



## On Track for a Tobacco-Free Orange County CG 20-10005, Contract #20-10370

### Menthol & Flavor Ban Pre/Post Observation Data

#### Key Findings

June 2023

#### OBSERVATION PROCEDURES AND PROTOCOLS

Between February and June 2021, America On Track staff observed 47 tobacco retailers prior to any program intervention activities. Eighteen (38%) retailers were located in Stanton 90680, 15 (32%) were located in Buena Park 90620, and 14 (30%) were located in Buena Park 90621. On March 29-30, 2022, all stores that the City of Buena Park provided in a list of retailers still selling tobacco before April 1, the implementation date of Buena Park's new Tobacco Retail License and Flavor Ban Ordinance #1696, were observed. For 24 retail locations, this was their second observation; for an additional 31 locations, this was their first observation. Five of the new retail locations had gone out of business or otherwise no longer existed at the location, and one new location was unable to be surveyed, leaving 49 locations in the 2022 sample. Of these 49, 27 (55%) were located in Buena Park 90620, and 22 (45%) were located in Buena Park 90621. **Key findings for Waves 1 and 2 of this predominantly Buena Park sample were reported in June 2022.**

**Stanton Only Wave 1 and 2.** In May and June 2021, prior to any program intervention activities, America On Track staff observed 18 tobacco retailers in Stanton 90680 in a list of all tobacco retailers provided by City officials. In April 2023, all 34 retailers that the City of Stanton provided in an updated list of retailers selling tobacco before December 21, 2022, the implementation date of SB793, California's new statewide ban on sales of flavored tobacco products<sup>1</sup> were observed for products sold. For 13 retail locations this was their second observation, representing 72% of the addresses visited in 2021 and 38% of the addresses visited in 2023. One location changed names but continued to sell tobacco products. For an additional 21 locations, this was their first observation. Among the 34 stores visited, 3 (9%) were out of business or no longer existed at that address, leaving 31 stores in the 2023 sample. **All 3 closed retailers were tobacco stores:** 1 was not visited in 2021 and 2 were revisits, and 1 of the revisits was replaced by a vape shop at a slightly different address on the list which was in reality the same location (W Cerritos Ave.)

The same sites are being visited biannually to monitor changes in merchant behavior that may occur after merchant key informant interviews and education visits, media campaigns, community

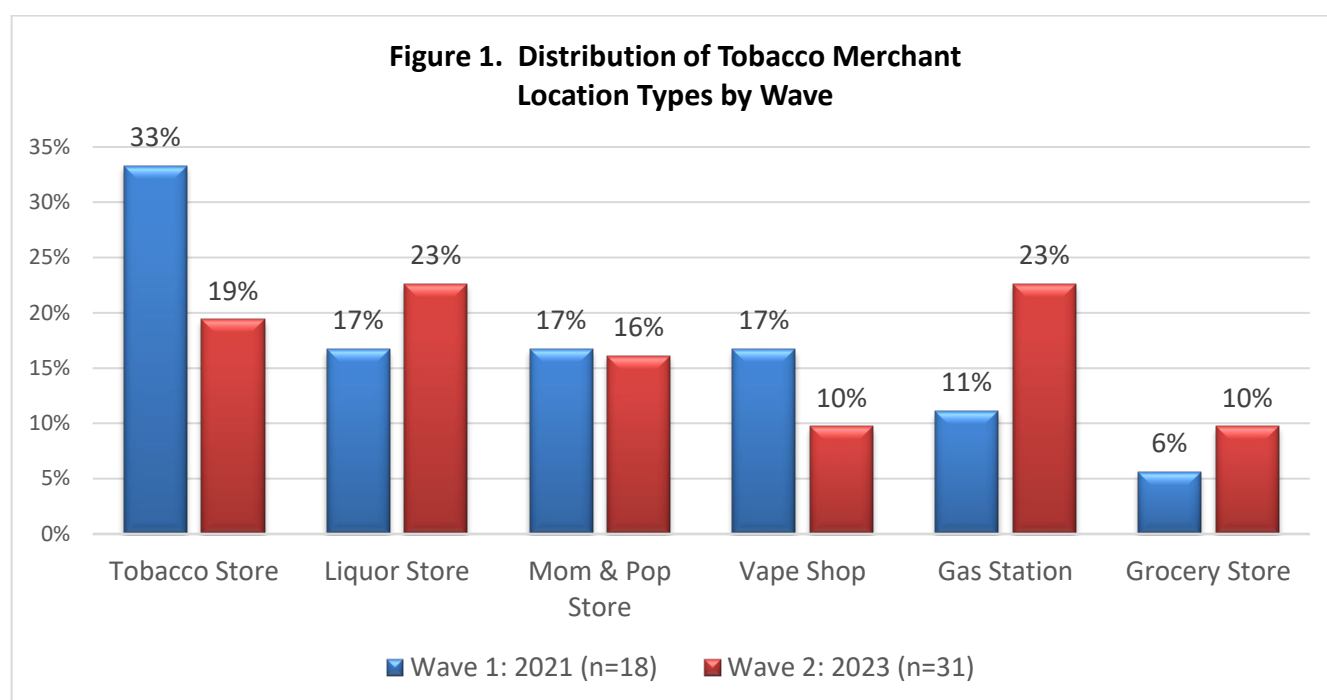
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<sup>1</sup> Sole exceptions to the new law: 1) Flavored hookah and shisha sold by licensed hookah tobacco retailers that limit entry to patrons age 21 and older, not including e-hookah; 2) Flavored pipe tobacco, usually sold in pouches, not including products suitable for roll-your-own cigarettes; 3) Flavored premium, handmade cigars with a tobacco leaf wrapper, capped by hand, without a filter, tip, or nontobacco mouthpiece retailing for \$12 or more.

presentations, project material distributions, and flavored tobacco distribution and sales policy changes. Observations were conducted by a single individual trained in observational data collection protocols. All locations retained in the sample were accessible to surveying and a standardized data collection instrument was employed during all observations, ensuring that data collection procedures were consistent across all sites. Data collected during 2021 (Wave 1) is compared to data collected during 2023 (Wave 2) below.

