

MICHAEL N. FEUER
CITY ATTORNEY

June 15, 2021

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 18-1104

Honorable Members:

I thank the City Council for considering a flavored tobacco sales ban to address the alarming rates of youth tobacco use. I urge you to adopt a comprehensive ban on flavored tobacco sales, with the only exception being cessation products approved by the Food & Drug Administration. Research demonstrates that eighty percent of young people who use tobacco products start with flavored tobacco products.

Any exception to a flavored tobacco ban – including for menthol or hookah -- would perpetuate disparities in tobacco addiction and diminish the efficacy of the ban. For more than 60 years, the tobacco industry has targeted the sale of menthol-flavored tobacco to African-Americans. Tobacco use is the leading cause of preventable death among African-Americans, claiming 45,000 African-American lives each year. Menthol tobacco products are also used disproportionately by members of the LGBTQ community.

A comprehensive ban should include hookah flavored products, which are often targeted to youth and disproportionately impact communities of color. Almost 80 percent of youth hookah users reported that the flavoring was the leading reason for their smoking of hookah. The most recent 2019 National Youth Tobacco Survey data indicates that high school students who identify as either "Hispanic" or "Black, non-Hispanic" currently use hookah at rates of 6.4 percent and 4 percent, while high school students who identify as "White, non-Hispanic" currently use hookah at a rate of 2.5 percent. These statistics illustrate how hookah use disproportionately affects different communities. Allowing exemptions would only perpetuate health inequities.

The Honorable City Council of the City of Los Angeles

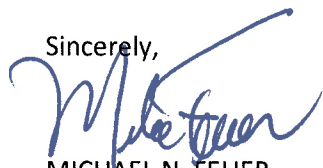
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Flavored smokeless tobacco should also be included in a sales ban. Each day, approximately 840 youth under 18 years of age used smokeless tobacco for the first time; 81 percent of these youth used a flavored product. Any exemption for smokeless tobacco such as oral nicotine pouches would have the effect of steering youth to this remaining available product.

Prohibiting the sale of all flavored tobacco products is a crucial step toward helping prevent another generation of our City's youth from a lifetime of addiction. Thank you for considering this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Feuer", with a large, sweeping flourish extending upwards and to the right.

MICHAEL N. FEUER

Los Angeles City Attorney