

Decreasing the Availability of Flavored Tobacco Products in Santa Clara and San Benito Counties



2015-2020

BREATHE CALIFORNIA of the BAY AREA *CommUNITY Project*

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California: Breathe California of the Bay Area

AIM and OUTCOME

Needs assessment data gathered by Breathe California of the Bay Area (Breathe California) for this objective identified the importance of addressing the increase in the use of candy and menthol-flavored tobacco products and electronic nicotine delivery devices (ENDDS) among youth and young adults. This objective aimed to counter the tobacco industry's marketing of flavored tobacco and ENDDs through the following objective:

By June 30, 2020, at least 3 cities in Santa Clara and/or San Benito Counties (such as; Gilroy, Los Gatos, Milpitas, Saratoga, Los Altos, Santa Clara & San Juan Bautista) will adopt a public policy that eliminates the sale and distribution of mentholated cigarettes and/or other flavored tobacco and electronic nicotine delivery device products. CX Indicator 2.2.9

Breathe California successfully achieved this objective by helping the cities of Saratoga, Cupertino, Morgan Hill, Los Altos, and Palo Alto, and the County of Santa Clara to adopt ordinances to eliminate the sale and distribution of mentholated cigarettes and/or other flavored tobacco and ENDDs. In addition, aided by Breathe California's efforts, the San Jose city council agreed to prioritize a flavored tobacco and e-cigarettes ordinance for 2020. However, the policy adoption process was halted before the end of the grant due to the demands on the city council of responding to the COVID-19 pandemic.

BACKGROUND

The priority populations of youth and adult African Americans, Vietnamese men, and low socioeconomic status (SES) Hispanic/Latinos residing in Santa Clara and San Benito Counties were the primary focus for this objective. Santa Clara County, home of Silicon Valley, has a

dichotomy of income levels with some of the wealthiest families in the U.S. while having a high percentage of low SES and homeless people. Ethnically and racially, Santa Clara County has a very diverse population comprised of 35% white, 32% Asian/Pacific Islander, 27% Latino, and 2% Black. Its neighbor, San Benito County, is mostly rural with a large population (nearly 60%) of Latinos many of whom are low SES residents and farmworkers.

These priority populations are a target of the tobacco industry's campaigns. For example, a majority of African American smokers are known to use menthol cigarettes and younger populations have a high rate of smoking menthol cigarettes.

The 2007 California Student Tobacco Surveys in Santa Clara County found that menthol cigarettes are used by 45% of middle and high school students who smoke.¹ Similarly, one study in the New England Journal of Medicine found that "Tobacco companies are using the same flavor chemicals in their sweet-flavored tobacco products, including cigars of various sizes and smokeless tobacco, that are used in popular candy and drink products such as LifeSavers, Jolly Ranchers and Kool-Aid."² Moreover, youth-focused marketing is designed to create an allure for these products. Indeed, among 92 tobacco retailers surveyed in six cities by the Santa Clara County Public Health Department in 2012, 80% advertised menthol cigarettes, 72% advertised some form of flavored tobacco, and 15% were already selling electronic cigarettes or electronic hookahs. The popularity of electronic cigarettes began to rise in the years before this grant proposal. In 2014, a University of Michigan tobacco use study of 40,000-50,000 youth found that, for the first time, the use of e-cigarettes had surpassed that of cigarettes and all other tobacco products. The findings also showed that "More than twice as many 8th- and 10th-graders reported using

¹ California Student Tobacco Survey, 2007-08.

² Candy Flavorings in Tobacco.

<https://www.nejm.org/doi/full/10.1056/NEJMc1403015>

e-cigarettes as reported using tobacco cigarettes."³ Locally, in Santa Clara, 10% of middle and high school students used e-cigarettes in the past 30 days.⁴

Clearly, there is a need for local legislation to regulate the sale of flavored tobacco products, including menthol cigarettes and candy-flavored cigars/cigarillos, electronic nicotine delivery devices (ENDDS or e-cigarettes), and liquids for vaping. During the 2013 Communities of Excellence process, 68% of participants rated this indicator as a high priority. For these reasons, and to assist the County Public Health Department with a blanket county-wide campaign to eliminate the sale of flavored tobacco products, Breathe California chose this objective as a priority for the 2015-2020 scope of work.

EVALUATION METHODS and DESIGN

A non-experimental evaluation design was used to document the success of this Legislated Policy Adoption Only objective. There was no outcome evaluation.

