State of California—Health and Human Services Agency

# California Department of Public Health

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*Director and State Public Health Officer*

**EDMUND G. BROWN JR.**
*Governor*

June 28, 2018

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| **TO:** | ALL CALIFORNIA TOBACCO CONTROL PROGRAM (CTCP) FUNDED AGENCIES |
| **SUBJECT:** | PROGRAM LETTER 18-01<br>INCENTIVE MATERIALS |
| **Purpose** | Update of CTCP policy regarding the use of "incentives" |
| **Effective Date** | Immediately AND supersedes CTCP PROGRAM LETTER 12-01, ADVOCACY CAMPAIGN MATERIALS AND BEHAVIOR MODIFICATION MATERIALS |
| **Why the Update is Needed:** | CTCP policy regarding the use of "incentives" has been revised/updated in response to new guidance provided to CTCP. |
| **Required Action** | 1. Utilize the term "incentives" as applicable.<br>2. Adhere to the guidelines contained in the attached documents:<br>a. February 18, 2011 memorandum titled "GOVERNOR BROWN ELIMINATES 'S.W.A.G.'"<br>b. California Department of Public Health, Program Support Branch, Contracts and Purchasing Services Section (CPSS), CPSS Bulletin 11-02<br>c. January 28, 2008 memorandum titled, "MORATORIUM RELATED TO PROMOTIONAL ITEMS DISTRIBUTED BY THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH"<br>3. Comply with CTCP Policy Manual, Section 303, Program Requirements, DEVELOPMENT AND USE OF EDUCATIONAL, INCENTIVE, AND MEDIA MATERIALS, Requirement 11, entitled "Use of Incentive Materials" (available online on the Online Tobacco Information System (OTIS) under the tab "Training/Policy Manual"). |

**Policy Highlights**

1. CTCP-funded agencies may use incentives to reinforce positive involvement/participation and to motivate a change in behavior.
2. Incentives may include:
   a. Consumable incentives (Food/Refreshment)
   b. Non-Consumable incentives (Non-Food/Refreshment) which can take the form of:
      1) Tangible incentives: Merchandise card.
      2) Intangible incentives: Letter of recommendation for a student applying to college, detailing their participation in the program; or certificate of appreciation.
3. The value of the incentive must be reasonable and commensurate with the degree of participation or behavior change sought.
4. The recipient of an incentive must complete a predetermined effort or activity which may include the following:
   a. Participation/involvement in scope of work activities: (e.g., Adult and youth volunteer participation in the Healthy Stores for a Healthy Community data collection effort, conducting educational presentations to community groups, data collection for a Young Adult Tobacco Purchase Survey (YATPS), or completion of significant service to the project's coalition).
   b. Positive behavior or policy change (e.g., participating in a cessation program, creating and/or promoting a smoke-free/tobacco-free event).
   c. Supporting non-smoking policies at worksites.
   d. Reducing the amount of tobacco advertising in retail stores.
5. Action on the part of the recipient is required to receive an incentive. Promotional give-away items, known as Stuff We All Get (S.W.A.G.), are **NOT** allowed.

**Contact Person for Further Information**

Your assigned Procurement Manager and Program Consultant

Sincerely,

Nadine Roh, Chief
Contracts and Business Operations Section
California Tobacco Control Program

Attachments

## GOVERNOR BROWN ELIMINATES "S.W.A.G"

2-18-2011

*Memo bans state spending on key chains, stress balls, ashtrays, t-shirts and other "freebie" items*

SACRAMENTO – Governor Jerry Brown's administration today directed all state agencies and departments to stop spending taxpayer dollars on free giveaway and gift items—such as key chains, coffee mugs and squeeze toys—as part of continuing efforts to cut costs and tackle the state's budget gap.

—Not a cent of taxpayer money should be spent on flashlights, ashtrays or other unnecessary items, most of which likely end up in landfills,‖ said Governor Brown. —Every taxpayer dollar we save by cutting waste is a dollar that can be used to pay for critical public safety and social services.‖

A statewide review revealed that from 2007 to 2010 state agencies and departments spent a total of $7.5 million on items including key chains, squeeze toys, pens, hats, trinkets, shirts, cups and other gift items known colloquially as —S.W.A.G,‖ or —Stuff We All Get.‖ These include promotional and marketing items across almost every agency in the state.

