

Flavored Tobacco Products Ban in the City of Oroville

Final Evaluation Report 2015-2020



Smoke Free North State Program
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FLAVORED TOBACCO PRODUCTS BAN IN THE CITY OF OROVILLE FINAL EVALUATION REPORT 2015-2020

ABSTRACT

Within the City of Oroville, California, there are 37 tobacco retailers, each of which promotes, advertises and sells tobacco products. In the most recent survey of Oroville tobacco retailers by the Butte County Department of Public Health in 2013, almost all (93%) sold candy, mint and liquor-flavored tobacco products compared to 79% statewide. In an effort to reduce tobacco-related disparities among Oroville's youth, African American and low-income populations, the Smoke-Free North State (SFNS) program worked to get the city council to adopt and implement an amendment to its Tobacco Retailer Licensing policy by June 30, 2020 that prohibited the sale and distribution of mentholated cigarettes, flavored tobacco products and electronic smoking devices. The objective was met. Oroville is the first of six jurisdictions in Butte County to adopt such a policy.

During the 2015-2020 workplan, SFNS conducted educational outreach and focused on gathering evidence of the availability of tobacco products by engaging youth/young adults in various activities. Store observations, a public opinion poll, key informant interviews and media activity records documented tobacco products being sold, public support for related policies, lawmaker's views on a flavors ban, and the extent of media coverage on the issue. Baseline observations in 2013 and follow-up surveys showed the presence of flavored tobacco products in Oroville tobacco retail stores (including flavored e-cigarettes) was consistently high. The key informant interviews showed a slight majority of policymakers were in favor of a flavors ban, but a newly elected lawmaker in 2018 became the policy champion. Initially, public support for a ban was slim (51%), but more than 1,000 signatures of support/endorsements were garnered from community members and shared with policymakers. Implementation post-policy adoption included retailer education and a phone survey of tobacco retailers (COVID-19 modification) that showed a reduction in mentholated tobacco products from 97% to 0%; sweet flavored from 78% to 5%.

The evidence and increased public attention made the issue of flavored tobacco products and e-cigarettes hard for policymakers to ignore. Community support, compelling data presented regularly through the media, youth involvement, involvement of the African American community, and a policy champion made the difference.

AIM AND OUTCOME

Due to the high rate of tobacco use in Oroville, the California Health Collaborative's (CHC) Smoke-Free North State (SFNS) program decided to focus efforts on an amendment to the local Tobacco Retailer Licensing (TRL) policy to ban the sale of flavored tobacco products which would limit access to people of low socioeconomic status, youth and African Americans in the community, all California Tobacco Control Program priority populations. The SFNS program objective:

By June 30, 2020, the city of Oroville will adopt and implement a policy to prohibit the sale and distribution of mentholated cigarettes, flavored tobacco products and electronic nicotine delivery device products. This is a primary objective addressing Communities of Excellence indicator number 3.2.9.

By the end of the 2015-2020 scope of work period, the objective was met. The City of Oroville adopted and implemented a ban on mentholated/flavored tobacco products and electronic smoking devices on January 21, 2020, which became effective March 1, 2020. To date, only one of the six jurisdictions in Butte County has adopted and implemented a ban on flavored tobacco products, including mentholated tobacco, and e-cigarettes.

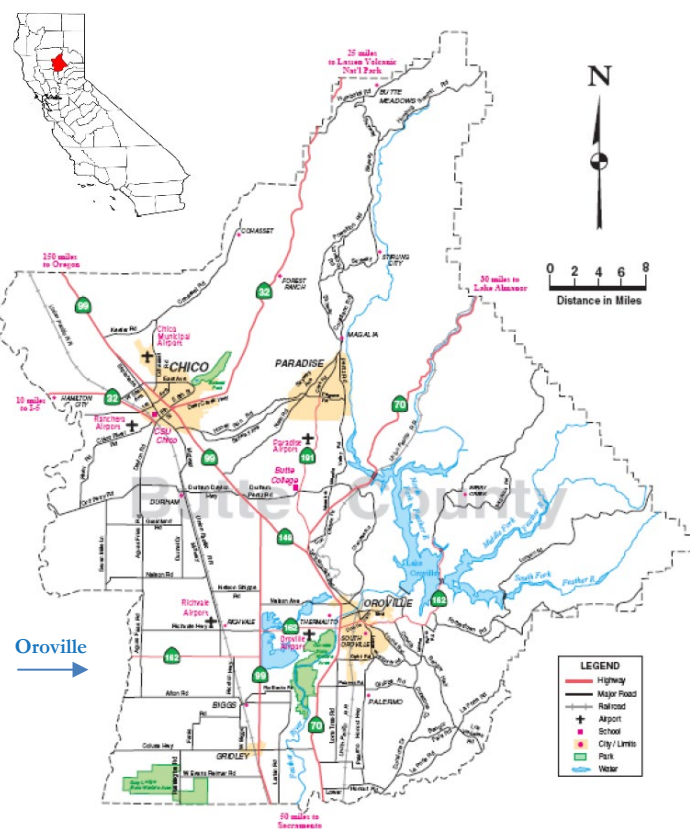
BACKGROUND

Oroville is one of six jurisdictions in rural Butte County, California, and the county seat. According to the US Census (2010), Oroville has a population of 15,546 people. The population is a mix of 67.1% non-Hispanic Whites, 13.8% Hispanics, 2.1% Native Americans, 10.5% Asians, and 12.7% persons of two or more races. While the majority of Butte County communities are White, Oroville is home to the largest African American community (4.8%) north of the state capitol of Sacramento. The median household income is \$34,712 and 27.8% of the population lives below the poverty line, more than double the state (12.7%). Just over one-quarter (25.1%) of the population is under 18 years of age.

Typical of rural areas, the overall smoking rate in Oroville *at the time the program started* was 18.8%, higher than the state average of 12.7% (California Health Interview Survey, 2012-2014 regional rate). Use rates among minors in predominantly rural areas was 10.0%, slightly lower than the state rate of 10.5% (California Student Tobacco Survey, 2012). However, given that over 3,900 minors in the city are potentially at risk, curbing the tobacco use and uptake among this population is a high priority for local tobacco prevention efforts.

The Retail Environment is the tobacco industry’s main point of entry into local communities, and where the bulk of its advertising and promotional budgets are spent (Centers for Disease Control and Prevention, 2012). Tobacco retail stores in rural areas tend to have the lowest tobacco prices and the highest amount of tobacco promotions and ads. Tobacco advertising and promotions have an even greater effect on youth than peer pressure, and exposure increases the likelihood that youth will start to smoke. Furthermore, due to tobacco companies marketing efforts, youth, people of color, and low-income populations are significantly more likely to use menthol cigarettes and other

Exhibit 1. Oroville, Butte County, California



flavored tobacco products.

Within the City of Oroville there are 37 tobacco retailers (California Board of Equalization, 2014), each of which promotes, advertises and sells tobacco products. Butte County's 2013 Healthy Stores for a Healthy Community survey found that Oroville tobacco retailers had lower prices for cigarettes than the state average (\$4.08 vs. \$4.30). In addition, one of every four (40.5%) of Oroville tobacco retailers sell e-cigarettes, slightly lower than the state average of 46%, which tends to be true of rural areas. Almost all (93%) of Oroville tobacco retailers sell candy-, mint- and liquor-flavored tobacco products, which is considerably higher than the state (79%). Further, the percentage of stores that sell tobacco products in predominantly low-income areas in Oroville is much higher than the county and the state (73% compared to 62% and 47%, respectively) (Stanford CCHAT, 2020). This marketing and availability of mentholated/flavored products and electronic cigarettes is alarmingly high and persistent, and an indication of a problem in Oroville.

In March 2013, the City of Oroville passed a tobacco retailer licensing policy becoming the first of six jurisdictions in Butte County (five incorporated and one unincorporated) and one of among more than 150 jurisdictions in California at that time that had passed a tobacco retailer licensing ordinance (Policy Evaluation Tracking System, 2014). With a tobacco retailer license policy in place, a retailer who is found selling tobacco to those under the legal purchase age can have their license suspended or revoked. However, the tobacco retailer licensing ordinance did not address the issue of flavored tobacco products like menthol, or little cigars and cigarillos, which are significant drivers of unjust health disparities. Although federal law bans fruit- and candy-flavored cigarettes, neither federal or California law restrict the sales of menthol or other flavored tobacco products such as cigars, little cigars, smokeless tobacco, hookah tobacco, and electronic cigarettes (CounterTobacco.org).