Four process evaluation activities were conducted over the five-year grant. Pre- and post-policy interviews with policymakers and/or their staff in years 1 and 5 focused on identifying barriers and facilitators to adopting policies to eliminate the sale of flavored tobacco and ENDDs. Public Opinion Intercept Surveys (POS) were conducted in multiple

languages with a convenience sample of at least 30 people each in three cities i.e., the Cities of Saratoga, Cupertino, and San Jose to assess opinions for or against policy adoptions and inform the community and policymakers on public attitudes towards flavored tobacco and ENDDs. An evaluation of POS Data Collection Training was conducted to assess the surveyor's knowledge gained and readiness to conduct the POS. Finally, policy records were periodically assessed to monitor the adoption process. Quantitative data from the opinion surveys were analyzed using descriptive statistics and content analysis of qualitative data was used to identify key themes.

Findings from the process evaluation identified barriers to policy adoption and assisted the project staff in refining strategies to address policymakers' concerns. Table 1 provides an overview of how the evaluation activities were used to support the objective.

Limitations

The opinions of the self-selected public intercept survey participants may not be reflective of the views of all city residents. Also, the opinions of key informants were limited by the elected officials and/or city administrators who agreed to be interviewed. Lastly, the elected officials' response to the COVID-19 pandemic limited the availability of some city administrators and councilmembers for an interview.

³ E-cigarettes surpass tobacco cigarettes among teens. <https://news.umich.edu/e-cigarettes-surpass-tobacco-cigarettes-among-teens/>

⁴ 2015-2016 Santa Clara County Children's Health Assessment. <https://www.sccgov.org/sites/phd/hi/hd/reports/child-health/Pages/child-health-home.aspx>

Table 1: Key Process Evaluation Activities

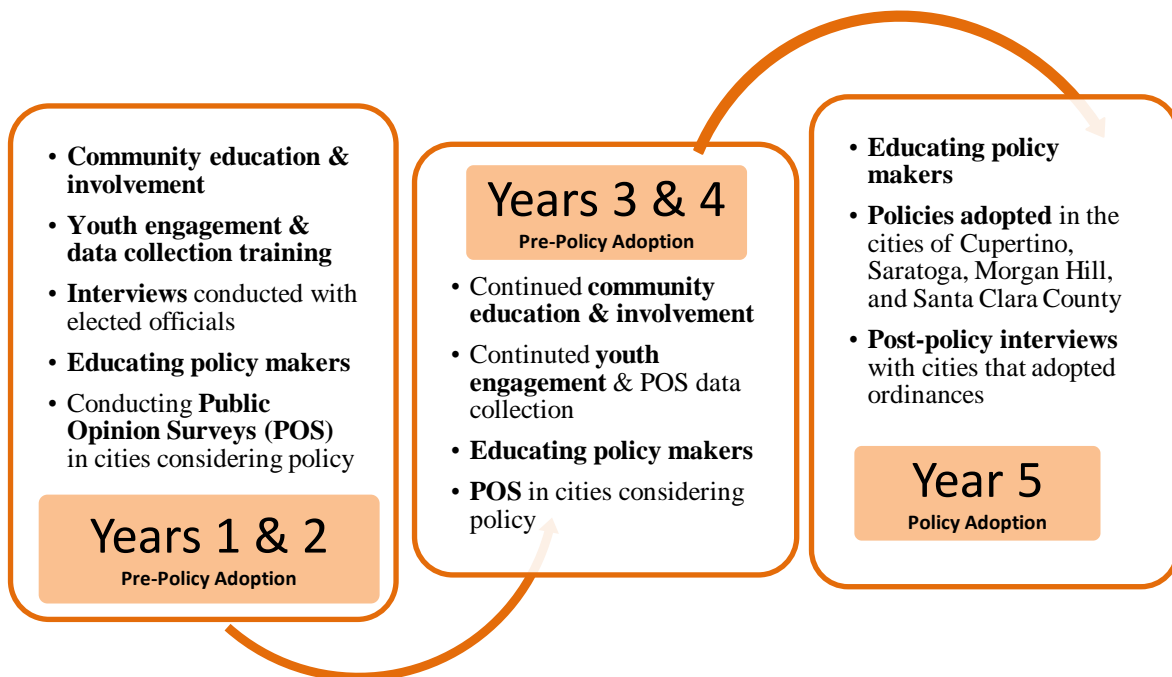
Evaluation Activity	Purpose	Sample	Instrument Source	Analysis Method	Timing/Waves
Process					
Key Informant Interview	Gather pre-policy level of support from city leaders and intervention strategies that might assist with policy adoption	A purposive sample of 4 elected officials, city staff, and/or community spokespersons	Evaluation Consultant	Content analysis	Year 2 1 Wave
Public Opinion Data Collection Training:	Ensure quality of data collection for gathering public opinion surveys	5 adult and youth volunteers	Evaluation Consultant	Descriptive statistics and content analysis	Year 2 1 Wave
Public Opinion Intercept Survey	Measure knowledge of the danger of flavored tobacco and support for policy adoption.	A convenience sample of 90 residents in cities considering policy adoption (30 per city)	Evaluation Consultant	Descriptive statistics	Year 2-3 1 Wave
Policy Record	Identify barriers and successful actions to policy adoption.	Census of city council minutes and policy meetings in 3 targeted cities	Evaluation Consultant	Content analysis	Year 1-5 1 Wave
Key Informant Interview	Gather post-policy elected leaders' opinions on strategies that motivated their vote.	A purposive sample of 4 elected officials, city staff, and/or community spokespersons	Evaluation Consultant	Content analysis	Year 5 1 Wave