## TYPES OF STORE OBSERVED

Stores observed fell under six types (Figure 1). At Wave 1, 6 (33%) were Tobacco Stores, 3 (17%) were Liquor Stores, 3 (17%) were Mom & Pop Stores (including chains like 7 Elevens), 3 (17%) were Vape Shops, 2 (11%) Gas Stations, and 1 (6%) was a Grocery Store. At Wave 2, 6 (19%) were Tobacco Stores, 7 (23%) were Liquor Stores, 5 (16%) were Mom & Pop Stores, 3 (10%) were Vape Shops, 7 (23%) Gas Stations, and 3 (10%) were Grocery Stores. **Among merchants selling tobacco products within Stanton in 2023 compared to 2021, there were significantly more Gas Stations (+109%), Grocery Stores (+67%), and Liquor Stores (+35%), significantly fewer Tobacco Stores (-42%) and Vape Shops (-41%), and roughly the same Mom & Pop Stores (-6%).**



## TOBACCO-RELATED PRODUCTS FOR SALE

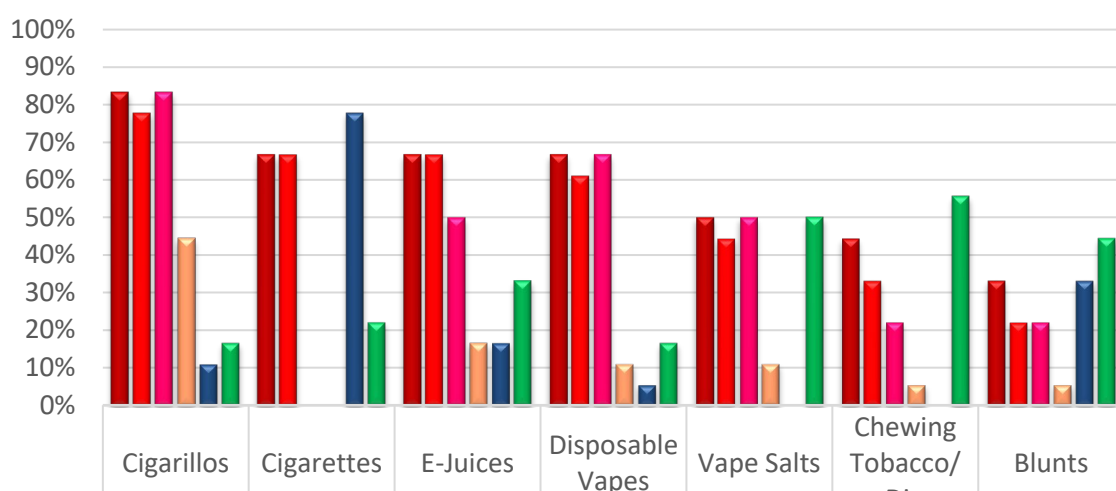
**At Wave 1, as seen in Figures 2 and 3, across 18 tobacco retailers, cigarillos were the most observed flavored tobacco product for sale,** with 83% of retailers selling them fruit/sweet flavored, and 78% mint/menthol. (Unflavored cigarettes were sold at 78% of retailers.) **Menthol cigarettes, mint/menthol e-juices, and fruit/sweet disposable vapes were tied for 2<sup>nd</sup> place** of flavored tobacco products sold at 67% of retailers, with mint/menthol disposable vapes sold at 61% of retailers. Flavored vape salts came in 5<sup>th</sup>, sold in fruit/sweet flavor at 50% of retailers, and in 6<sup>th</sup> place, chewing tobacco/dip was sold either mint/menthol or fruit/sweet at 44% of retailers. Mint/menthol or fruit/sweet blunts were sold at 33% of retailers, and mint/menthol snuff was sold at 28% of retailers. Flavored little cigars were sold at 22% of retailers, flavored shisha at 11%, and flavored dissolvable tobacco at 6%. Loose leaf tobacco, filtered cigars, and large cigars were sold unflavored only.

As seen in Figure 4, **the top 4 most marketed flavored tobacco products in 2021** (indicated in shades of red) **were most frequently sold at Tobacco Stores, Gas Stations, and Liquor Stores. This finding is alarming considering these 3 types of stores made up almost two-thirds (61%; n=11) of stores selling tobacco products in Stanton in 2021 – an indication of easy access to popular products.** Vape Shoppes and Mom & Pop Stores were not far behind, and lastly, all Grocery Stores sold flavored cigarillos.

As seen in Figure 5, the next 5 flavored tobacco products most marketed in 2021 were most frequently sold at Gas Stations and Mom & Pop Stores. They were next most frequently sold at Tobacco Stores and Vape Shoppes, and to a far lesser degree at Liquor Stores. Lastly, all Grocery Stores sold flavored cigarillos.

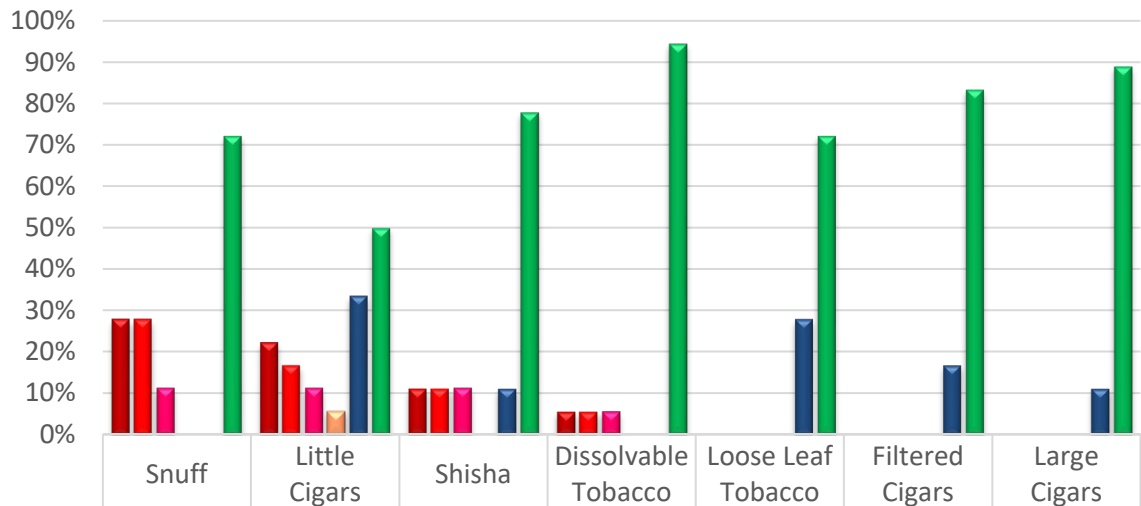
As seen in Figure 6, and last 2 flavored tobacco products most marketed in 2021 were sold at only one-third of Tobacco Stores and Mom & Pop Stores.

**Figure 2. Tobacco Products for Sale  
Wave 1: 2021 (N = 18)**



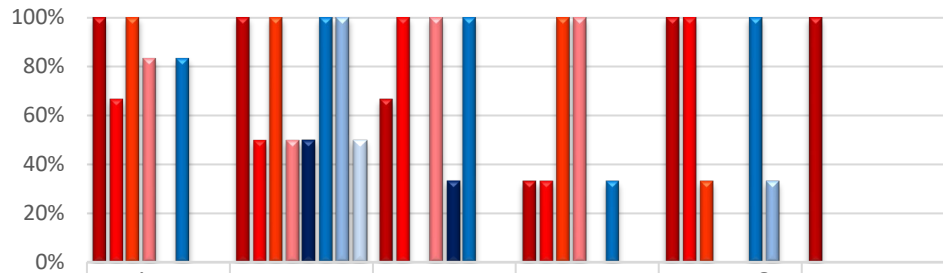
	Cigarillos	Cigarettes	E-Juices	Disposable Vapes	Vape Salts	Chewing Tobacco/Dip	Blunts
Any Flavor	83%	67%	67%	67%	50%	44%	33%
Mint/Menthol	78%	67%	67%	61%	44%	33%	22%
Fruit/Sweet	83%	0%	50%	67%	50%	22%	22%
Liquor	44%	0%	17%	11%	11%	6%	6%
No Flavor Added	11%	78%	17%	6%	0%	0%	33%
Does Not Sell	17%	22%	33%	17%	50%	56%	44%