A review of the data collected for Butte County's Communities of Excellence (CX) Needs Assessment process¹ revealed a sense of alarm among the participants about the prevalence of flavored tobacco products, the proliferation of e-cigarettes, and the lack of community and decisionmaker awareness of the growing problem associated with these products. According to the Centers for Disease Control and Prevention (2020), restricting the sale of menthol cigarettes and other flavored tobacco products is a promising equity-focused strategy for countering the tobacco industry's marketing tactics and reducing tobacco use, especially among vulnerable populations. Given these considerations, the CHC SFNS program decided to focus efforts on an amendment to the City of Oroville's TRL for the 2015-2020 workplan. This is the first funding cycle for which the CHC has worked on a ban of flavored tobacco products.

EVALUATION METHODS AND DESIGN

The evaluation plan provided formative data to inform intervention strategies and activities during the five-year scope of work, as well as to confirm the adoption and implementation of a legislated policy that eliminates the sale of flavored tobacco and electronic smoking device products through

¹ The Communities of Excellence Needs Assessment process was conducted by the Butte County Tobacco Education Program (LLA) in November 2013. Thirteen members of the community, including adult coalition members, and partners representing health and human services agencies, community-based organizations, K-12 schools, and youth groups took part in the process.

the amendment of an existing TRL policy. The study design was non-experimental (there were no control groups), and process and outcome data were collected as Exhibit 2 illustrates.

The outcome – implementation of an amended TRL that prohibits the sale and distribution of mentholated cigarettes and/or other flavored tobacco products and electronic nicotine delivery devices – was measured by comparing the number of tobacco retailers that sell flavored tobacco products in Oroville pre-intervention and post-policy implementation through a simple document record review of stores with tobacco retailer licenses and tobacco retailer store observations.

Process data was collected through four evaluation activities: a Tobacco Retailer Store Observation Survey (TRSOS), Public Opinion Poll, Key Informant Interview, and Media Activity Record. The TRSOS was conducted annually to assess the availability of flavored tobacco and electronic smoking device products. The TRSOS in years one and four were part of the Healthy Stores for a Healthy Community statewide data collection effort and conducted in collaboration with the Butte County Local Lead Agency (LLA). In years two and three, the TRSOS were short observation surveys and in year five, due to the COVID-19 pandemic safety precautions, the observation survey was modified to a phone survey. In year three, a Public Opinion Poll of randomly selected Oroville community members was conducted via a phone poll based on Oroville landline and cellphone numbers to determine public support for a policy. Also in year three, Key Informant Interviews of policymakers and other key stakeholders were conducted to determine knowledge, attitudes and perception regarding the retail environment and support for a policy. A Media Activity Record was conducted annually to evaluate the effectiveness of various media pieces and to gauge the level of public support for the campaign strategies.

Over the five-year project, a total of six trainings were conducted (31 total hours) for 35 adults, young adults and youth (ages 19-21) to prepare for the tobacco retailer store observation survey, and ensure the validity and reliability of the data. The public opinion poll was conducted by a professional call center and key informant interview data was collected by the project's evaluation consultant; therefore, no data collection trainings were necessary.

These evaluation activities provided, respectively, availability of tobacco products in stores, public and policymaker opinions on various tobacco control issues, as well as the type and amount of media coverage on tobacco-related topics. Quantitative data were analyzed by calculating frequencies and percentages, and interviews were summarized and analyzed for commonalities and differences. For more information on each of these evaluation activities, see Exhibit 2.

Limitations. The major limitations of this design are: 1) not having a comparison group to provide another perspective in assessing the intervention's strengths and weaknesses, and 2) some products, advertising and price promotions may not have been seen by data collectors during store surveys, resulting in an under representation of these items in the observation data.

Exhibit 2: Key Outcome and Process Evaluation Activities

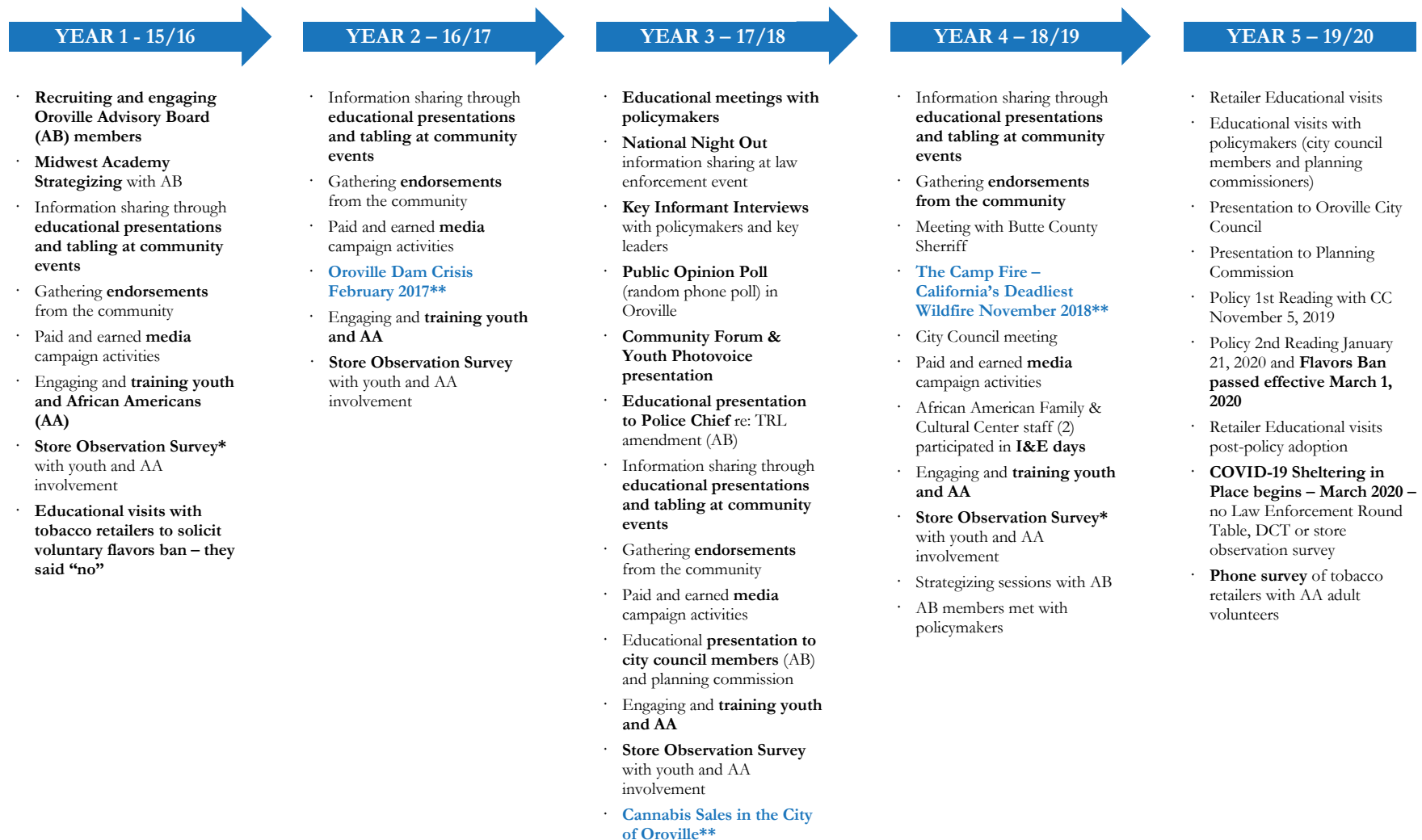
| Evaluation Activity | Purpose | Sample | Instrument Source | Analysis Method | Timing/Waves |
|--|---|---|--|--------------------------|---------------------------|
| Outcome | | | | | |
| Document Review of retailers and licenses issued | Pre-intervention and post-policy adoption comparison of licensed tobacco retailers | Census of all licenses issued in the city of Oroville | Evaluation Consultant | Tally of licenses issued | Year 1 and 5 Two waves |
| Retail Store Phone Survey (COVID-19 related modification) | Measure the availability of menthol and sweet tobacco products in stores | Census of 34 tobacco retailers | Evaluation Consultant | Descriptive Statistics | Year 5 One Wave |
| Process | | | | | |
| Tobacco Retailer Store Observation Survey | Measure the availability of flavored tobacco products and e-cigarettes | Census of 34-42 tobacco retailers (varied annually) | CTCP/Stanford (Waves 1, ² 2, 3 & 4) Evaluation Consultant (Wave 5) (Appendices A, B & C) | Descriptive statistics | Years 1-4 Four waves |
| Public Opinion Poll with community members | Measure public opinion on a ban on flavored tobacco products and e-cigarettes | Random sample of 391 Oroville residents | Evaluation Consultant (Appendix D) | Descriptive statistics | Year 3 One wave |
| Key Informant Interviews with city council members and key staff | Measure policymaker support and opposition to a ban on flavored tobacco products and e-cigarettes | Purposive sample of 6 policymakers and key city staff | Evaluation Consultant (Appendix E) | Content analysis | Year 3 One wave |
| Media Activity Record | Measure the level of support or opposition, as well as reach | Purposive sample of 5 print online media outlets | Tobacco Control Evaluation Center/Evaluation Consultant | Content analysis | Years 1-5 Five waves |

IMPLEMENTATION AND RESULTS

Intervention and evaluation activities were designed so that early actions would promote awareness of the issue, organize local advocates, educate the community, and collect local data. Exhibit 3 provides an overview of the project activity timeline, including key events and evaluation activities, in chronological order.