IMPLEMENTATION and RESULTS

The implementation activities to achieve this objective began in years 1 and 2 with Breathe California: improving the cultural relevance of its flavored tobacco educational materials; engaging and training youth and young adults to participate in community education; pre-policy key informant interviews; public opinion surveys; collaborating with the county public health department, and educating policymakers

about the need for policies to ban flavored tobacco and vaping devices. In years 3 and 4, public opinion surveys informed Breathe California's continuous efforts to educate the community and policymakers on flavored tobacco and vaping devices. Finally, in year 5, Breathe California and its partners' steadfast efforts resulted in the adoption of policies banning flavored tobacco and vaping devices in three target cities. The key intervention activities are illustrated in Figure 1.

Figure 1: Key Intervention and Evaluation Activities in Chronological Order



Community Education and Involvement

During Year 1, Breathe California focused on identifying, revising, and updating its flavored tobacco and electronic nicotine delivery device educational materials to educate its vulnerable communities about the tobacco industry's aggressive flavored tobacco and ENDDs campaign. Some of Breathe California Asian ethnic partners (e.g., Viet Voters, Korean American Community Services) reviewed Breathe California's accumulated materials and made recommendations related to cultural context, language, and appropriateness for the ethnic audiences. Breathe California also

engaged certified translators among its community-based organizations (CBOs) to translate the materials into Spanish and Vietnamese and to distribute the educational materials in their communities during health fairs and special events.

One community partner, Black Legends Awards, collaborated with Breathe California in 2018 in the development of a brochure to educate African American residents of Santa Clara County about flavored tobacco products and ENDDs. While still in development, an important article in the May 27th San Francisco Chronicle, "As Juul vaping surges among teens,

health concerns grow”⁵ highlighted the effect of vaping on teens, including African American youth. This prompted the community partner to revise its brochure to include warnings to parents about vaping. The brochure was piloted to community members at the 2018 Juneteenth Festival, and the brochure was revised based on their comments. The final brochure was printed in time for use at the 2019 Juneteenth Festival.

An important part of community involvement was Breathe California’s continued collaboration with the Santa Clara County Public Health Department Tobacco-Free Communities (TFC) program. Breathe California has a prominent voice, as it is a founding member of the TFC’s Tobacco-Free Coalition of Santa Clara County (founded in 1990) and chaired its policy committee for two decades. Historically, Breathe California and the TFC have supported each other’s efforts for over 30 years to promote the adoption of tobacco control policies in the cities and county of Santa Clara. This relationship proved particularly important in the successful completion of this objective.