Today's ban follows Brown's request earlier this week for the Bureau of State Audits and the Little Hoover Commission to each provide a list of —Top 10 Actions‖ California can take to cut government waste and increase efficiency.

The Governor has also issued Executive Orders to freeze hiring across state government and cut state cell phones and the passenger vehicle fleet in half.

These actions are part of Brown's efforts to save money this fiscal year and to cut $363 million in operational costs next fiscal year.

A breakdown of —S.W.A.G‖ expenditures from 2007 to 2010 is below.

S.W.A.G Expenditures 2007 -2010 Amount
Business, Transportation & Housing Agency $5,088,037.00
State and Consumer Services Agency $1,154,960.00
Health and Human Services Agency $778,678.00
Department of Food & Agriculture $175,530.00
Labor and Workforce Development Agency $129,012.00
California Volunteers $77,387.00
Environmental Protection Agency $48,317.00 Emergency
Management Agency $41,810.00 Department
of Corrections and Rehabilitation $12,201.00 Department
of Veterans Affairs $4,968.00
Total: $7,510,900.00

# California Department of Public Health
# Program Support Branch
# Contracts and Purchasing Services Section (CPSS)
# CPSS Bulletin 11-02

Applies to: ☒ Contract Management Unit (CMU) ☒ Purchasing Services Unit (PSU)

**Purpose**

This memorandum is to provide guidance to CDPH Programs to comply with the Governor's February 18, 2011 letter to State Agencies and Departments regarding the purchase of gifts, trinkets, and handouts otherwise referred to as SWAGs (Stuff We All Get).

**Effective Date**

This bulletin will be effective immediately and remain in effect unless other rescinded or amended.

**Background**

On February 18, 2011 Governor Jerry Brown issued a letter directing all State Agencies and Departments to stop the purchase of various "gifts" and/or "giveaway" items which have been used to promote State Programs but "most of which end up in landfills" The letter called such items SWAGs (Stuff We All Get)

In response to the Governor's Letter the Department of General Services has revised the State Contracting Manual (SCM) Volume 2, Section 2.A2.3 & Volume 3 Section 2.A2.2.

**Required Actions**

To comply with the Governor's Letter and the SCM changes CDPH Programs are (regardless of funding source) requested to:

- Stop and/or cancel any pending purchase request / orders of any SWAGs whether ordered directly or indirectly through CDPH contractors or subcontractors.
- If possible cancel any SWAGs order that were processed prior to February 18, 2011 but not yet received. Contact the CDPH Purchasing Services Unit for assistance if needed. .
- Remove any Scope of Work language that allows for the purchase of SWAGs or any other promotional items by the Contractor using State funds on pending (in process) and future contracts. No action is required on existing contracts fully executed on or before February 18, 2011

**Sample of Restricted Items**

Although the letter identified a few specific items such as key chains, coffee mugs, squeeze toys, to provide CDPH Programs with further guidance, the following is a list of restricted SWAG items:

- Mugs or cups.
- CD Cases or Covers with CDPH Promotional Embossing. Excludes items ordered for CDPH use.
- Lapel or stick Pins.
- Sticky Note Pads with CDPH Promotional Printing, Excludes items ordered as office supplies for CDPH use.
- Pens, Pencils or any writing instrument with promotional embossing. Excludes pens and pencils ordered as office supplies for CDPH use.
- Pocket Calculators with CDPH Promotional embossing.
- Clothing i.e. Shirts, T-shirts, hats, Excludes statutorily or safety required

uniforms i.e. law enforcement.

- Key Rings, Chains, Tags or FOBs. Excludes Key FOBs used for State Vehicles.
- Tooth Brushes with CDPH promotional embossing.
- Toys, stuffed animals, stress balls, puzzles or small items intended for distribution with CDPH Promotional Inscriptions or embossing. .
- Promotional banners and/or flags. Excludes “Official” (US, California, POW) flags and/or banners used for display in State facilities or CDPH events.
- Other small “hand out” items i.e. bags, umbrellas, soft sided lunch boxes, pocket protectors.

The above list is only a guide and not intended to be all inclusive. Please contact the Contracting and Purchasing Services Section if you need further guidance.

**Existing Inventory**

CDPH Programs should retain and maintain all existing SWAG inventories where they are currently stored until further notice. DO NOT to distribute, dispose or destroy any existing SWAG inventories

**Contacts**

For questions and/or clarifications regarding this bulletin please contact the Program Support Branch Contract Management or Purchasing Services Units at (916) 650-0100.