

Communication from Public

Name: OUT Against Big Tobacco Los Angeles
Date Submitted: 03/08/2022 11:58 AM
Council File No: 18-1104
Comments for Public Posting: OUT Against Big Tobacco Los Angeles would like to submit a letter of support for Agenda Item 11



March 8, 2022

Arts, Parks, Health, Education, and Neighborhoods Committee for City of Los Angeles
City Hall
200 North Spring St. Los Angeles, CA 90012

Re: Item 11 – City Attorney report and Ordinance relative to adding Sections 46.90.1 and 46.90.2 to the Los Angeles Municipal Code to limit the sale of flavored tobacco products and amending Sections 41.50, 46.90, 46.91, 46.92, 46.93, 46.97, 46.98, 46.99, 47.14, and 63.44 of the Los Angeles Municipal Code to update various provisions related to tobacco retailing.

Dear City Council and Committee Members:

The OUT Against Big Tobacco Coalition supports restricting the sale of **all** flavored tobacco products, without exemption, to protect our communities. We are an alliance of LGBTQ individuals, allies, and community organizations collectively working to address tobacco control and health inequity issues within our local LGBTQ+ community.

Our coalition strongly supports this ordinance, which would restrict the sale of all flavored tobacco products with no exemptions in the City of Los Angeles. You have the opportunity to go further than the state legislature did with SB793 and include ALL flavored tobacco products in this ordinance, including hookah and premium cigars. We urge the Council to advance this ordinance to a second reading without the addition of exemptions.

When Congress passed the 2009 Tobacco Control Act, they restricted the sale of all flavored cigarettes except for menthol. Menthol being the flavor that is used most heavily within communities of color and by 70% of LGBTQ+ young people. This flavor is known to increase addiction to tobacco and increase the harms from the use of tobacco products. Yet, the federal government didn't think our community deserved equal protection from the tobacco industry.

In 2020, California attempted to correct this federal oversight and passed a bill to restrict the sale of flavored tobacco products. But Big Tobacco stepped in to protect their profits over the health of the people. This 2-year delay will make them a *billion* dollars in Menthol cigarette sales alone! We deserve better. Our lives should not be traded for a profit margin.

Restricting the sale of flavored tobacco ensures that tobacco users who want to quit are set up for success. Flavors not only mask the harsh taste and feel of a tobacco product, but they also increase nicotine addiction. Removing them from the shelves adds an additional barrier to non-tobacco users by no longer allowing Big Tobacco to hide their dangerous products behind pleasant tastes and smells.

The LGBTQ+ community is up to 4x more likely to use tobacco products compared to those who don't identify as LGBTQ+. Estimates of smoking rates among LGBTQ+ young people range from 38% to 59%, compared to just 28% to 35% of youth generally. Research from Los Angeles County indicates that up to 38% of our local LGBT community are tobacco users, including up to 80% of transgender women.

**OUT Against Big Tobacco
Los Angeles**

Eddie Martinez
Mariella Reataza
Coalition Co-Chairs

Member Organizations:

AMAAD Institute
American Lung Association
APAIT
Gender Justice LA
Health Access
Invisible Men
Latino Equality Alliance
Los Angeles LGBT Center
LA Gay & Lesbian Chamber of Commerce
NAPAFASA
Pueblo Y Salud
Rescue Agency
San Fernando Valley Partnership
San Gabriel Valley LGBTQ Center
Thirdhand Smoke Resource Center
Trans Can Work
VMA Enterprises, Inc.
Youth Leadership Institute

Members at Large:

Zul Surani
Cedars-Sinai Cancer Institute
Ian Holloway, PhD
UCLA Luskin School of Public Affairs
Michael Browning
Community Member

Staff:

Ryan Oda
K Hodge
Equality California

Tobacco advertisements leverage LGBTQ+ values (e.g., pride, freedom, acceptance) and cultural elements (e.g., rainbow flag, same sex couples, drag queens, etc.) to appeal to LGBTQ+ people and make us feel like using tobacco is a key part of our LGBTQ+ identity. Big Tobacco funds AIDS and LGBTQ+ nonprofit organizations and sponsors pride celebrations and events at gay bars to portray themselves as “friends” of our community — even as they harm our health and undermine our progress.

