from city to city and closing loop holes for bad actors to skirt the law.

Hookah has been exempted from the California State flavored tobacco ban, SB793, because of its cultural significance and that it is fundamentally different from vape. Senator Hill, author of the bill, explaining why hookah was exempted from SB793 at the Senate Appropriations hearing on June 25th, 2020. Senator Hill learned the difference between vape and hookah and understood that hookah was not the problem and took steps to exempt it due to its cultural significance. We ask that Los Angeles City do the same.

SB793, which, as amended and revised, prohibits the sale of all flavored tobacco products and flavored tobacco product enhancers, exempting hookah tobacco, cigars with a wholesale price of \$12.00 or more, loose leaf pipe tobacco was signed by Governor Gavin Newsom on August 28, 2020. SB793 was referendized and is expected to be on the November 2022 general election ballot.

Please see the hookah exemption language from SB793 below:



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- (c) Subdivision (b) does not apply to the sale of flavored shisha tobacco products by a hookah tobacco retailer if all of the following conditions are met:
- (1) The hookah tobacco retailer has a valid license to sell tobacco products issued pursuant to Chapter 2 (commencing with Section 22971.7) of Division 8.6 of the Business and Professions Code.
 - (2) The hookah tobacco retailer does not permit any person under 21 years of age to be present or enter the premises at any time.
 - (3) The hookah tobacco retailer shall operate in accordance with all relevant state and local laws relating to the sale of tobacco products.
 - (4) If consumption of tobacco products is allowed on the premises of the hookah tobacco retailer, the hookah tobacco retailer shall operate in accordance with all state and local laws relating to the consumption of tobacco products on the premises of a tobacco retailer, including, but not limited to, Section 6404.5 of the Labor Code.

Please also see attached a letter of support of SB793 with the hookah exemption that was endorsed by the American Heart Association, Tobacco Free Kids, Cancer Action Network, to name a few.

The proposed LA flavor ban ordinance exempts hookah lounges however it restricts to on-site consumption, with no retail. This would violate state law that requires smoking lounges to have retail to qualify as an exempt smoking lounge. It also grandfathers current lounges and bans any new lounges, coupled with a non-transferability component even to family members, this would mean that in one generation, all hookah lounges would be closed. Not to mention that all the equity built in these business would never be realized because they cannot sell or transfer their business. More and more people are practicing hookah at home because of COVID and lounge closures. Without the retail component, no one will be able to purchase hookah for home use. This proposed language presents a whole host of problems therefore we respectfully ask that LA mirror SB793 which is simple and clear and achieves LA city's regulatory goals.

SB793 balances the interests of law makers by addressing youth access and usage of flavored tobacco products, while protecting the cultural tradition of hookah. The SB793 hookah exemption limits sales to 21 and over establishments, meaning you have to be 21 and over to enter a retail establishment or lounge in order to purchase hookah and requires these establishments to comply with local and state laws. This shows that law makers can reach their regulatory goals without creating unintended consequences like eliminating the rich cultural tradition of hookah.

Please do not eliminate the rich cultural tradition of hookah without understanding what the real issues are. There is a way to achieve regulatory goals while balancing the interests of minority communities, such as Armenians, Persians, Middle Easterners, Turks, and Indians, that practice hookah. We respectfully request the Los Angeles City Council consider adopting the language of SB793 for their proposed city flavor ban. Please feel free to contact me with any questions or to discuss further. Thank you.



Preserving Hookah Culture & Protecting Hookah Tradition across the USA

<https://www.youtube.com/watch?v=9qIUH3hmvUc>

The Culture of Hookah | An Exploration of History and Tradition

Respectfully,

/s/ Rima S. Khoury

National Hookah Community Association

Communication from Public

Name: Amy Anderson

Date Submitted: 06/14/2021 03:05 PM

Council File No: 18-1104

Comments for Public Posting: STOP FUCKING WITH OUR LIVELYHOOD, THIS FUCKIN
NANNY STATE SHOULD WAKE UP TO WHAT YOU
LIBERAL TURDS ARE DOING TO OUR COUNTRY

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Communication from Public

Name: road mapper

Date Submitted: 06/14/2021 03:09 PM

Council File No: 18-1104

Comments for Public Posting: Asking for an exemption of Hookah from the upcoming flavor ban on both retail and usage. Hookah is not vape or cigarette, Hookah is not the problem in the classroom as Governor Newsom has repeatedly said, we encourage the LA City Council to adopt the final language of SB793 that the State has endorsed.