**Figure 3. Tobacco Products for Sale**  
**Wave 1: 2021 (N = 18)**



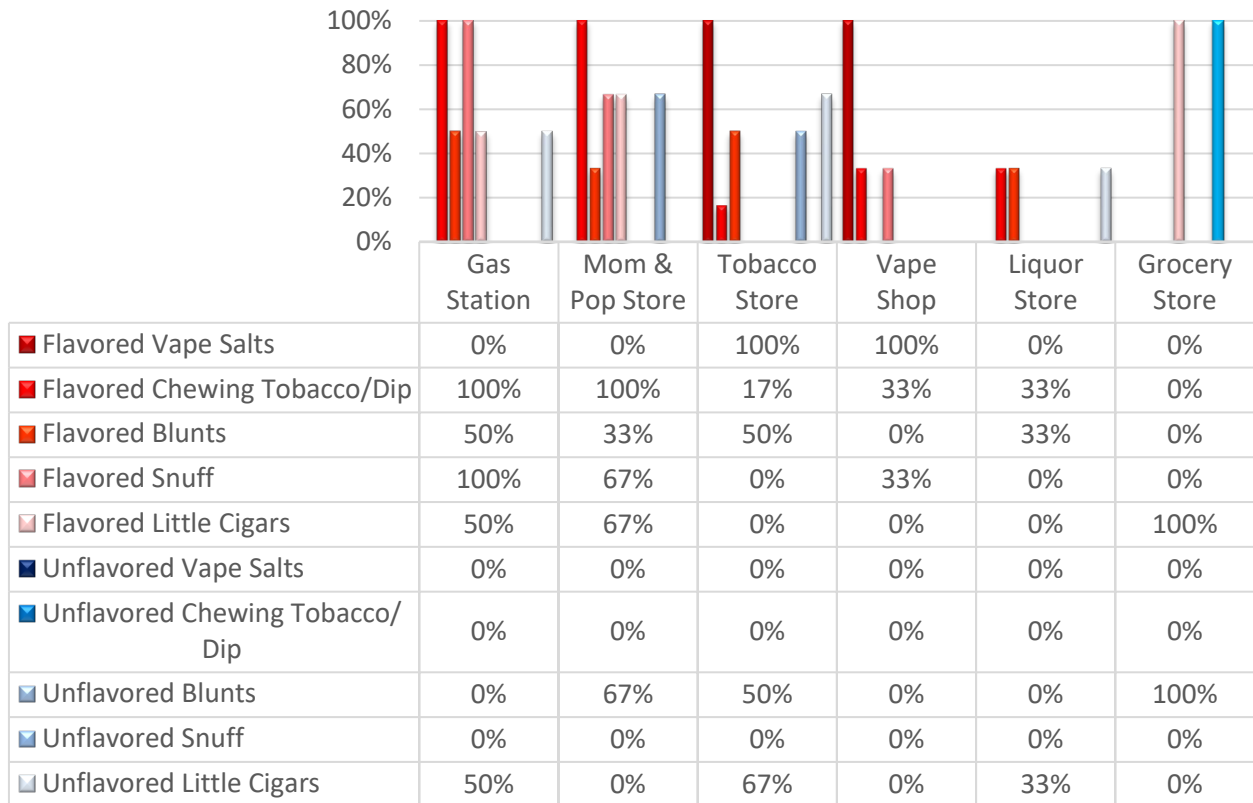
	Snuff	Little Cigars	Shisha	Dissolvable Tobacco	Loose Leaf Tobacco	Filtered Cigars	Large Cigars
Any Flavor	28%	22%	11%	6%	0%	0%	0%
Mint/Menthol	28%	17%	11%	6%	0%	0%	0%
Fruit/Sweet	11%	11%	11%	6%	0%	0%	0%
Liquor	0%	6%	0%	0%	0%	0%	0%
No Flavor Added	0%	33%	11%	0%	28%	17%	11%
Does Not Sell	72%	50%	78%	94%	72%	83%	89%

**Figure 4. Tobacco Products by Type of Store:**  
**Cigarillos, Cigarettes, E-Juices and Disposable Vapes**  
**Wave 1: 2021 (N = 18)**

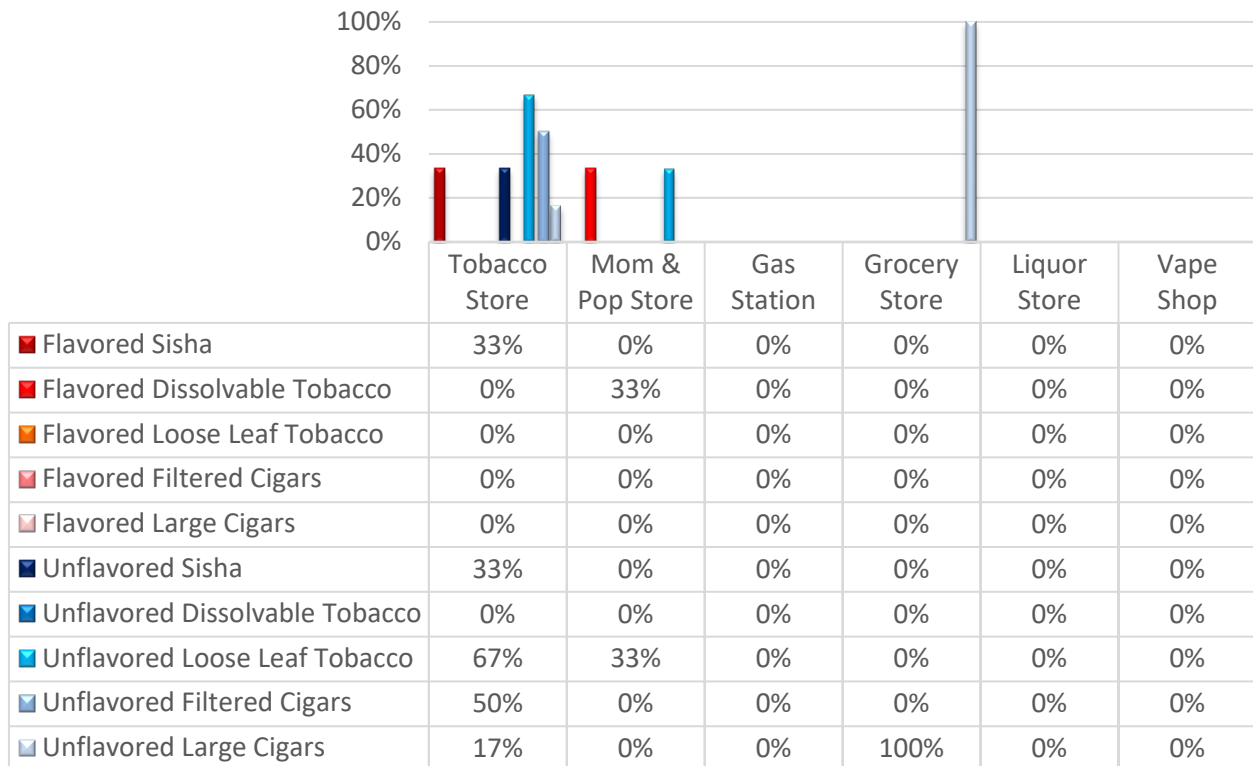


	Tobacco Store	Gas Station	Liquor Store	Vape Shop	Mom & Pop Store	Grocery Store
Flavored Cigarillos	100%	100%	67%	33%	100%	100%
Menthol Cigarettes	67%	50%	100%	33%	100%	0%
Flavored E-Juices	100%	100%	0%	100%	33%	0%
Flavored Disposable Vapes	83%	50%	100%	100%	0%	0%
Unflavored Cigarillos	0%	50%	33%	0%	0%	0%
Unflavored Cigarettes	83%	100%	100%	33%	100%	0%
Unflavored E-Juices	0%	100%	0%	0%	33%	0%
Unflavored Disposable Vapes	0%	50%	0%	0%	0%	0%