Youth Engagement

Given the tobacco industry’s marketing focus on youth, in year 1, Breathe California recruited youth and young adults from local high schools and colleges through its community partners to join their Youth for Lungs (YFL) group. The YFL youth were trained to be policy spokespersons, collect public opinion survey data, and educate the community about the sinister nature of the tobacco industry’s marketing of flavored tobacco and ENDDs. Indeed, Breathe California staff and YFL youth educated youth groups and their CBOs in Santa Clara and San Benito Counties at health fairs and meetings. For example, to reach the African American community, which has been historically targeted by the tobacco industry with menthol-flavored tobacco advertising, Breathe California

and YFL collaborated with local partners and tobacco control advocates to host the event, “Town Hall Meeting-Social Justice & Tobacco, Saving Black Lives: The Truth about Menthol & Flavored Tobacco” in November 2017. The forum had 23 individuals in attendance, which included youth, community members, and representatives from Santa Clara County Behavioral Health Services, the Santa Clara County Public Health Department Office, County Supervisor Dave Cortese, National Coalition of 100 Black Women, and the American Heart Association. Throughout the grant, Breathe California continued to recruit and maintain a strong and active coalition of 15-20 youth and young adult volunteers. YFL members also gave input for and participated in a second town hall meeting held on February 28, 2019. The event “Tobacco Targeting Youth: Menthol and Flavors” drew 58 community members and featured the following on panels and delivering presentations: Chappie Jones, Vice Mayor of the City of San Jose; youth representing Community Advocate Teens of Today and young adult tobacco purchase survey participants; Stanford University’s vaping expert Dr. Bonnie Halpern-Fisher; Carol McGruder from the African American Tobacco Control Leadership Council; Santa Clara County Public Health Department staff; Susan Ellenburg, Santa Clara County Board of Supervisors; a Performance by Tasha Turner “Sixfootah the Poet” who used her talents to rail against the tobacco industry that addicted her mother; and California State Assemblymember, Ash Kalra.

Finally, YFL members and additional youth served on the Youth Photovoice Project that culminated in a Press Conference at the African American Community Service Agency on November 20, 2019. During this event, the youth presented their collection of photography and artwork designed to convey the costs to

⁵ San Francisco Chronicle.
<https://www.sfchronicle.com/bayarea/article/As-Juul-vaping-surges-among-teens-health-12946713.php>

youth and our society of flavored tobacco, including menthol and vaping. Three youth presented formal remarks at the event and were joined by Santa Clara County Supervisor Susan Ellenberg and California State Assemblymember Ash Kalra, who discussed the County's newly adopted regulations banning the sales of vaping and flavored tobacco products. These strong ties with youth reinforced Breathe California's belief in the importance of involving youth in policy activities that affect them and that they can be a powerful voice for their generation.

Key Informant Interviews

We conducted key informant interviews early in year 2, to gather opinions on eliminating the sale and distribution of mentholated cigarettes and other flavored tobacco and ENDDs. Staff from the city councils of Saratoga and Cupertino, a San Jose City Council member, and a college-age Cupertino resident who served on Breathe California's YFL group were interviewed. The San Jose City Council member and one city council staff person said they would support a ban on flavored tobacco products. However, the other staff person did not believe that a policy was needed because she felt that flavored tobacco use was not a problem in her community and that there is "a community perception that a lot has already been accomplished with regards to tobacco control." The college-age advocate, although personally supportive of policy adoption, said that "this issue is extremely polarizing for many communities." Also, interviewees expressed some concerns about the effect on business owners but also about their city's standing in the American Lung Association's Annual Tobacco Report card.⁶ In effect, we found, with one exception, that the communities did not

feel that flavored tobacco and ENDDs were a problem.

However, all key informants agreed that constituent data supporting policy adoption could be used to educate city councils on the need to ban flavored tobacco. Indeed, one interviewee said:

"Provide the council with data. There are a number of studies regarding flavored tobacco and the levels of addiction that comes from using these products. The issue is one of both using flavored tobacco as an entry point to addiction as well as the fact that the flavored products can support long term usage. And note that minorities are being targeted by tobacco industry marketing."

Furthermore, all respondents agreed that mobilizing youth to speak to council members would be a compelling argument and that "*an emotional appeal (youth and minorities at higher risk) to city council members regarding flavored tobacco would be influential because they were very responsive to this.*" In addition, one person said that "...finding a champion on the city council or in the community and rallying community groups to speak before city councils is another important strategy when stating your case before policymakers."

The Breathe California staff used the interview results to develop more detailed information and statistics on flavored tobacco use and vaping to present to policymakers and to tailor their questions on the public opinion surveys to clearly show the public's attitudes towards flavored tobacco and vaping devices.