² Wave 1, the 2016 store observation survey used the Healthy Stores for a Healthy Community Survey (HSHC) instrument, as did Wave 4, the 2019 survey. Since these waves used the statewide instruments, copies are not included in the appendices to this document. For Wave 2 (2017), the HSHC survey was amended to eliminate all alcohol-related questions (please see Appendix A for a copy). For Wave 3 (2018), the instrument was further modified by eliminating all questions that were not relevant to the objective; a reduction by about half (see Appendix B). For Wave 5 (2020, a completely new instrument was designed by the project’s evaluation consultant (see Appendix C). Due to COVID-19 restrictions, the observation in year five was cancelled and a phone survey was conducted instead that consisted of two questions, one question per call, to determine the presence of menthol or sweet flavored products in stores.

Exhibit 3: Key Intervention and Evaluation Activities in Chronological Order



*Evaluation activity that was part of a statewide data collection effort coordinated by the California Tobacco Control Program among all Local Lead Agencies in California. SFNS assisted the Butte County Tobacco Education Program (LLA).

**The Oroville Dam crisis occurred when the dam’s main and emergency spillways were damaged, prompting the evacuation of more than 180,000 people living downstream along the Feather River. Understandably, this was a crisis that took the Oroville City Council’s focus and delayed policy introduction. Other issues that took the focus of the city council were Cannabis Sales in the city in year three and in year four the Camp Fire in Paradise, Butte County, California which was ignited by a faulty electric transmission line and covered 153,336 acres and destroyed 18,804 structures.

Community outreach, recruitment and engagement

In July 2015, at the start of the project’s year one, the first step for the Smoke-Free North State program was to form an advisory board that represented local agencies, leaders and advocates, as well as the priority populations in the City of Oroville that were most at risk: youth, African Americans, and low-income populations. In rural counties, personal relationships are valued highly and getting to know local community members, and the social, cultural and political norms, is key to culturally competent activities (TCEC, 2011).

The California Health Collaborative had been working in Oroville and nurturing relationships in the community for many years. For that reason, the process of forming an advisory board included making a list of active volunteers, partner organizations and other key stakeholders in the Oroville community, then recruiting each one-by-one through phone and/or in-person meetings. A total of seven adults were recruited representing key stakeholders in the Oroville community.

In the fall of 2015, SFNS invited the Center for Tobacco Policy and Organizing (the Center) to conduct a three-hour meeting on November 9, 2015 with advisory board members and other key stakeholders, including the Oroville High School Superintendent, the Butte County Nutrition Education Obesity Prevention Program, and the Butte County Office of Education. As part of the meeting, the Midwest Academy Strategy Chart was completed to define policy goals for Oroville, as well as policy allies, opponents, targets and tactics. During the session, advisory board members provided insight into each of the city council members and suggested strategies for promoting the project’s message throughout Oroville. As a result of the strategizing, SFNS realized it would need to do a lot more education with the public before trying to approach policymakers. This included developing educational materials, conducting educational presentations and tabling at community events, collecting signatures of support from community members, and involving youth/priority populations.

Advisory Board Members

- African American Family & Cultural Center Executive Director
- Hmong Cultural Center Executive Director
- Drug-Endangered Children Co-Director (former Chief of the Oroville Police Department)
- Feather River Tribal Health Outreach Director
- Butte County Sheriff’s Office Crime Prevention Officer
- Oroville Kiwanis Member
- Butte County LLA Project Director

Over the five-year project period, the *advisory board members* met one-on-one with policymakers, participated in data collection for the annual tobacco retail store observation survey, regularly attended city council meetings to observe, and spoke in support of a policy to ban flavors and electronic smoking devices at city council meetings. These activities are discussed more below.

To recruit youth/priority populations, project staff contacted nine youth groups in Oroville. Nine, one-hour recruitment presentations were made to enlist youth by sharing information on the prevalence of e-cigarettes, tobacco industry targeting, and the need for a flavors ban. As a result, four youth groups were engaged during the five-year project period: the Oroville High School Key Club (a Kiwanis youth group), Oroville’s Live Spot (an afterschool program for teens), Las Plumas Photography Club, and Axiom (a teen center in Oroville).

RECRUITED

150

YOUTH

AGES 15-18

Over the five-year project period, the *youth* tabled at community events, conducted a PhotoVoice³ project, participated in data collection for the annual tobacco retail store observation survey, and made presentations to the city council. These activities are discussed more below.

Educating the community and gathering support

In preparation for community education, infographics were developed by project staff, one each for menthol products and flavored tobacco, and two for e-cigarettes (one targeting parents and one targeting youth). Each infographic featured local results from the 2013 Healthy Stores for a Healthy Community (HSHC) campaign. In addition, endorsement forms were created for organizations or individuals to sign, indicating support for a policy banning flavored tobacco products and e-cigarettes in Oroville (Appendix F).

Starting in year one, project staff conducted educational presentations, tabled at community events, and solicited endorsements and signatures of support, which continued throughout the five-year contract period. By the time the project had begun year three, staff had gathered 42 endorsements and 500 signatures of support.

In fall 2017, year three of the project, a two-hour Community Forum was held to showcase the PhotoVoice campaign conducted by youth. The purpose of the PhotoVoice project was to educate the community on the targeting of menthols, flavored and electronic cigarettes from the youth perspective and to build support for prohibiting the sales and distribution of these products. The forum was held at Feather River Tribal Health in Oroville and 30 people attended, including the Oroville Chief of Police, a Boys & Girls Club staff member, a Las Plumas High School teacher, the SFNS Advisory Board, youth and parents from a local middle school, and health advocates. CTCF Media Unit’s Flavored Tobacco TV ad, and presentations on menthols and the targeting of African Americans by the African American Tobacco Control Leadership Council’s Carol McGruder were featured. The County’s health ranking, tobacco-related death and disability rates, youth tobacco use rates and the dangers of e-cigarettes and flavored tobacco products were also provided by the Butte County LLA and Office of Education. The event was catered by Oroville High School students and rendered endorsements from all those present including the Oroville Chief of Police.

By year five, tabling had been conducted at more than 67 community events and over 1,000 endorsements by individual community members and community-based organizations had been obtained. These endorsements and signatures of support clearly indicated that Oroville residents were in support of a ban on flavored tobacco products and e-cigarettes, which were shared with policymakers during presentations.



Approaching retailers with a voluntary policy

Although the objective was to get a legislated ban on flavored tobacco products, it was worth a try to see if the tobacco retailers in Oroville, especially those within 1,000 feet of youth-friendly areas, would be willing to adopt a voluntary policy restricting the type of tobacco products, price

³ The PhotoVoice project was a youth engagement activity that was presented in a Community Forum in year three of the project. The PhotoVoice project was not required to be part of the evaluation plan.

promotions and product ads in their store. In year one, the project created educational packets that included the infographics already developed, materials regarding flavored tobacco products and e-cigarettes from the 2013 Healthy Stores for a Healthy Community tobacco retailer store observation survey, federal, state and local laws, and a postcard from the Tobacco Education Clearinghouse of California (TECC). The educational packets also included a voluntary agreement form that provided a list of actions from which each retailer could choose to help create a healthier retail environment in Oroville. A total of 16 educational visits were conducted by SFNS between April – October 2016. As suspected, not one of the tobacco retailers committed to voluntary participation. This was important information to share with policymakers. Our next steps included gathering information through store observation surveys, key informant interviews and a public opinion poll.