**Figure 5. Tobacco Products by Type of Store:  
Vape Salts, Chewing Tobacco/Dip, Blunts, Snuff, and Little Cigars  
Wave 1: 2021 (N = 18)**



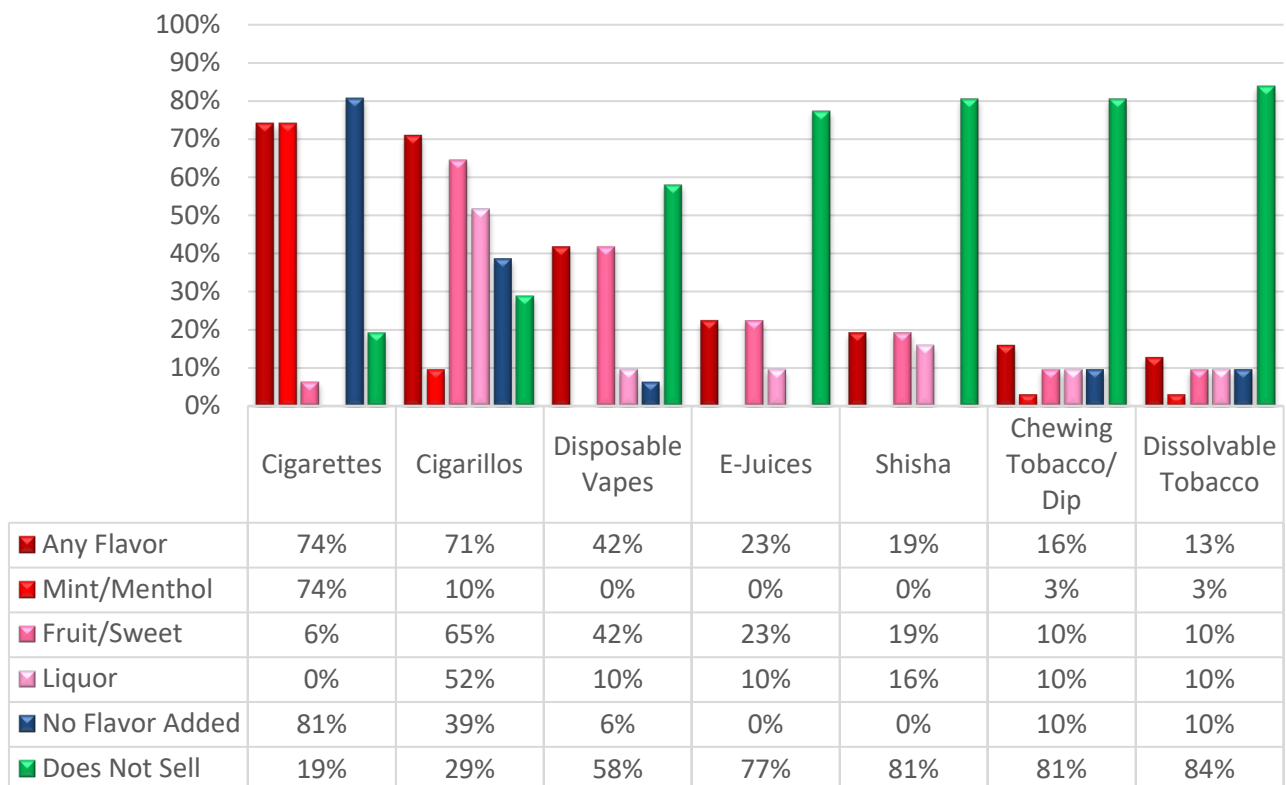
**Figure 6. Tobacco Products by Type of Store: Sisha, Dissolvable Tobacco, Loose Leaf Tobacco, Filtered Cigars, and Large Cigars  
Wave 1: 2021 (N = 18)**



**At Wave 2, as seen in Figures 7 and 8, across 31 tobacco retailers, menthol cigarettes were the most observed flavored tobacco product for sale, with 74% of retailers selling them compared to 67% sold in 2021, an increase of 10% in spite of the new no flavors law.** (Unflavored cigarettes were sold at 81% of retailers in 2023 compared to 78% of retailers in 2021.) **Flavored cigarillos (mostly fruit/sweet or liquor) were 2<sup>nd</sup>, sold by 71% of retailers in 2023 compared to 83% in 2021. Fruit/sweet disposable vapes were 3<sup>rd</sup>, sold by 42% of retailers in 2023 compared to 67% in 2021. Fruit/sweet e-juices were 4<sup>th</sup>, sold by 23% of retailers in 2023 compared to 67% any flavor e-juices sold in 2021. Flavored Shisha (fruit/sweet or liquor) was 5<sup>th</sup> at 19% of retailers in 2023 compared to any flavor shisha at 11% in 2021. Flavored chewing tobacco/dip (mostly fruit/sweet or liquor) was 6<sup>th</sup> at 16% in 2023 compared to any flavor sold at 44% in 2021. Flavored dissolvable tobacco was sold at 13% of retailers in 2023 compared to 6% in 2021. Flavored little cigars were sold at 13% of retailers in 2023 compared to 22% in 2021. Flavored filtered cigars were sold at 13% of retailers in 2023 compared to nowhere in 2021. Flavored loose leaf tobacco was sold at 10% of retailers in 2023 compared to nowhere in 2021. Vape salts were not sold anywhere in 2023 although they were sold flavored at 50% of stores in 2021, and blunts were not sold anywhere in 2023 although they were sold flavored at 33% of stores in 2021.**