These messages, in combination with tactics that appeal to younger members of the LGBTQ+ community like promotions in bars and clubs, have placed LGBTQ+ youth and young adults at higher risk than their non-LGBTQ+ counterparts. In fact, understanding this trend led the FDA to develop *This Free Life*, the first national LGBTQ+ tobacco prevention campaign to educate LGBTQ+ young adults about living a tobacco-free life. Restricting the sale of all flavors in all tobacco products will protect upcoming generations of LGBTQ+ people by removing the products from the market that hook them in the first place.

In our local area of Long Beach, and the County of Los Angeles have already passed city/countywide restrictions on the sale of all flavored tobacco products, including Menthol and Hookah. The OUT Against Big Tobacco Coalition encourages Los Angeles to protect the local community in ways that the FDA has refused to, and California was unable to by restricting the sale of **all** flavors in **all** tobacco products. OUT Against Big Tobacco Los Angeles encourages the City of Los Angeles to protect local communities in ways that the FDA has refused to, and California was unable to by **restricting the sale of all flavors in tobacco products.**

Sincerely,

A handwritten signature in black ink that reads "Eddie Martinez". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Eddie Martinez
Coalition Chair
OUT Against Big Tobacco Los Angeles

OUT Against Big Tobacco

OUT Against Big Tobacco, staffed by Equality California Institute, is an alliance of LGBTQ+ individuals, allies and community organizations collectively working to address tobacco control and health inequity issues within Los Angeles County’s LGBTQ+ community. We advocate for common sense policies that protect LGBTQ+ people — especially the most vulnerable members of our community — from Big Tobacco’s predatory marketing tactics.

Communication from Public

Name: Ms. Wilmore, Public Health Retiree

Date Submitted: 03/08/2022 10:16 AM

Council File No: 18-1104

Comments for Public Posting: Thank you esteemed Committee members. It is time and well overdue for the City of Los Angeles to protect the public health of our community youth. It is our responsibility to protect them from pro-marketing influences of flavored tobacco products, including menthol products. Let's make tobacco products history, not the lives of our youth who will prematurely die from tobacco use.

Communication from Public

Name: Cheryl Branch - Los Angeles Metropolitan Churches

Date Submitted: 03/08/2022 02:18 PM

Council File No: 18-1104

Comments for Public Posting: Hello, Members of the Committee. My name is Cheryl Branch and I work in South Los Angeles. I am the executive director of LA Metro Churches in CD 9. We are a community-based coalition of religious leaders and community advocates. Ending the sale of menthol is a strong statement by this committee. Menthol cigarettes, when created were and have continued to be targeted at African Americans, purposely. Taking steps to save lives is the right thing to do. Especially at this time of such dramatic health disparities, violence, and homelessness. I have watched prior debates on this topic. Big Tobacco has tried to hide behind the issue of police violence to protect its profit. All without acknowledgment of how purposefully it marketed menthols at African Americans. It's disturbing. I'm in full support of a comprehensive ordinance that ends the sale of menthol-flavored tobacco and e-cigarettes. Thank you for standing up to big tobacco and protecting the health of L.A. families.

Communication from Public

Name: Jacob Motta

Date Submitted: 03/08/2022 03:11 PM

Council File No: 18-1104

Comments for Public Posting: I had called in, but was not called in. My name is Jacob Motta, I am speaking on behalf of Kaiser Permanente. Kaiser Permanente strongly supports the proposed comprehensive ordinance that is being considered today. This important ordinance will ban the sale of all flavored tobacco products, including menthol tobacco and e-cigarettes. We urge you to pass this ordinance out of committee and protect the health of all residents, in particular youth. This will be a positive step in preventing yet another generation of young people from living with a lifetime addiction and chronic disease. Thank you in advance for your support.