Store observation surveys

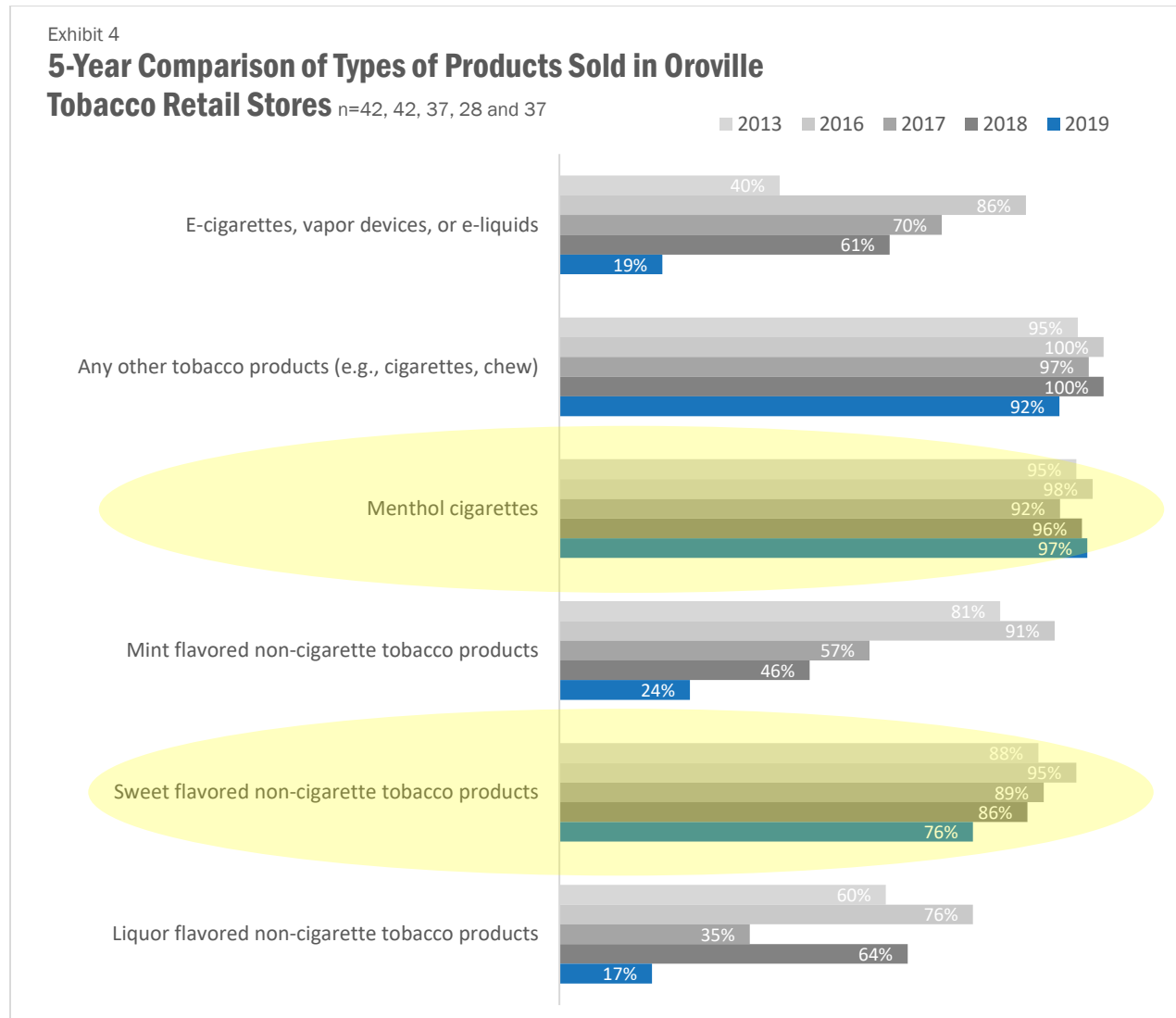
Important to the project's workplan was a measure of the availability of different flavored tobacco products and e-cigarettes to illustrate the extent of the problem. Involving priority populations – youth, African Americans and low-income populations – in local health equity activities, e.g., data collection efforts and reporting, can be crucial in policy campaigns. For that reason, SFNS prepared to train youth, young adults and adults in the first of five planned tobacco retail store observation surveys.

In spring 2016, 15 youth, young adults and adult chaperones participated in a 5-1/2-hour data collection training conducted by the Butte County LLA to conduct surveys for the 2016 Healthy Stores for a Healthy Community Retail Environment. The instrument and protocol were developed by the California Department of Public Health (CDPH) and the Stanford Prevention Research Center (SPRC). During the training, participants were instructed how to conduct the observation and document the various products, which included a simulation of the actual survey. It was not possible to do field practice in actual stores because the training was held in one of the target cities, and traveling to another city or county with the youth participants was not practical. During the training, participants were assessed for accuracy so that trainers could correct common mistakes until sufficient inter-rater reliability was achieved. For the 2016 survey, observations were completed in 42 of 42 tobacco retailer stores.

At the conclusion of the 2016 store observation survey, it was no surprise to see that almost every retailer in Oroville sold tobacco products like cigarettes and most sold chew. What was noteworthy though, was an alarming increase in the presence of e-cigarettes between 2013 and 2016, jumping from 40% to 86% of stores – an increase of 115% in just three years (Exhibit 4). The increase in availability of e-cigarettes in tobacco retail stores in Oroville is concerning because it makes it easier for youth to access these products.

Data collectors experienced a higher refusal rate during the April 2017 (5 stores or 11%) and April 2018 (10 stores or 23%) surveys, particularly among chain convenience stores, which may have resulted in products being underrepresented in the observation data, and could explain what looks like a decrease in the availability of e-cigarettes, mint-flavored and liquor-flavored tobacco products in 2017 and 2018. The increase in refusal rate may have been a result of the project's increased visibility in this small, rural community. It may also have been a result of the unprecedented number of new state tobacco laws that regulated electronic nicotine delivery devices (e-cigarettes) and raised the minimum legal age to purchase tobacco products to 21 (*see Using media and educational materials*).

However, we did not conduct interviews or a focus group with those retailers that refused to allow a data collector to survey the store to determine why they refused. Despite the challenges the project experienced, *the presence of menthol cigarettes and sweet flavored tobacco products remained consistently high* (Exhibit 4).



SNFS used select findings in presentations and fact sheets to illustrate the availability of tobacco products in Oroville, and the need for an amendment to the local TRL banning flavored tobacco products, including menthol cigarettes and electronic smoking devices.

Approaching the city council and conducting key informant interviews

The project spent two years focusing on educating the community, tobacco retailers, and building support. In July 2017, SFNS turned its attention toward policymakers. Educational packets were developed that included the infographics developed in year one and information from the Center that showed that many cities in California had adopted a ban on flavored tobacco products in the past three years, including rural counties. Local, regional and statewide results from the 2013 and

2016 Healthy Stores campaigns were also included to show that tobacco retail licensing and flavor bans were part of a larger movement.

SNFS staff and *advisory board members* made one-on-one educational presentations to three of Oroville’s city council members in July 2017 during which the latest information regarding flavored tobacco products and e-cigarettes was discussed, as well as the prevalence of these products in Oroville tobacco retail stores. Subsequently, SFNS attended National Night Out (August 2017), a law enforcement event that is held annually on the first Tuesday in August to enhance police/community relationships. Based on these one-on-one meetings and the law enforcement event, SFNS knew that four of the city council members and the Chief of Police were in support of a flavors ban and increasing the city’s existing \$36 tobacco retailer licensing fee.

Based on the recommendations of one city council member, SFNS held a two-hour meeting with the Oroville City Manager and the City Planner in September 2017. During the meeting, SFNS shared a map of Oroville tobacco retailers, a model policy and sample implementation plan. Not only were they supportive of a flavors ban, they were also in favor of increasing the local tobacco retail license fee and agreed to place the issue on the city council’s November 7, 2017 agenda.

Prior to the November elections, the evaluation consultant met with policymakers and other key stakeholders in Oroville to conduct key informant interviews to explore policymaker views on flavored tobacco products and amending the existing TRL to ban flavored tobacco products. (A copy of the Key Informant Interview instrument is provided in Appendix E.)