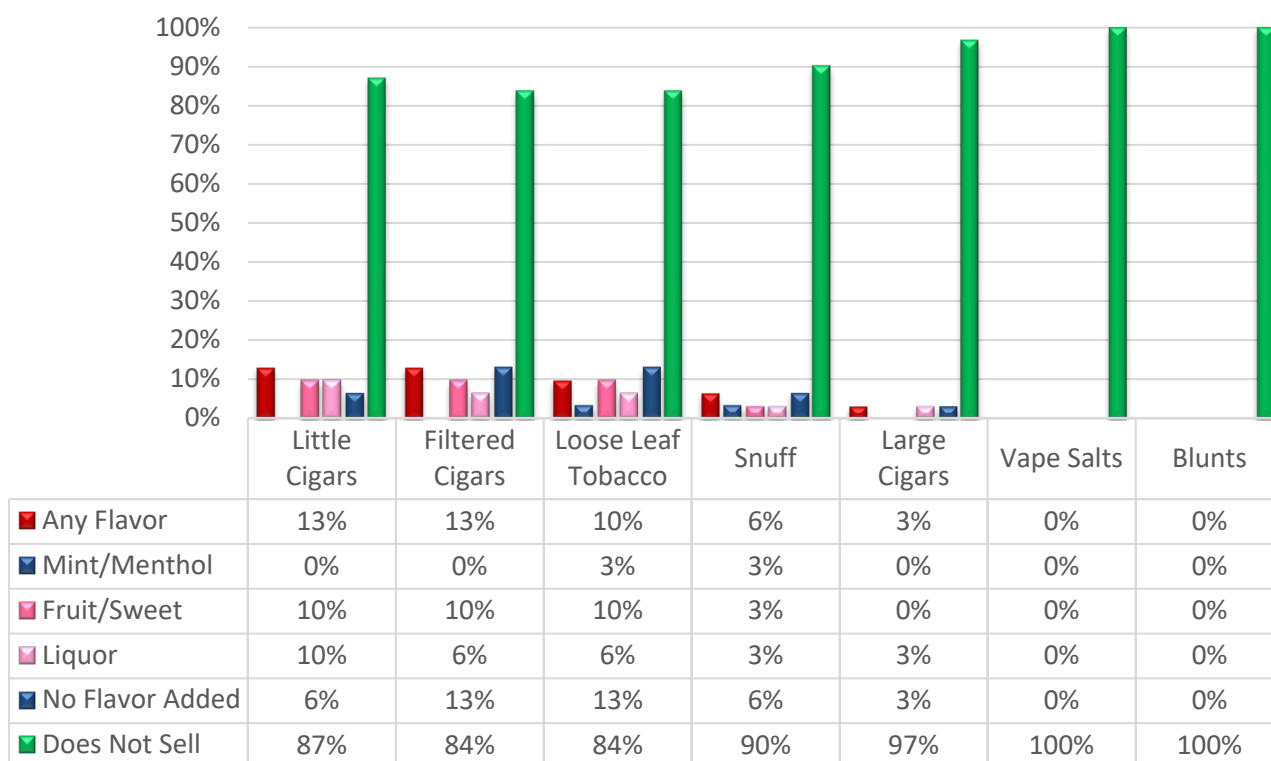
As seen in Figure 9, the top 4 marketed flavored tobacco products in 2023 (indicated in shades of red) were most frequently sold at different types of stores than observed in 2021. **In 2023, in order of frequency, Vape Shops, Tobacco Stores, and Grocery Stores most frequently marketed the top 4 flavored products** – not Tobacco Stores, Gas Stations, and Liquor Stores as in 2021. The combined top 3 categories of stores most likely to sell the top 4 flavored tobacco products in 2023 only made up 39% of total stores, compared to 61% in 2021. But adding Gas Stations, where 100% sold menthol cigarettes and 86% sold flavored cigarillos, **the percentage of merchants selling significant amounts of flavored tobacco products in 2023 remained at 62% (n=19) - indicating continued easy access to popular flavored tobacco products in spite of them being illegal to sell in 2023.** Significant percentages of Liquor Stores and Mom & Pop Stores also sold the top four marketed flavored tobacco products.