⁶ State of Tobacco Control. American Lung Association. <https://www.lung.org/research/sotc>. Published 2020. Accessed May 18, 2020. The American Lung Association's "State of Tobacco Control" report consists of a report card that evaluates state and federal tobacco control policies by comparing them against targets based on the most current, recognized criteria for effective tobacco control measures,

and translating each state and the federal government's relative progress into a letter grade of "A" through "F." A grade of "A" is assigned for excellent tobacco control policies while an "F" indicates inadequate policies.

Public Opinion Intercept Surveys

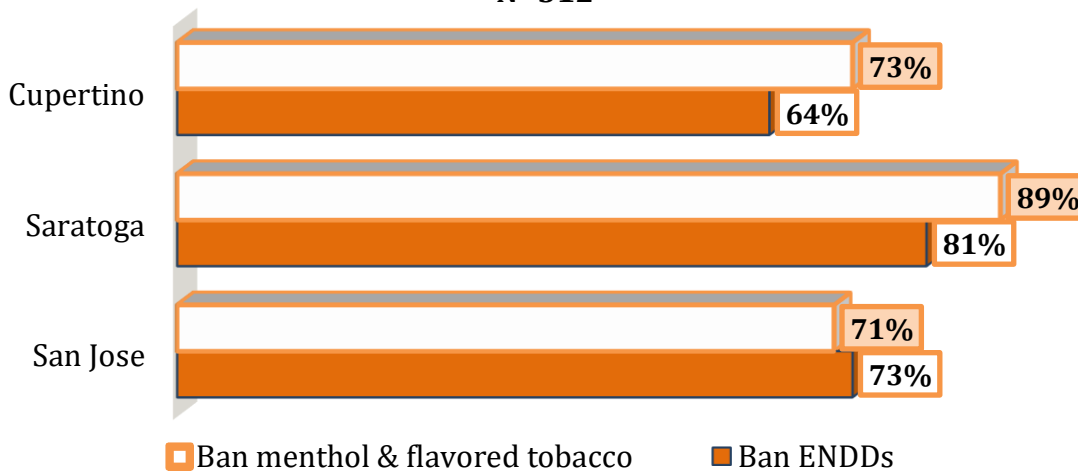
We conducted the POS in the cities of San Jose and Saratoga in year 2 because, based on the key informant interviews, both appeared poised to consider adopting a flavored tobacco ban. In year 3, based on an April 2018 meeting with a Cupertino city planner during which Breathe staff were encouraged to gather and share data on public attitudes towards flavored tobacco and ENDDs, Breathe California conducted a POS in Cupertino. The POS instrument was translated into Spanish and Vietnamese to adapt to the populations in the three communities.

The survey's key questions focused on assessing people's knowledge about the harmful effects of flavored tobacco and whether respondents would support an ordinance to ban mentholated/flavored tobacco and e-cigarettes. The evaluators conducted POS data collection training before each survey was conducted. The

immediate post-training evaluations showed that all participants increased their understanding of flavored tobacco products and ENDDs and that they felt confident in their ability to conduct the surveys. The survey gathering process was supervised by Breathe California's staff and conducted by six trained youth and adult volunteers.

In April and May 2017, we surveyed 310 individuals at 11 locations in the City of San Jose (e.g., community events, public library, shopping centers, schools, and universities). In July and August 2017, we surveyed 52 respondents in the City of Saratoga. Between July 2018 and February 2019, we gathered opinions from 150 Cupertino respondents. As seen in Figure 1, the results showed that in all three communities, the majority of respondents supported policies to ban menthol and flavored tobacco and vaping devices. This information was well received by the policymakers.

Figure 1: Support for policy to ban flavored tobacco and ENDDs, N=512



Educating Policymakers

Breathe California's intervention campaign in years 1 through 4 included periodic face to face meetings and presentations to elected policymakers and staff in the Cities of Saratoga, Cupertino, San Jose, and Morgan Hill and the County of Santa Clara to educate them on the need for a ban on flavored tobacco and e-

cigarettes. Youth and young adults often accompanied Breathe staff and YFL. Early on, Breathe California staff found that most of the policymakers' attitudes were affected by the adoption of California Prop. 64 that legalized marijuana in November 2016. Local policymakers throughout the state became very focused on how the new law affected their

communities. Indeed, after the passage of Prop 64, most cities in Santa Clara County passed ordinances between 2017 and 2018 banning dispensaries from selling marijuana, either for medicinal or recreational purposes, with the majority opting to outlaw both uses. Due to the focus on marijuana, city and administrative staff did not consider adopting prohibitions on flavored tobacco and ENNDs a priority.