SFNS found that of the six purposively selected city councilmembers, elementary school superintendent, and key community business leaders’ interviews in Oroville, three were in support of a legislated ban on flavors/e-cigarettes, one was in support of a voluntary policy, and two were opposed. Informants expressed a range of reasons for and against the notion of a flavors ban, which are summarized in Exhibit 5.

Exhibit 5. Summary of Facilitators and Challenges/Barriers to a Flavors Ban Defined by Key Informants (n=6).

| FACILITATORS | CHALLENGES/BARRIERS |
|---|--|
| A Flavor Ban Protects Our Youth | People Think E-Cigarettes are Safer |
| The City Council Supports Healthy Behaviors | People Should Have the Right to Choose |
| There is an Existing TRL That Can be Strengthened | Legislated Policy is an Infringement on People’s Liberties |
| It Promotes Health in the Community, too. | It Will Affect a Store’s Bottom Line |

Those in favor of the concept were so primarily for two reasons: flavored tobacco products clearly target kids, and a policy would help protect youth in the community. One city council member informant noted:

“Is this what the council wants to be known for; allowing tobacco companies to target our youth in the communities?”

Another city council member informant said: *“The industry is changing and the policy has to reflect that and be updated.”*

All informants, including those in support of a TRL amendment, were asked to define challenges and barriers to adopting and implementing a flavors ban (Exhibit 5). As expected, one informant that was opposed felt that adopting a ban on flavored tobacco products would place a bigger burden on businesses – and have a negative economic effect on the city. The informant said,

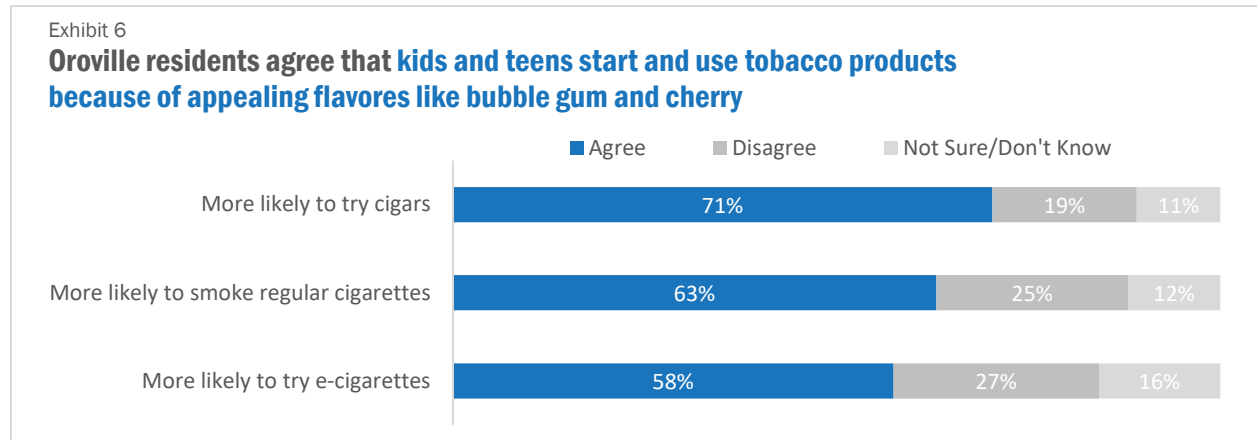
“It’s going to cut into the sales tax revenue. Aren’t we strapped enough? Now you are talking about making it worse.”

Informants also had some suggestions to counteract any arguments against a TRL or addressed barriers and challenges. One said to develop more support among the city council and get city hall on board. Others said to get behind a policy, the city council will need to see strong community support. Others still suggested to provide information on the success and effectiveness of flavors/e-cigarette bans, where they have been implemented, the results, and model policies. The project was quick to incorporate these suggestions into its plan of action.

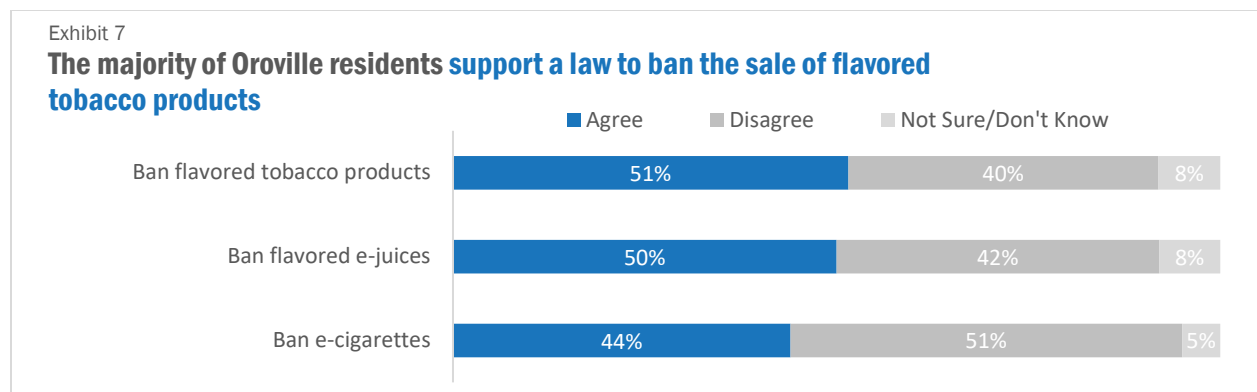
Public opinion

To explore public sentiment regarding support for/opposition to a legislated policy in Oroville banning the sale of mentholated and/or flavored tobacco products and electronic smoking devices, a randomized survey of 391 Oroville residents was conducted in September/October 2017, in year three of the project. A total of seven items were assessed plus two screening and five demographic questions, with the instrument designed and field-tested by the project’s evaluation consultant. (A copy of the Public Opinion Poll data collection instrument is provided in Appendix D.) A professional call center was used to conduct the phone poll. Therefore, no data collection training was provided. To facilitate participation by Oroville residents, the survey was promoted in local media and the phone number from which the call center would dial was publicized for easy recognition.

As Exhibit 6 illustrates, most Oroville residents agree that kids and teens try e-cigarettes and other tobacco products because of the appealing flavors like bubble gum, cotton candy and CapNCrunch (58%); that they try flavored cigars such as Swisher Sweets because of appealing flavors like cherry, grape and chocolate (63%); and that kids and teens who use e-cigarettes or vape are more likely to smoke regular cigarettes or use other tobacco products (71%).



The majority of Oroville residents also indicated they would support a ban on the sale of flavored tobacco products such as menthol cigarettes and fruit-flavored little cigars (51%), as well as flavored e-juices (50%), as illustrated in Exhibit 7. There was somewhat less support (44%) for a ban on e-cigarettes.



SFNS added select results from the public opinion poll on informational fact sheets, informational packets, and other educational materials. While there was some support for a flavors ban in the community, the project continued to conduct educational presentations in the community, table at community events and solicit endorsements of support to increase that backing.

Using media and educational materials

Throughout the five-year workplan, paid and earned media activities were conducted and, overall, media efforts were successful in generating positive coverage about the flavors ban campaign. Program staff utilized paid media in the form of 21 billboard ads, including CTCP’s Wake UP campaigns, “Teens are Now More Likely to Try Vaping” ad, the project’s Photovoice campaign winner, and CTCP’s Flavored ad to which the project added a digital counter that showed how many Oroville youth were at risk for a nicotine addiction every day. Staff also participated in the coordinated regional press event in March 2017 to release findings from the 2016 Healthy Stores for a Healthy Community store observation surveys. One of three local media, the Chico Enterprise Record, picked up the story and published the press release that was developed by the Butte County LLA. The article cited key findings from the store observation surveys including the increase in

stores selling electronic cigarettes and percentage of stores selling flavored tobacco products. Project staff, advisory board members and youth also submitted five press releases and one letter to the editor. The press release regarding the results of the Oroville Public Opinion Poll was picked up by the Chico Enterprise Record and the letter to the editor was picked up by the Chico Enterprise Record and the Oroville Mercury Register newspapers. As a result of this coverage, a potential audience of 300,000 in the area may have been reached with this news.