Communication from Public

Name: Allyssa Williams

Date Submitted: 06/14/2021 03:42 PM

Council File No: 18-1104

Comments for Public Posting: We agree with adopting the State SB793 as is. SB793, which, as amended and revised, prohibits the sale of all flavored tobacco products and flavored tobacco product enhancers, exempting hookah tobacco, cigars with a wholesale price of \$12.00 or more, loose leaf pipe tobacco was signed by Governor Gavin Newsom on August 28, 2020. SB793 was postponed by a referendum and is expected to be on the November 2022 general election ballot.

----- (c) Subdivision (b) does not apply to the sale of flavored shisha tobacco products by a hookah tobacco retailer if all of the following conditions are met:

- (1) The hookah tobacco retailer has a valid license to sell tobacco products issued pursuant to Chapter 2 (commencing with Section 22971.7) of Division 8.6 of the Business and Professions Code.
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- (3) The hookah tobacco retailer shall operate in accordance with all relevant state and local laws relating to the sale of tobacco products.
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Communication from Public

Name: Abood El Nayeek

Date Submitted: 06/14/2021 03:57 PM

Council File No: 18-1104

Comments for Public Posting: It's time you do your jobs instead of wasting tax payers money on ways to limit our freedoms and drive us out of business, you think this will not come back at you, you think this will not backfire, you are wrong, we are everywhere and you shall never win another election you morons. To the Anti smokers and anti smoking lobby I can only say LEARN how to bring up your kids you morons, you and your fake ass reports are of zero value.

Communication from Public

Name: Philip Hacker

Date Submitted: 06/14/2021 04:08 PM

Council File No: 18-1104

Comments for Public Posting: YOU SHOULD NOT BE DENYING MY RIGHT TO SMOKE MY HOOKAH IN MY BACKYARD AND AT MY FAVORITE HOOKAH LOUNGES STOP INFRINGING ON MY RIGHTS.

Communication from Public

Name: Mohamed El Banna

Date Submitted: 06/14/2021 03:34 PM

Council File No: 18-1104

Comments for Public Posting: PLEASE SEE ATTACHED LETTER IN PDF FORMAT



June 9 2021

LA City Councilmembers and staff

We the Muslims of Southern California understand and know where this tobacco ban is coming from, the racist among you Nury Martinez and Paul Krekorian, we know you think you represent the Latin & Armenian communities but we are here to stay and us Lebanese, Syrian, Saudi, Jordanian, Somali, Pakistani, Malay, Egyptian, Moroccan, Yemeni we are coming after you.

We guarantee you will not get \$1 or 1 vote from any of us and we are many, next time you try to reach out to any of our communities remember that we will not have forgotten your deeds and your ulterior motives.

American Druze Society - California

Arab American Caucus of The California Democratic Party

Arab American Civic Council

Arab American Community Center

Arab American Cultural Center of Silicon Valley

Arab American Friends of Nazareth

Arab American Historical Foundation

Arab American Lawyers Association of Southern California

Arab Culture Center

Arab Film and Media Institute

Arab Interest Women's Association (AIWA)

Arab Resource & Organizing Center (AROC)

Arab-American Democratic Club of San Francisco

Bethlehem Association

Egyptian American Organization

Lebanese American Foundation, Inc
Lebanese Collegiate Network
Lebanese Student Association at UCLA
License to Freedom,
Little Arabia District
Middle Eastern Student Center at UC Riverside,
Network of Arab American Professionals (NAAP) - Los Angeles
Network of Arab American Professionals (NAAP) - San Diego / NAAP National
Network of Arab American Professionals (NAAP)- San Francisco Bay Area
Nor Cal Arab American Community Directory
Palestinian American Women's Association of Southern California
Partnership For the Advancement of New Americans (PANA)
Public Safety Center/Keep 'Em Safe Program
Somali Family Service of San Diego
Southern Federation of Syrian Lebanese American Clubs
The House of Egypt
The Markaz

تخونني مرة ، انيك للابد

Thank you for your attention

Mohamed El Banna