**Figure 7. Tobacco Products for Sale  
Wave 2: 2023 (N = 31)**

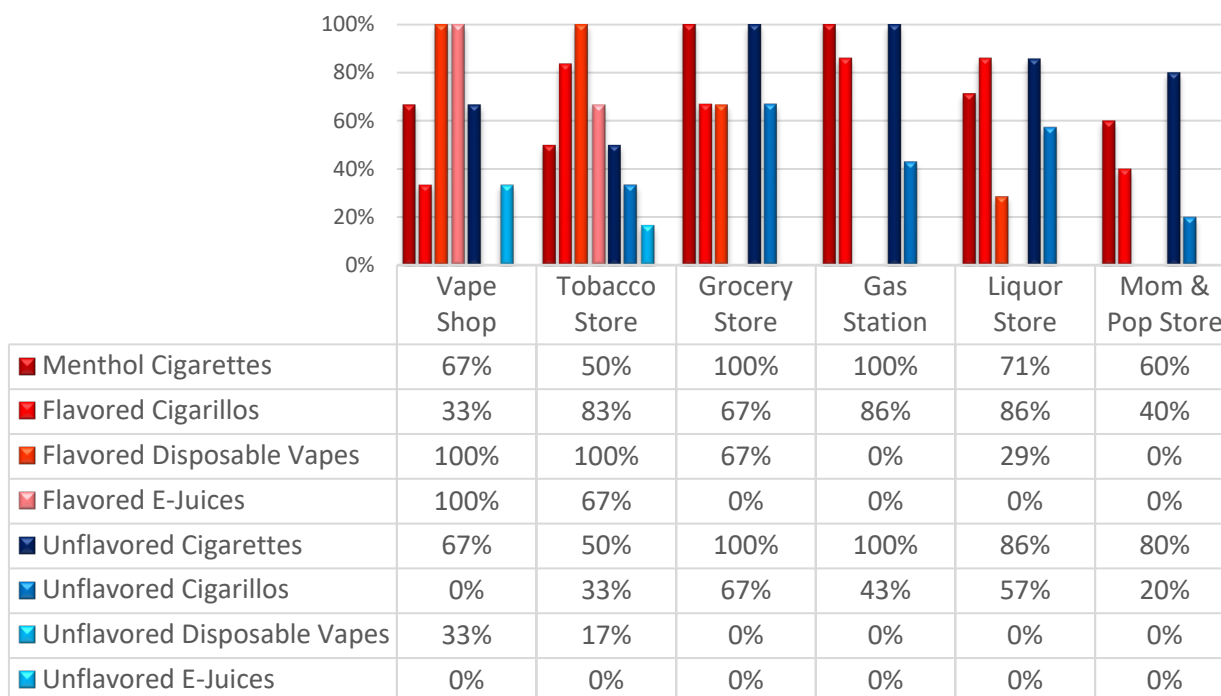


**Figure 8. Tobacco Products for Sale**

**Wave 2: 2023 (N = 31)**

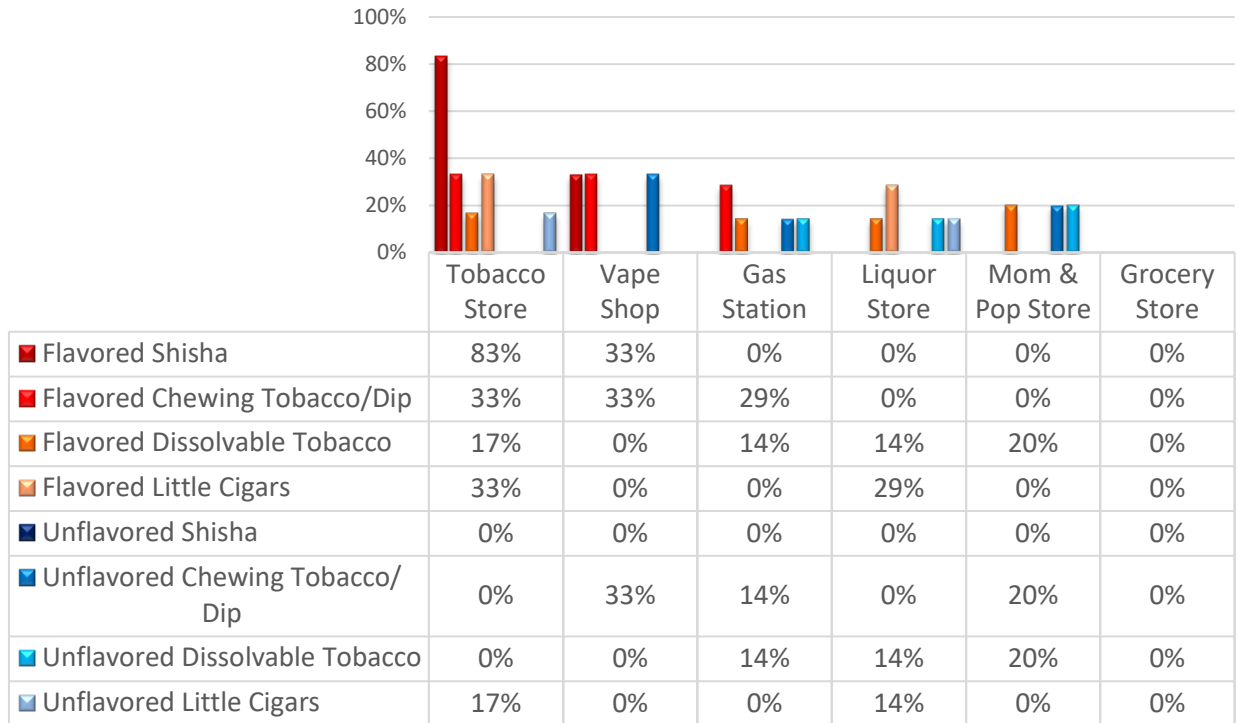


**Figure 9. Tobacco Products by Type of Store:  
Cigarettes, Cigarillos, Disposable Vapes, and E-Juices**  
**Wave 2: 2021 (N = 31)**

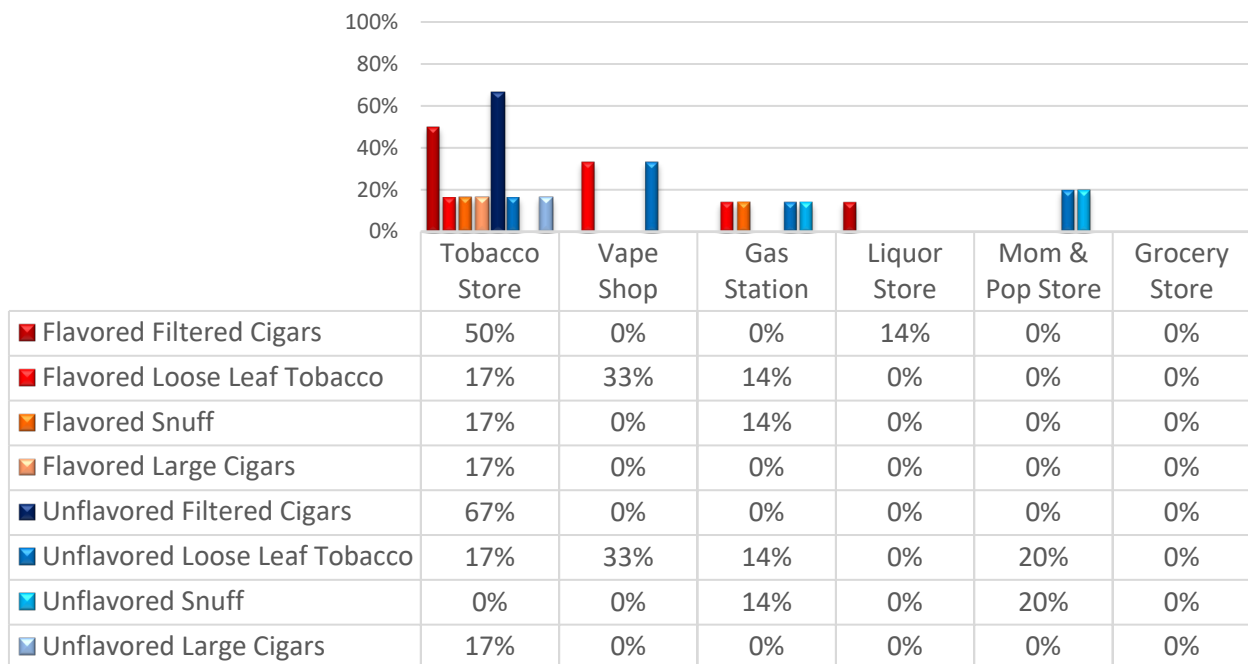




**Figure 10. Tobacco Products by Type of Store:  
Shisha, Chewing Tobacco/Dip, Dissolvable Tobacco, and Little Cigars  
Wave 2: 2021 (N = 31)**



**Figure 11. Tobacco Products by Type of Store:  
Filtered Cigars, Loose Leaf Tobacco, Snuff, and Large Cigars  
Wave 2: 2021 (N = 31)**



As seen in Figure 10, the next 4 marketed flavored tobacco products were sold most frequently at Tobacco stores, with flavored shisha being the only product relatively easy to find, and sole there alone. Other products were sold at relatively few Vape Shops, Gas Stations, and Liquor Stores, and 1 product



was available at a small percentage of Mom & Pop Stores. Grocery Stores did not carry any of these products.

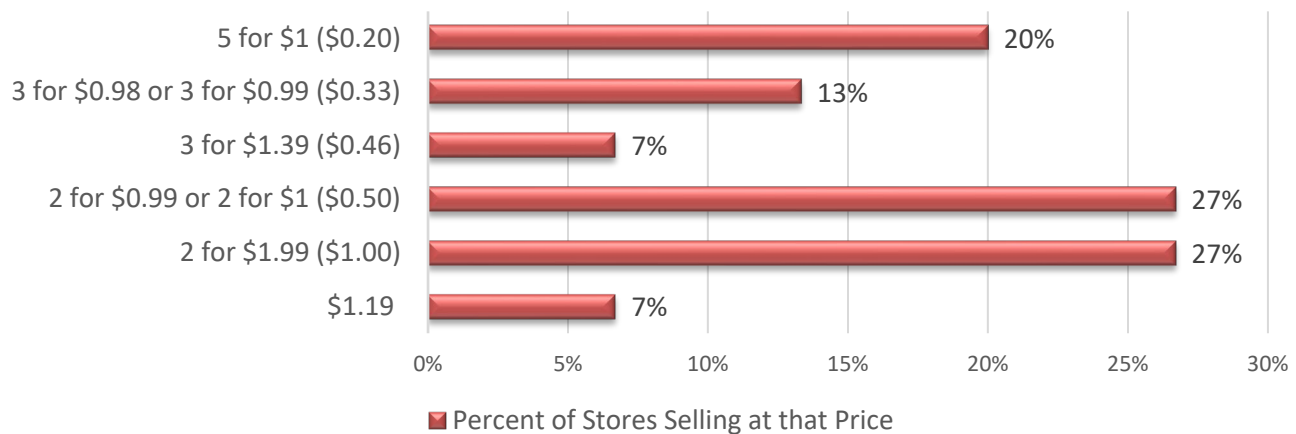
As seen in Figure 11, the least 4 marketed flavored tobacco products were at only 17% of Tobacco Stores, and were difficult to find everywhere else – with the exception of flavored filtered cigars which were available at half of Tobacco Stores. Only 1 product was available at 33% of Vape Shops and 2 were available at 14% of Gas Stations, and 1 product was available at 14% of Liquor Stores. Again, Grocery Stores did not carry any of these products.