The tide began to change for flavored tobacco and ENDDs in June 2018 when the Centers for Disease Control confirmed what most tobacco control advocates already knew: "... e-cigarettes are the most commonly used tobacco product among high and middle school students."⁷ This concern increased dramatically in 2019 when vaping related deaths caught the attention of the nation⁸, CDC⁹, and the Food and Drug Administration.¹⁰ Perhaps more importantly, on a local level, the passage in June 2019 of an ordinance to ban vaping devices in the City and County of San Francisco also caught the attention of city policymakers in Santa Clara County and made them amenable to discuss policy options. The Breathe California staff built on these news events, and armed with the supportive findings for such policies from its three public opinion surveys and model policies from ChangeLab Solutions, engaged its youth and adult advocates in presentations before the city councils of Saratoga, Cupertino, and San Jose in year 5 to affirm the need for the adoption of policies to ban flavored tobacco and e-cigarettes. The presentations to the city councils in the cities of Saratoga, Cupertino, and San Jose included staff support from the county health department's Tobacco-Free Communities (TFC) program. Early in year 5,

Breathe California staff approached and engaged the City of Morgan Hill's Youth Action Council, a city-supported group of youth leaders ages 13 to 18, to accompany Breathe California staff in presentations before the city council about the need for a policy to ban flavored tobacco and ENDDs. The youth were trained by Breathe California and joined their staff in making presentations before the city council in the summer of 2019. Finally, the county TFC program was supported by Breathe California in the TFCs' policy adoption presentations before the County of Santa Clara Board of Supervisors.

Policy Adoption

As shown in Table 2, five cities and the County of Santa Clara adopted policies that ban the sale of mentholated/flavored tobacco and e-cigarettes between October 2018 and June 2020. In addition to adopting ordinances, most jurisdictions also adopted complementary policies that require a retail tobacco license and banned the sale of tobacco in pharmacies. The City of Saratoga adopted policies on October 17, 2018, with the cities of Cupertino and Morgan Hill adopting policies on November 19 and December 4 of 2018, respectively. On November 5, 2019, the county public health department's TFC program, in collaboration with Breathe California staff, was successful in helping the County of Santa Clara adopt policies. On September 18, 2019, the San Jose city councilperson who championed Breathe California's efforts submitted a memo to the Rules Committee to initiate a discussion of prohibiting the sale of flavored tobacco products and electronic cigarettes. Breathe California's CEO testified in support of the recommendation.¹¹ On February 25, 2020, the

⁷ Tobacco Product Use Among Middle and High School Students — United States, 2011–2017. https://www.cdc.gov/mmwr/volumes/67/wr/mm6722a3.htm?s_cid=mm6722a3_x

⁸ New York Times. Vaping-Related Illnesses Climb to 805, C.D.C. Says <https://www.nytimes.com/2019/09/26/health/vaping-illnesses-cdc.html>

⁹ Outbreak of Lung Injury Associated with the Use of E-Cigarette, or Vaping, Products

https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html#what-we-know

¹⁰ FDA Launches New Campaign: "The Real Cost" Youth E-Cigarette Prevention Campaign.

<https://www.fda.gov/tobacco-products/youth-and-tobacco/fda-launches-new-campaign-real-cost-youth-e-cigarette-prevention-campaign>

¹¹ Crackdown on E-Cigarette Sales Sought by San Jose City Councilmember.

city council voted to rank flavored tobacco and e-cigarettes as one of the two top items for future agendas.¹² Unfortunately, consideration of an ordinance was halted in late March due to the County’s shelter-in-place order and the urgent need to respond to the COVID-19 pandemic. Breathe California will continue to monitor the policy process through its champion and hopes to see a policy adopted in the latter half of 2020.

Just before the shelter-in-place order in Santa Clara County, Breathe California supported the adoption of a Tobacco Retail License Ordinance (TRL) in the City of Los Altos on February 11, 2020, that included restrictions on e-cigarettes and flavored tobacco. Finally, as cities were conducting virtual council meetings due to COVID-19, the City of Palo Alto adopted an ordinance to prohibit the sale and distribution of all flavored tobacco and electronic cigarette products (devices and any flavored or unflavored e-liquids) on June 8, 2020.

