

Fall/Winter 2009

Following the lead of San Francisco, on November 3, 2009, **the City of Richmond adopted a Tobacco-Free Pharmacies ordinance.** The new law prohibits the sale of tobacco in drugstores with pharmacies but exempts “big box” stores and general markets. Richmond is only the second city in the state and the first in Contra Costa County to adopt this type of ordinance.

The City of Concord adopted smokefree parks, trails and open spaces in September. The Public and Environmental Health Advisory Board (PEHAB) urged the City Council to consider a comprehensive approach to secondhand smoke protections including smokefree doorways and common indoor and outdoor areas of multi-unit housing. Mary Lou Laubscher, speaking on behalf of PEHAB, pointed to the CA Air Resources Board designation of secondhand smoke as a toxic air contaminant. Joan Tomasini spoke on behalf of the Tobacco Prevention Coalition and asked the City Council to consider expanding secondhand smoke protections to other outdoor areas.

Todos Santos Plaza business owners also spoke at the Concord City Council meeting and asked the Council to consider a smokefree downtown around the Plaza. The issues of a more comprehensive protections policy and smokefree downtown area were referred to the Recreation and Cultural Affairs Committee.

At the urging of mayor Michael Harris, **the City of Pleasant Hill discussed strengthening secondhand smoke protections policies.** The policy options discussed at the October 19th City Council meeting included prohibiting smoking in licensed childcare facilities at all times (not just during hours of operation); in service lines; at public events; expanding doorway protections; and providing protections in certain areas of Multi-unit housing including 100% of new multi-unit housing, on balconies, decks patios and carports and in common indoor and outdoor areas. The Council directed city staff to draft an ordinance to address these issues and will hear the ordinance at a future date.

Staff from the Public Health Department **presented policy options for expanding protections in Multi-unit housing to the Family and Human Services Committee of the Contra Costa Board of Supervisors** on October 19th. The Committee requested that staff return with draft ordinances to prohibit smoking in 100% of all new multi-unit housing; on all balconies, patios, decks and carports; and to add additional enforcement measures for violations of the policy including requiring a lease addendum, allowing tenants to enforce lease provisions against a tenant violating the lease by smoking in a non-smoking area and private right of enforcement. The Committee will be looking at these ordinances early next year.

The **Contra Costa County Board of Supervisors adopted new provisions to strengthen the County’s Comprehensive Secondhand Smoke Protections Ordinance** on October 20th. The revisions will provide additional protections by restricting ashtray placement in smoking-prohibited areas, requiring landlords to disclose the location of smoking-permitted and non-smoking residential units, and will prohibit owners and managers of businesses and properties from knowingly allowing smoking in places under their control.

New research is showing that **heart attack rates drop after smoking bans and the decrease continues downward over time.** One year after passing smoking bans, communities in North America and Europe had 17 percent fewer heart attacks compared to communities without smoking restrictions, and the number of heart attacks kept decreasing with time, according to a report in *Circulation: Journal of the American Heart Association*. “This study adds to the already strong evidence that secondhand smoke causes heart attacks, and that passing 100 percent smoke-free laws in all workplaces and public places is something we can do to protect the public,” Lightwood said. “Now we have a better understanding of how you can predict what will happen if you impose a smoking-free law.”

A **San Francisco ban on tobacco sales in pharmacies has survived a legal challenge** from Phillip Morris who claimed the ordinance violated the company's First Amendment right to free speech. After the Ninth circuit Court of Appeals ruled the ordinance only regulated tobacco sales, not advertising, Phillip Morris dropped its legal challenge on October 15, 2009. The ordinance, the first of its kind in the nation, took effect in October 2008. It prohibits sales of cigarettes and other tobacco products at San Francisco's nearly 60 drugstores.

The **rate of illegal tobacco sales to minors in the state dropped** from 12.6% in 2008 to a record low of 8.6 % in 2009. Compliance checks in Contra Costa County by the STAKE Act Enforcement unit through the California Department of Public Health, showed the overall rate of sales to minors in the county for 2008 was 22.5% and rates in individual cities in the county ranged from a low of 5.6% in Danville to 50% in Pinole. The statewide decline is attributed to a variety of factors including the increased price of cigarettes, strong local tobacco retailers licensing laws, state and local enforcement plus ongoing public education via media ads placed on television and on major motion picture DVDs. Call (1-800-5 ASK-4-ID) to report underage tobacco sales.

A new report on the campaign contributions and lobbying expenditures of tobacco interests shows **half of the California State legislature accepted campaign contributions from tobacco interests**. From January 1, 2007 through December 31, 2008, tobacco interests spent \$4.62 million to influence California elections and legislative policy. A total of 60 legislators who served in the 2007-2008 legislative session, exactly half of the legislature, accepted campaign contributions from tobacco interests. Of the new legislators elected for the 2009-2010 legislative session, 14 out of 31 accepted contributions from tobacco interests. To find out if your legislator accepted money from tobacco interests you can visit www.Center4TobaccoPolicy.org/database.

As of September 22, 2009, the **U.S. Food and Drug Administration bans tobacco cigarettes with flavors characterizing fruit, candy, or clove but excludes menthol**. The ban is designed to reduce the number of children who start to smoke, and who become addicted to dangerous tobacco products. The Food and Drug Administration (FDA) is currently examining options for regulating both menthol cigarettes and flavored tobacco products other than cigarettes but currently does not do so. Many community groups are concerned about the exemption for menthol and are urging the FDA to move forward with tighter regulations. The American Legacy Foundation notes that, "the tobacco industry has for decades systematically developed and marketed menthol products to attract and keep as long-term customers millions of "starter" and youth smokers; racial minorities and African-Americans in particular; and smokers seeking health reassurances."

An FDA analysis of several electronic cigarettes found that **e-cigarettes contain carcinogens and toxic chemicals**, including an ingredient that is found in antifreeze. In addition, the FDA has stated that it is concerned about the safety of these products and how they are being marketed to the public. The FDA has detained some shipments of e-cigarettes at the border and the agency has indicated that it will be taking additional activities to address their concerns about e-cigarettes. More information can be found at www.fda.gov/NewsEvents/PublicHealthFocus/ucm172906.htm.

Tobacco Prevention Coalition Meeting

Thursday, November 19, 2009, 10:00 am – 12:00 noon
IBEW 2nd Floor Classroom, 1875 Arnold Avenue, Martinez

Agenda to include:

- **Secondhand Smoke Protections in Pleasant Hill and Concord**
- **Tobacco Retailer Licensing in Richmond and San Pablo**
- **Cultural Competency Workgroup Report**
- **Endorsement of Objectives for 2010-2013 Workplan**

**For more information, contact the Tobacco Prevention Coalition at
(925) 313-6214 or email cwebster@hsd.cccounty.us**