## PRICING FOR FLAVORED CIGARILLOS AND LITTLE CIGARS

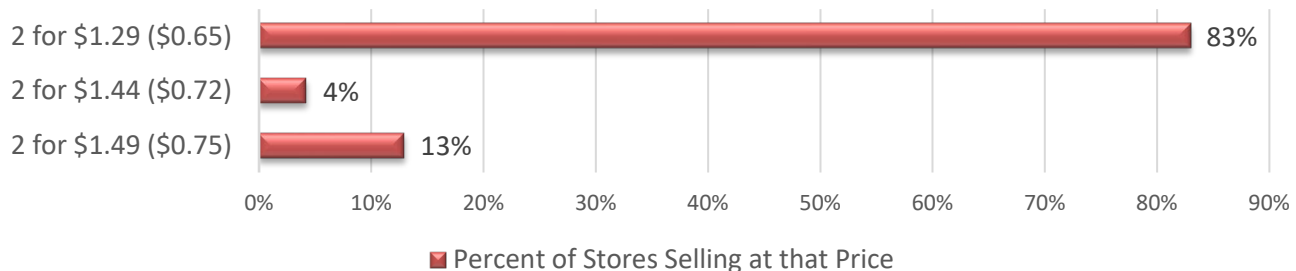
**At Wave 1**, for the 15 (83%) stores that sold flavored cigarillos/little cigars, pricing data was available 100% of the time (Figure 12). **Package prices ranged from \$0.98 (for 3) to \$1.99 (for 2), and unit prices ranged from \$0.20 (in a package of 5 for \$1) to \$1.19 (in a package of 1 for \$1.19). The average unit price was \$0.33 but varied widely (Figure 14).**

**At Wave 2**, for the 24 (77%) stores that sold flavored cigarillos/little cigars, pricing data was available 96% (N=23) of the time (Figure 13). **Prices were higher in 2023, but there was far less variance in package size, package price, and unit price in 2023 than observed in 2021.** Package prices ranged from \$1.29 for 2 to \$1.49 for 2, and unit prices ranged from \$0.65 (in a package of 2 for \$1.29) to \$0.75 (in a package of 2 for \$1.49). The average unit price increased from \$0.33 in 2021 to \$0.50 in 2023, but varied far less widely (Figure 14).