Table 2: Policies Adopted

Jurisdictions and adoption date	Policy effective date	Prohibit sale of flavored tobacco	Prohibit sale of menthol tobacco	Prohibit sale of ENDDs-products	Require Tobacco Retail License	Prohibit tobacco sales in pharmacies
City: Saratoga* October 17, 2018	90 days after policy adoption	Yes	No	***	Yes	Yes
City: Cupertino* November 19, 2019	Effective July 1, 2020	Yes	Yes	***	Yes	Yes
City Morgan Hill* December 4, 2019	Effective March 4, 2020	Yes	Yes	Yes	Yes	No
Unincorporated Santa Clara County** November 5, 2019	July 21, 2020	Yes	Yes	Yes	Yes	Yes
City of Los Altos* February 11, 2020	June 30, 2020	Yes	Yes	Yes	Yes	Yes
City of Palo Alto* June 8, 2020	July 8, 2020	Yes	Yes	Yes	Yes	Yes
City: San Jose*	Pending in 2020	***	***	***	Yes	***

Note: *Direct Breathe California support during the city council policy adoption process. **Supported County of Santa Clara Tobacco Tobacco-Free Communities Program during the policy adoption process. ***Under consideration but discussion delayed due to COVID-19 response.

<https://sanfrancisco.cbslocal.com/2019/09/17/crackdown-on-e-cigarette-sales-sought-by-san-jose-city-councilmember/>

¹² Minutes of City of San Jose City Council meeting notes, Priority Ranking Results, February 25, 2020. <https://sanjose.legistar.com/View.ashx?M=M&ID=712179&GUID=8FD63DBD-F604-4423-866D-C795CCB1F116>

Post-Policy Interviews

In year 5, post-policy key informant interviews were conducted to assess the factors that contributed to policy adoption. Four city policymakers were contacted multiple times but only two agreed to be interviewed. The other two indicated they were very busy with their city's COVID-19 response.

Interviews were completed with representatives from two cities. The first was a City of Saratoga representative, a city that adopted a flavored tobacco ordinance. The other interviewee was from San Jose, a city whose policy adoption process was interrupted by the COVID-19 pandemic. Additionally, two members of YFL, who participated in presentations to city councils, attended the Youth Summits and spoke during the photovoice press event (described earlier) agreed to be interviewed, to offer their unique perspective on the role of youth in policy adoption.

Facilitators to Policy Adoption

The two city staff representatives cited several factors that influence a city council's decision to adopt a ban on flavored tobacco, including evidence of *community support and compelling local data* such as the information presented to city staff and councilmembers by community partners such as Breathe California. Indeed, one interviewee said:

Breathe California is one of the resources we [go to]. Whenever we are considering developing an ordinance related to tobacco, we absolutely look to partners like Breathe California and the Santa Clara County Public Health Department for assistance.

The two interviewees also said that data on flavored tobacco youth usage rates as a gateway to a lifetime of tobacco use was important for city council members to hear. The direct *impact of vaping* on young people in their community was also cited as an influential

factor in policy adoption. The policymaker in San Jose said:

Parents in our community tell us they have children they've caught with various vaping products and that their children are talking about vaping at their schools and that it's everywhere.

Interviewees also said that they found information on a draft ordinance provided by Breathe California was very important. It allows cities to have a *model policy* that they can build on rather than having to start from scratch. Interviewees also said that *information about what is happening policy-wise in other communities* was important in their decision-making process. Indeed, Breathe California's experience over the last 30 years has been that some cities are reluctant to take the lead on new tobacco control policy adoption. One interviewee said:

We always ask, are we at the forefront of this issue, or have there been a number of cities that have adopted similar regulations?

The two YFL members are passionate about the need for cities to ban the sale of flavored tobacco products. Indeed, both talked about how pervasive vaping is among their peers. One student talked about how prevalent vaping was at his school and that *"kids think that flavored e-cigarettes are not dangerous at all and that it is just water vapor when there is a lot of evidence that it can really harm our health."*

One student said she's concerned about the impact vaping will have on future generations. She thinks it's important to take the message to schools before more kids get hooked on vaping. She said that *"an e-cigarette store near her house is located next to a yogurt shop and if 5-year-olds go to Yogurt Land and they keep seeing the flavored tobacco and e-cigarette marketing, it sends a subconscious message that vaping is ok and that it's normal."*

Both said it was important for youth to speak to city councils about the need to ban the sale of vape products because:

“most people aren’t aware about how bad vapes really are compared to cigarettes and other flavored products. At the City Council [San Jose] I was surprised about the number of people that were supporting the sale of flavored tobacco, a lot of them identified themselves as small business owners. As someone who has seen the effect of vaping it really shocked me to see that. It really showed me that this is an issue that needs to be dealt with seriously and we need more people to support banning flavored tobacco.”