In addition to the project's media efforts, there were a considerable number of stories detected during the project's years two and three that were a result of the unprecedented adoption of state laws, specifically two laws that are related to this campaign. The "Electronic Cigarettes Law" updated California Business and Professions Code 22950.5 to regulate electronic nicotine delivery devices' sales and use in the same ways other tobacco products are regulated. The other law is the "Tobacco Products: Minimum Legal Age Law," which raised the legal age to purchase tobacco to 21. Prop. 56 also raised the minimum price of a pack of cigarettes by \$2.00. Similarly, the CDC and the FDA drew attention to the dangers of e-cigarettes in several press releases, and there were vaping illnesses that occurred throughout the country calling national attention to the risks of vaping to youth and young adults. Over the five-year project, there were an extraordinary total of 273 tobacco-related media pieces found in local newspapers (71 in year 1, 34 in year 2, 33 in year 3, 75 in year 4, and 60 in year 5).

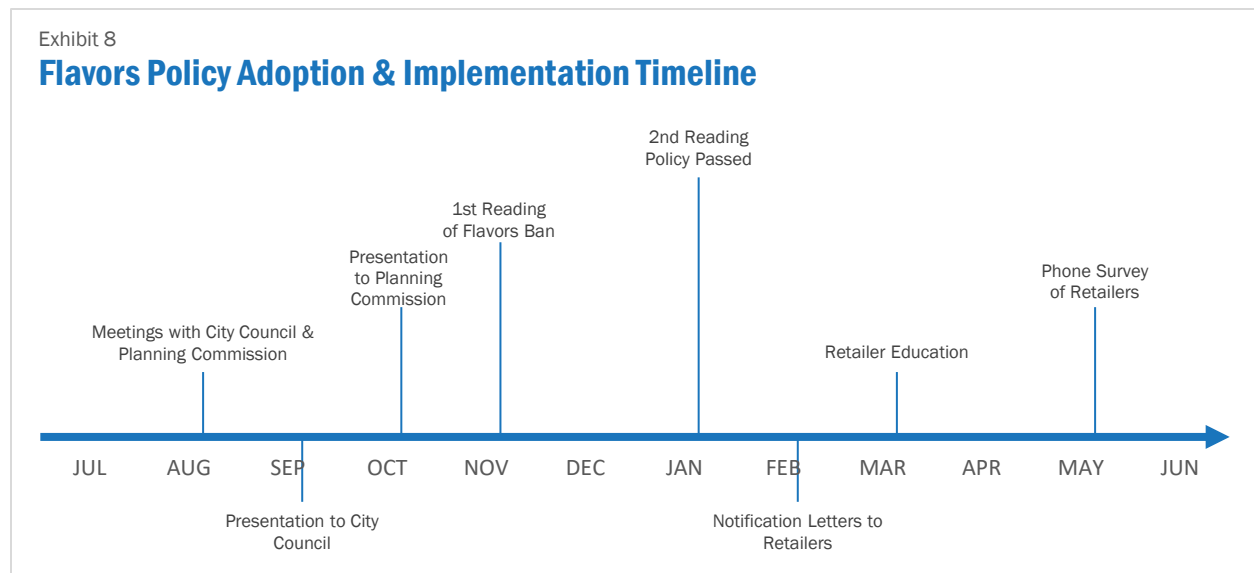
Re-approaching the city council

Throughout the five-year project workplan, SFNS staff and advisory board members regularly attended city council meetings in order to observe proceedings, determine who among the city council members might be in support of a flavors ban and/or a possible champion. Regularly attending city council meetings also allowed project staff to be "visible" to the city council and monitor issues to help determine when the timing would be right to move forward in the policy advocacy campaign. In November 2017, because four of the seven city council members were up for election, a meeting with the city council was held during which time city staff requested direction pertaining to amending ordinance no. 1794 to restrict the sale of menthol cigarettes and other flavored tobacco products within city limits. During the meeting, SFNS spoke on the dangers of flavored tobacco products, a former Oroville city council member spoke in support of the ordinance, as did a representative from the American Cancer Society. However, following the discussion the city council directed staff to return with more details regarding appropriate licensing fees that would cover the cost of enforcing the proposed amendment.

During this same timeframe, two of the city council members in support of a flavors ban lost the election. They were replaced by two council members, one of which was *in support* of a flavors ban and ultimately became the policy champion. However, over the next 1-1/2 years, the policy adoption process encountered delay after delay as a variety of issues commanded the attention of the city council – the Oroville Dam spillway failure, cannabis sales in the City of Oroville, and the Paradise Camp Fire, the deadliest California wildfire to date. SFNS continued to monitor the city council agendas, attend meetings, and bided its time while more immediate crises were handled. SFNS also regularly communicated with the city council member policy champion who helped the project determine the right timing to again approach the city council.

In the fall of 2019, year five of the project, the timing was right and the project was again able to build momentum for the flavors policy. Retailer educational visits were conducted by project staff. Educational meetings with city council members and planning commissioners were conducted by advisory board members (Exhibit 8). Then came presentations to the Oroville City Council and the Planning Commission.

The first reading of the flavored tobacco ban took place on November 5, 2019. The SFNS Project Director and two youth made a presentation with coordinated talking points. One of the youth advocates, who was the son of the city council member champion, also shared his experience of vaping by his peers. Seventeen members of the community – including advisory board members, Butte County LLA staff and other local advocates – spoke during the public expression portion of the meeting, in favor of a ban. The only opposition came from one community member and several retailers. As a result, the city council members voted 7-0 in favor of bringing the ordinance back. The second reading occurred on January 21, 2020. With the only opposition from a few retailers, the flavors ban was unanimously approved with all seven city council members in support.



Implementation of the ban on flavored tobacco products

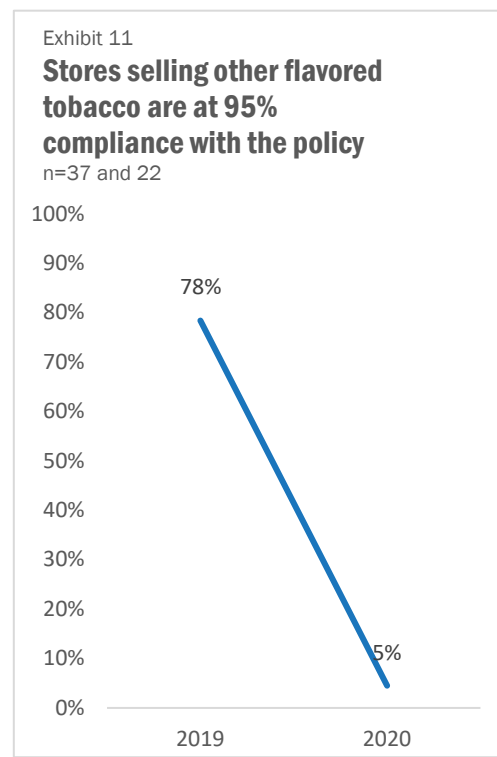
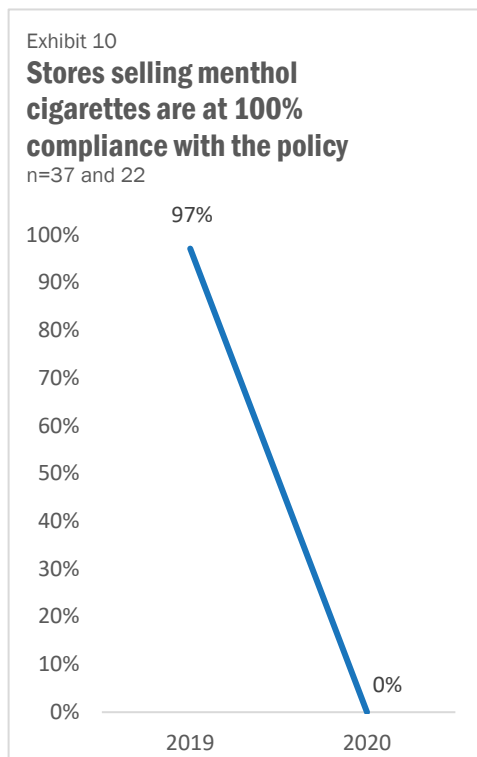
With an effective date of March 1, 2020, implementation of the ban on flavored/mentholated tobacco products began with notification letters sent to each of the 34 tobacco retailers in the City of Oroville. Immediately following the notification letter in February 2020, SFNS also conducted an in-person educational visit with each of the tobacco retailers, explaining the products that could no longer be sold and providing technical assistance.