**Figure 12. Cheapest Prices for Cigarillos/Little Cigars  
Wave 1: 2021 (N = 15)**



**Figure 13. Cheapest Prices for Cigarillos/Little Cigars  
Wave 2: 2023 (N = 23)**



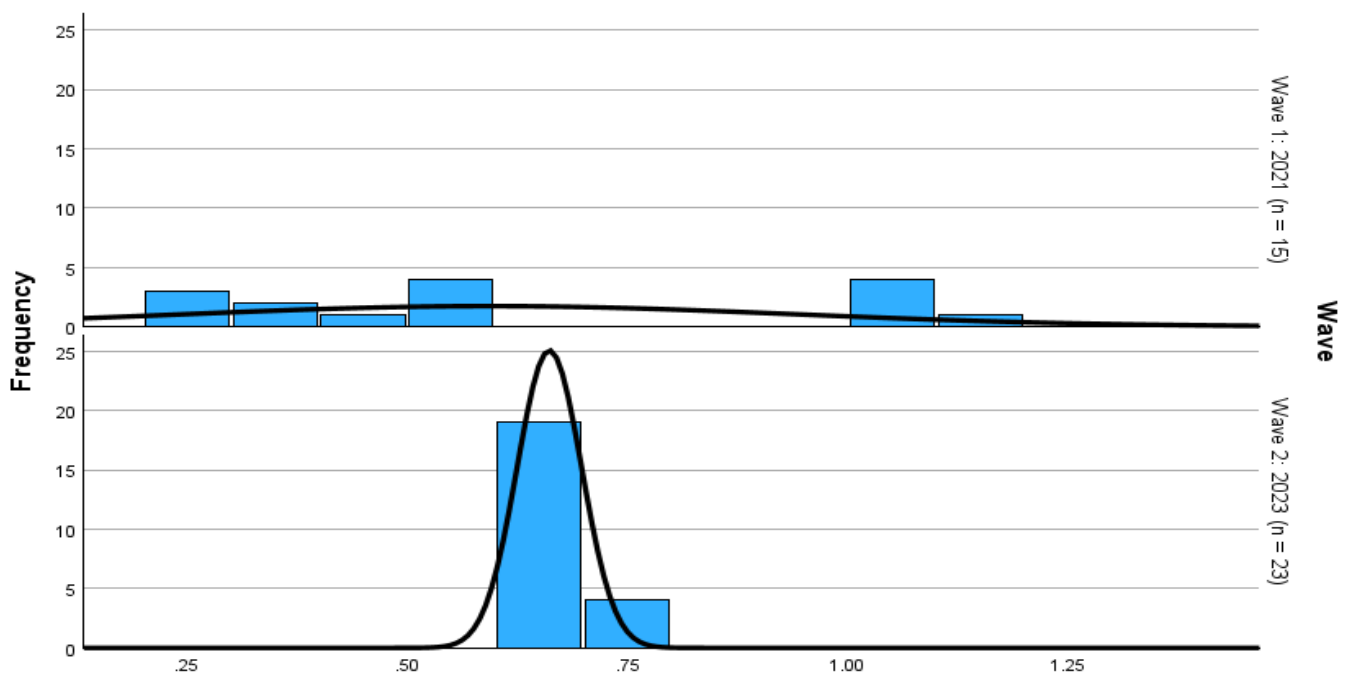


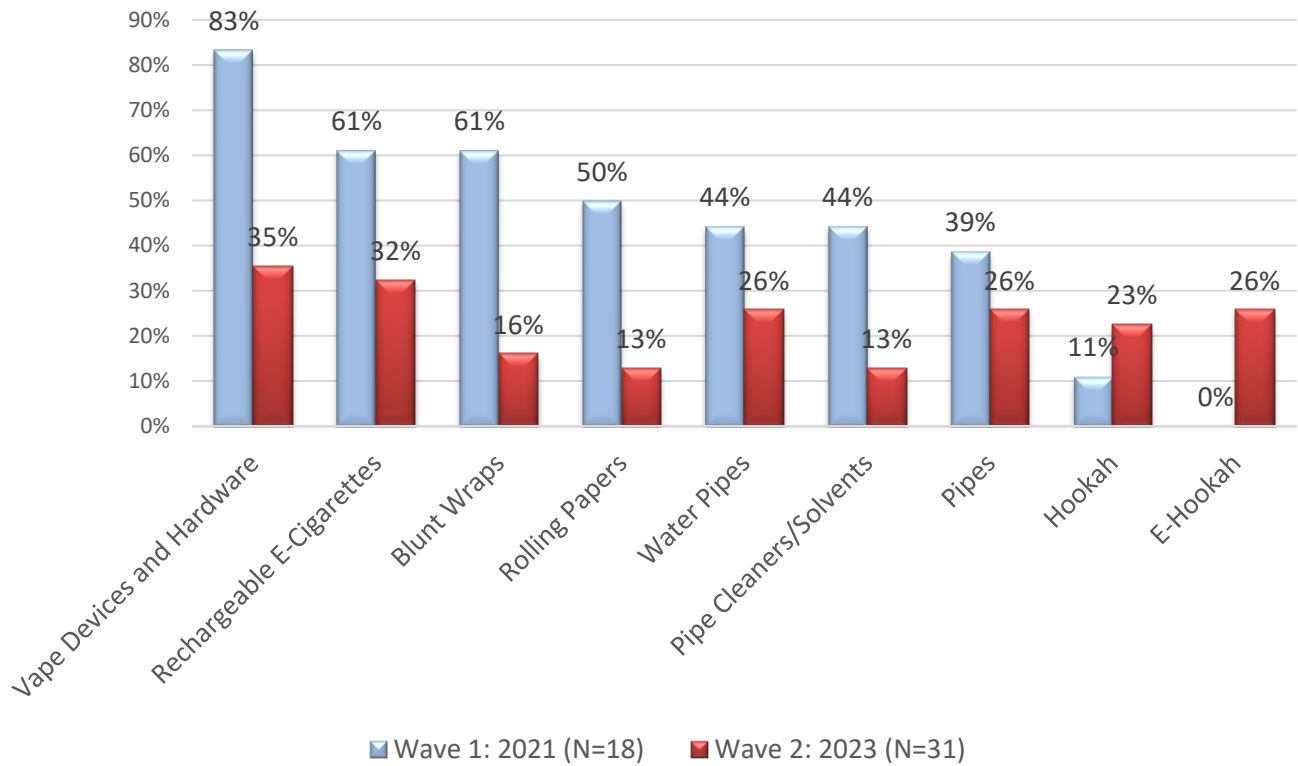
Figure 14. Price per Flavored Cigarillo / Little Cigar in Dollars

## TOBACCO ACCESSORIES AND PARAPHERNALIA

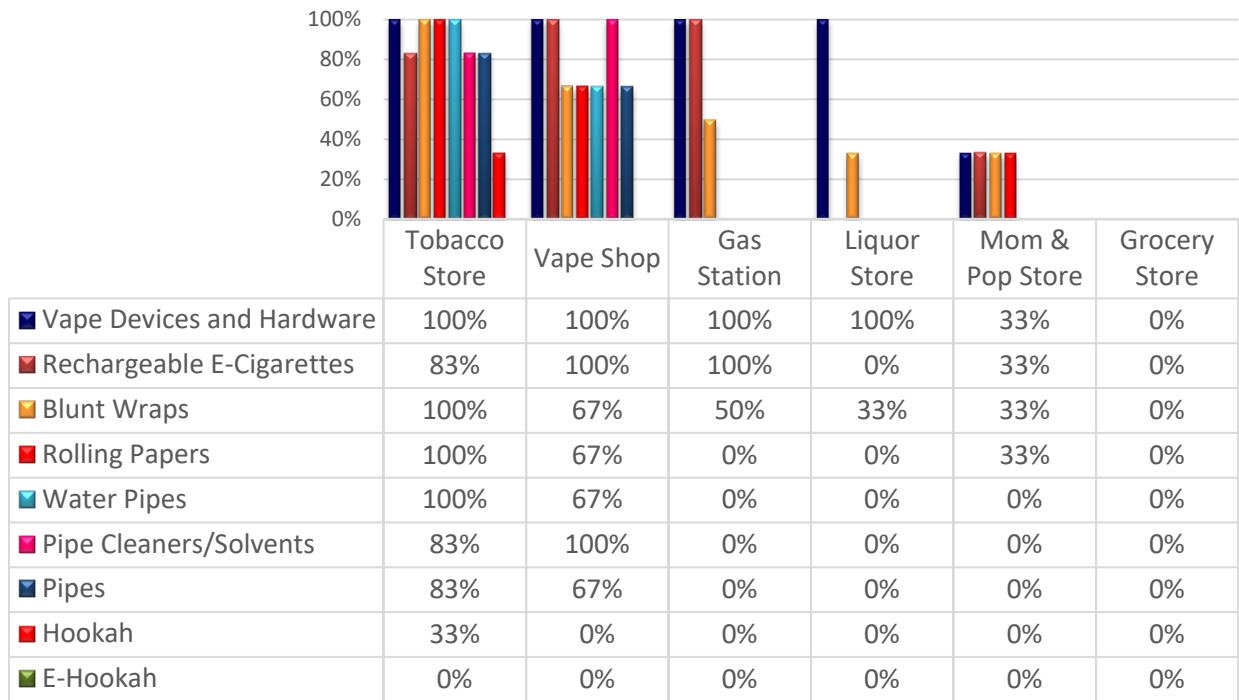
As shown in Figure 15, between Wave 1 and 2, the percentage of stores selling most types of tobacco accessories decreased significantly. Hookah and e-hookah devices were the exception, even though e-hookah is not exempt from the new no flavors law SB793. **Considering the larger number of merchants sampled at Wave 2, 31 vs 18, this finding indicates that tobacco accessories and paraphernalia were less easy to obtain within Stanton in 2023 than in 2021 – except for hookah and e-hookah.** As shown in Figures 16 and 17, all Gas Stations and Mom & Pop Stores stopped selling all types of accessories and paraphernalia: vape devices and hardware, rechargeable e-cigarettes, blunt wraps, and rolling papers. Between 2021 and 2023, fewer liquor stores offered the merchandise – most notably vape devices and hardware marketing dropped from 100% to 14%, and blunt wrap marketing was eliminated. On the other hand, while 0% of Grocery Stores sold tobacco accessories and paraphernalia in 2021, 33% of them were selling vape devices & hardware and rechargeable e-cigarettes in 2023.

**Overall, compared to 2021, in 2023 Tobacco Stores and Vape Shops became even more so the primary types of stores selling a broad array of tobacco accessories and paraphernalia,** with 33% of Grocery Stores newly marketing vaping-related products such as rechargeable e-cigarettes and vape devices and hardware, and 14% of Liquor Stores maintaining sales of vape devices and hardware and adding rechargeable e-cigarettes and e-hookah to their inventories.

**Figure 15. Tobacco Accessories and Paraphernalia**



**Figure 16. Tobacco Accessories and Paraphernalia  
by Type of Store:  
Wave 1: 2021 (N = 18)**



**Figure 17. Tobacco Accessories and Paraphernalia  
by Type of Store:  
Wave 2: 2023 (N = 31)**