Sharing Results

Key findings and results were disseminated during the grant through different channels and formats, including one-on-one meetings with policy leaders and their representatives, infographic summaries of public opinion survey results shared with city councils in Cupertino, San Jose, and Saratoga, letters to the editor, and media releases. Progress was also shared at meetings with community partners, and adult and youth coalition members.

CONCLUSIONS and RECOMMENDATIONS

Breathe California successfully achieved its 2015-2020 objective of eliminating the sale and distribution of mentholated cigarettes and/or other flavored tobacco and electronic nicotine delivery device products through legislated policy adoption in at least three cities in Santa Clara County and San Benito Counties. In fact, they exceeded their goal and helped five cities (i.e., Saratoga, Cupertino, Morgan Hill, Los Altos, and Palo Alto), to adopt flavored tobacco ordinances. In addition, the County Board of Supervisors banned the sale of flavored tobacco in unincorporated areas of the county. Moreover, the San Jose City Council prioritized the discussion of a similar ordinance before the city council’s attention shifted to addressing the COVID-19 pandemic.

The success of this objective can be attributed to Breathe California’s five key intervention strategies: 1) relationship building with city councilmembers, their staff, and law and code enforcement officials, 2) educating the multi-ethnic citizens of Santa Clara County about how the tobacco industry uses targeted advertising to entice them to use flavored tobacco products, 3) gathering public opinion surveys from residents in each city considering policy adoption and sharing the results with policymakers, 4) engaging and mobilizing youth volunteers to be spokespersons for the campaign, and 5) engagement of key city councilmembers to champion and endorse an ordinance. Indeed, pre and post-policy interviews with city administrators and youth volunteers confirmed that Breathe California’s five key strategies contributed to policy adoption.

One of the most effective strategies was Breathe California’s ability to mobilize highly dedicated youth and adult supporters to educate policymakers about the emerging news on the harmful effects of flavored tobacco and vaping and the need for an ordinance. For example, early in the campaign, when the harmful effects of flavored tobacco and vaping in particular, were not well known, city councilmembers and their staff were not interested in adopting ordinances. Some felt their constituents and councilmembers would not support more tobacco legislation. They knew that very few other cities in California were adopting policies. That changed in 2018 when stories of young people hospitalized due to vaping were prominently featured in the news. Suddenly, city leaders were more open to hearing about the harmful effects of flavored tobacco and ENDDs and public opinion against the sale of such products. Breathe California used this opportunity to implement its strategy of fostering strong working relationships with city leaders that were supported by POS data, model policies, presentations to individual councilmembers, and public testimony at city

council meetings. All of those strategies were helpful in the successful passage of the ordinances.

At the conclusion of the 2015-2020 grant period, Breathe California of Bay Area still faced the COVID-19 interrupted task of helping the City of San Jose, with a population of 1.1 million, adopt a flavored tobacco and ENDDs ordinance. However, since June 2019, Breathe California of the Bay Area is now responsible for an eight-county service area that also has cities that need ordinances.¹³ It will be very important that Breathe California continues to implement its hallmark strategy of building relationships with policymakers and key opinion leaders, as it endeavors to achieve flavored tobacco and ENDDs policies in San Jose and other cities in its expanded service area. Breathe should also continue to implement its key strategies of listening to the community through its public opinion surveys, gathering and heeding the suggestions of key informants, providing city staff with the data to support the need for policy adoption, offering model policy examples, and continuing to engage youth and adult volunteers to present before city councilmembers on the importance of adopting policies that will ban the sale of flavored tobacco and ENDDs in their eight-county service area.

¹³ In 2019, Breathe California of the Bay Area merged two northern California affiliates Golden Gate and Central Coast to comprise an eight-county region that includes the Counties of Alameda, Contra Costa, San Benito, Santa Clara, San Mateo, San Francisco and Monterey, and San

Benito. Golden Gate also contributed to the passage of similar ordinances in the cities of Livermore, Fremont, Oakland, and Hayward (first reading to date), and the County of Alameda during the same grant term.