In March 2020, the worldwide COVID-19 pandemic emerged and safety precautions were established to mitigate the spread of the coronavirus in Butte County. The project had planned to conduct a fifth tobacco retailer store observation survey. However, with the restrictions still in place at the end of the contract term, the project opted to conduct an anonymous phone survey to determine whether or not tobacco retailers were abiding by the flavors ban. The phone survey was conducted by two adult volunteers from the African American Family & Cultural Center in Oroville

in May 2020. The data collectors called each retailer twice, either on the same day or the next day, asking for one product during each call, pretending to be a patron. The first called focused on mentholated cigarettes; the second one on sweet flavored swisher sweets. Of the 34 tobacco retailers within the city limits of Oroville, 22 were successfully contacted twice by phone and indicated that they did not have menthol cigarettes (100.0%) or sweet flavored swisher sweets (95.5%) (Exhibit 9).

Exhibit 9 Fewer stores sold flavored tobacco products after policy implementation.

| PRODUCT AVAILABILITY | 2019 n=37 | 2020 n=22 |
|--|-----------|-----------|
| | PERCENT | PERCENT |
| Stores with NO menthol cigarettes | 2.7% | 100.0% |
| Stores with NO sweet flavored swisher sweets | 21.6% | 95.5% |



Exhibits 10 and 11 depict the reduction in menthol and other flavored tobacco products since the 2019 Healthy Stores for a Healthy Community survey. These results provide strong evidence that the policy is working. However, a third of the stores (12 or 35.3%) could not be assessed during the 2020 survey and will need follow-up to ensure they have indeed removed the products from their shelves.

Sharing results

Key findings included in this report were shared with various audiences throughout the five-year project, in the form of presentations, project updates, fact sheets, educational packets, etc., including advisory board members, the Butte County Health Care Collaborative, the Nicotine Action Alliance, and other CTCP-funded projects. Store observation survey results were also shared with tobacco retail stores and PhotoVoice results with the community. This report will be also be shared with

these same audiences, and with the project's policy champion and youth, young adults and the African American Family & Cultural Center volunteers and staff that assisted the project.

CONCLUSIONS AND RECOMMENDATIONS

By the end of the 2015-2020 scope of work period, the SFNS program's objective was met. The City of Oroville adopted a ban on flavored tobacco products, including mentholated products, and electronic smoking devices January 21, 2020, effective March 1, 2020. The project's efforts were successful in convincing policymakers that a flavors ban would protect at-risk populations in the community. To date, this is the only one of the six jurisdictions in Butte County to have adopted a flavors ban.

Several factors were helpful in building support and political will in the city: a history of the availability of flavored tobacco products and an alarming increase in the presence of e-cigarettes, community education, involvement of priority populations such as African Americans, Hmong, low income, and tribal communities in various project activities, the support of law enforcement, use of paid and earned media, and demonstrated public support from the public opinion poll, signatures of support and endorsements. PhotoVoice was also effective at engaging a broad group of youth in the Oroville community. Having the support of a newly elected city council member who became the project's champion and having youth participate in educational presentations and share personal testimony to policymakers was key to securing support among the city council members. Finally, SFNS exhibited patience, empathy and flexibility when community crises occurred, and continued to build relationships and show up at meetings, despite the delays and potential of having resources redirected.

The evidence documented by the years of store observation survey data, the public opinion poll data, as well as the key informant interviews helped to build support among key stakeholders and the public, and convince policymakers. The store observation surveys were time intensive and conducting them annually was not as valuable as originally intended. Future efforts could do with two or three waves of stores observations instead of four or five.

Tabling events were time consuming but paid off, especially since contact was made with city council members at several events including National Night Out. Having youth participate in data gathering and the PhotoVoice project, as well as making presentations and sharing personal testimony to policymakers was key to securing support from among the city council members.

The project also benefited from the unprecedented number of media generated by national news sources reporting on the CDC and FDA, as well as ads from tobaccofreeca.org that served to keep anti-tobacco/vaping messaging in the public's eye. However, this may have also put tobacco retailers on alert.

Based on what worked well in this project, the California Health Collaborative will continue to spend time and build support in the community, involve youth in collecting data and presenting to policymakers, and find influential policy champions. With the momentum created, the project hopes to have more rural communities in the North Valley Region adopt flavor bans in the current 2017-2022 scope of work period.

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APPENDICES

APPENDIX A



**CALIFORNIA HEALTH COLLABORATIVE
SMOKE-FREE NORTH STATE**
Mentholated, Flavored & Electronic Nicotine Delivery Devices
1-E-3 Observation Data
2017 TOBACCO RETAIL STORE OBSERVATION SURVEY

January 2017

**Amended HSHC Store Observation Survey,
all alcohol-related questions/variables were removed**

CORE SURVEY

C1. Store ID _____

C2. Coder ID ____

C3. Does the actual store name match the assigned store name?

C4. Does the actual store address match the assigned address?

| SURVEY QUESTION | POSSIBLE RESPONSES | |
|--|---|--------------------------|
| C5. Can you survey this store? | Yes, I can | <input type="checkbox"/> |
| | No, store does not exist | <input type="checkbox"/> |
| | No, store is closed | <input type="checkbox"/> |
| | No, under 18 not allowed to enter | <input type="checkbox"/> |
| | No, membership or fee required to enter | <input type="checkbox"/> |
| | No, environment unsafe for me | <input type="checkbox"/> |
| | I was asked to leave before completing the survey | <input type="checkbox"/> |
| | Other (specify) | <input type="checkbox"/> |
| C6. What percent of the windows and clear doors are covered by signs? | Less than 10% | <input type="checkbox"/> |
| | Between 10% and 33% | <input type="checkbox"/> |
| | More than 33% | <input type="checkbox"/> |
| | No windows or clear doors | <input type="checkbox"/> |
| C7. Choose all that are advertised on windows and clear doors: (Check all) | E-cigarettes, vapor devices, or e-liquids | <input type="checkbox"/> |
| | Any other tobacco products (e.g., cigarettes, chew) | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| C8. Products advertised on building/sidewalks (NOT on windows/doors): (Select all that apply) | E-cigarettes, vapor devices, or e-liquids | <input type="checkbox"/> |
| | Any other tobacco products (e.g., cigarettes, chew) | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| C9. Are tobacco products (includes e-cigs/vapor devices/e-liquids) visible to customers? (Ask if none are visible) | Yes..... | <input type="checkbox"/> |
| | No, neither tobacco products nor e-cigarettes/vapor devices or e-liquids are visible but they are sold..... | <input type="checkbox"/> |
| | No, store does not sell tobacco products | <input type="checkbox"/> |
| C10. Which products are sold here? (Select all that apply) | E-cigarettes, vapor devices or e-liquids | <input type="checkbox"/> |
| | Any other tobacco products (e.g., cigarettes, chew) | <input type="checkbox"/> |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|---|--|
| C11 & C12. Store type: (Pick one) | Chain convenience <input type="checkbox"/> Drug store/pharmacy <input type="checkbox"/> Liquor store <input type="checkbox"/> Small market/deli/produce market <input type="checkbox"/> Supermarket/large grocery store <input type="checkbox"/> Discount store (e.g., Dollar Store, Family Dollar)..... <input type="checkbox"/> Gas station booth..... <input type="checkbox"/> Hookah bar/cafe <input type="checkbox"/> Tobacco store <input type="checkbox"/> Vape shop/lounge..... <input type="checkbox"/> Walmart..... <input type="checkbox"/> Other (“retail”)..... <input type="checkbox"/> |
| C13. Does the store have a pharmacy counter (e.g. Safeway, Vons)? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| C14. Choose all that are sold here: (Select all that apply) | Cigarettes, unflavored..... <input type="checkbox"/> Cigarettes, menthol <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Little cigars/cigarillos <input type="checkbox"/> Blunt wraps..... <input type="checkbox"/> Snus..... <input type="checkbox"/> Large cigars..... <input type="checkbox"/> Hookah..... <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C15. Choose all e-cigarette, vapor devices or e-liquids that are sold here: (Select all that apply) | E-cigarettes <input type="checkbox"/> Vape pens <input type="checkbox"/> Mod/tanks <input type="checkbox"/> E-liquids <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C16. In the main checkout area, are any of these placed on/next to the counter(s): (Select all that apply) | E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> Any other tobacco products (e.g., cigarettes, chew) <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C17. Which are displayed on the counter so customers can take one without asking the cashier for help? (Select all that apply) | Cigarettes <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Cigarillos/little cigars <input type="checkbox"/> Blunt wraps..... <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C18. Which products are within 6 inches of candy, ice cream, or slushie/soda machines? (Select all that apply) | Cigarettes <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Cigarillos/little cigars <input type="checkbox"/> Blunt wraps..... <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C19. Inside the store, are there any price promotions for the following? (Select all that apply) | Cigarettes <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Cigarillos/little cigars <input type="checkbox"/> Blunt wraps..... <input type="checkbox"/> |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|---|---|
| | Snus..... E-cigarettes, vapor devices or e-liquids None of the above |
| C20. Which advertisements are placed within 3 feet (any direction) of candy or toys? (Select all that apply) | E-cigarettes, vapor devices or e-liquids Any other tobacco product ads (e.g., cigarettes, chew) None of these..... |
| C21. Which advertisements are placed below 3 feet? (Select all that apply) | E-cigarettes, vapor devices or e-liquids Any other tobacco product ads (e.g., cigarettes, chew) None of these..... |
| C22. What is the SMALLEST pack of cigarillos/little cigars in the store? (Select one) | One (sold as singles) Packs of 2 to 5 Packs of 6 to 19 Packs of 20 or more..... |
| C23. Choose all types of flavored non-cigarette tobacco products sold here: (Select all that apply) | Fruit or sweet (e.g., cherry, honey, vanilla) Liquor (e.g., wine, margarita)..... Mint (e.g., menthol, wintergreen) None of the above |
| C24. Are FLAVORED Swisher Sweets cigarillos /little cigars sold here? | Yes..... No |
| C25. What is the cheapest price to purchase only ONE flavored Swisher Sweets? Check one | Enter price (next screen) Sold here but can't get price No single flavored Swisher Sweets sold here |
| C26. Price for ONE Swisher Sweets cigarillo, no sales tax: (enter 0.99 for 99 cents) | Unable to verify whether sales tax is included |
| C26. RAW What is the cheapest price to purchase only ONE Swisher Sweets, any flavor, no sales tax: (enter 0.99 for 99 cents) | (Enter price) |
| C27. Is the Swisher Sweets on sale, e.g. cents off or buy one get one free? | Yes..... No |
| C28. Is sales tax included in the Swisher Sweets price? | Yes..... No Unable to verify |
| C29. Ask cashier: "What's the cheapest single pack of cigarettes? How much is it?" | Cashier provided price (Enter price on next screen) I had to look for lowest advertised price (Enter price on next screen)..... Unable to determine |
| C30. Cheapest single pack of cigarettes, no sales tax | Unable to verify whether sales tax is included (Enter price) |
| C31. Is sales tax included? | Yes..... No |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|--|--|
| | Unable to verify <input type="checkbox"/> |
| Flavored Products Module | |
| F2. What is the price to purchase ONE Newport menthol hard pack? | Enter price (next screen) <input type="checkbox"/> Sold here but can't get price <input type="checkbox"/> Not sold here <input type="checkbox"/> |
| F3. Price for one Newport menthol hard pack, no sales tax: | Unable to verify whether sales tax included <input type="checkbox"/> (Enter price) <input type="checkbox"/> |
| F4. Is the Newport menthol on sale, e.g. \$1 off or Buy one get one free? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| F5. Is sales tax included in the Newport menthol price? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> Unable to verify <input type="checkbox"/> |
| F6. What is the price to purchase ONE tin of Grizzly wintergreen long cut, 1.2 oz? | Enter price (next screen) <input type="checkbox"/> Sold here but can't get price <input type="checkbox"/> Not sold here <input type="checkbox"/> |
| F7. Price for ONE tin of Grizzly wintergreen long cut, 1.2 oz: | Unable to verify if sales tax included <input type="checkbox"/> (Enter price) <input type="checkbox"/> |
| F8. Is the Grizzly wintergreen on sale, e.g. \$1 off or Buy one get one free? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| F9. Is sales tax included in the Grizzly wintergreen price? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> Unable to verify <input type="checkbox"/> |
| F10. Which products are available in any MINT flavor, including menthol? (Select all that apply) | Chewing tobacco <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| F11. Which products are available in any OTHER flavor, e.g., fruit/sweet, liquor? (Select all that apply) | Chewing tobacco <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| F12. Choose all types of flavored cigarillos/little cigars sold here: (Select all that apply) | Fruit or sweet (e.g., cherry, honey, etc.) <input type="checkbox"/> Liquor (e.g., wine, margarita, etc.) <input type="checkbox"/> Mint (e.g., menthol, wintergreen, etc.)..... <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| F13. Choose all types of blunt wraps sold here: (Select all that apply) | Fruit or sweet (e.g., cherry, honey, etc.) <input type="checkbox"/> Liquor (e.g., wine, margarita, etc.) <input type="checkbox"/> Mint (e.g., menthol, wintergreen, etc.)..... <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| F14. Which of the following FLAVORED products have a price promotion? (Select all that apply) | Menthol cigarettes <input type="checkbox"/> Little cigars/cigarillos <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Snus..... <input type="checkbox"/> |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|---|--|
| | None of the above <input type="checkbox"/> |
| F15. Does the store sell these cigarettes? (Select all that apply) | Camel Crush..... <input type="checkbox"/> Marlboro NXT <input type="checkbox"/> None of the above <input type="checkbox"/> |
| Price & Promotion Module | |
| P2. What's the LARGEST pack of little cigars/cigarillos that can be purchased for less than \$1.00? (Select one) | None (All quantities cost more than \$1.00)..... <input type="checkbox"/> One (sold as singles) <input type="checkbox"/> Two <input type="checkbox"/> Three..... <input type="checkbox"/> Four or more..... <input type="checkbox"/> |
| P3. Are there price promotions for ANY Snus? (Select all that apply) | Special price or multi-pack discount (e.g., \$1 off or Buy one get one)..... <input type="checkbox"/> Other (e.g., gift with purchase, cross-product promotion).. <input type="checkbox"/> None of the above <input type="checkbox"/> |
| P4. Price for ONE 15-pouch tin of Camel Snus Frost, no sales tax? | Enter price (next screen)..... <input type="checkbox"/> Sold here but can't get price..... <input type="checkbox"/> Not sold here <input type="checkbox"/> |
| P5. Price for ONE 15-pouch tin of Camel Snus Frost, no sales tax | Unable to verify if sales tax is included..... <input type="checkbox"/> |
| P5. RAW Price for ONE 15-pouch tin of Camel Snus Frost | (Enter price) <input type="checkbox"/> |
| P6. Is the 15-pouch tin of Camel Snus on sale, e.g. \$1 off, Buy one get one? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| P7. Is sales tax included in the Camel Snus price? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> Unable to verify <input type="checkbox"/> |
| P8. Are there price promotions for ANY chewing tobacco? (Select all that apply) | Special price or multi-pack discount (e.g., \$1 off or Buy one get one)..... <input type="checkbox"/> Other (e.g., gift with purchase, cross-product promotion).. <input type="checkbox"/> None of the above <input type="checkbox"/> |
| P9. Price for ONE tin of Copenhagen Straight, 1.2 oz. long cut, no sales tax? | Enter price (next screen)..... <input type="checkbox"/> Sold here but can't get price..... <input type="checkbox"/> Product not sold here..... <input type="checkbox"/> |
| P10. Price for ONE tin of Copenhagen Straight, 1.2 oz long cut: | Unable to verify if sales tax included..... <input type="checkbox"/> (Enter price) <input type="checkbox"/> |
| P11. Is the Copenhagen on sale, e.g. \$1 off, Buy one get one? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| P12. Is sales tax included in the Copenhagen price? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> Unable to verify <input type="checkbox"/> |
| P13. Indicate whether price promotions | Special price or multi-pack discounts (e.g., \$1 off or Buy |

| SURVEY QUESTION | POSSIBLE RESPONSES | |
|---|---|--------------------------|
| are visible for any CIGARETTES? (Select all that apply) | one get one)..... | <input type="checkbox"/> |
| | Other (e.g., gift with purchase, cross-product promotion).. | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| P14. Indicate whether price promotions are visible for any LITTLE cigarillos/ cigars? (Select all that apply) | Special price or multi-pack discounts (e.g., \$1 off or Buy one get one)..... | <input type="checkbox"/> |
| | Other (e.g., gift with purchase, cross-product promotion).. | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| P15. Indicate whether price promotions are visible for any e-cigarettes or e-liquid? (Select all that apply) | Special price or multi-pack discounts (e.g., \$1 off or Buy one get one)..... | <input type="checkbox"/> |
| | Other (e.g., gift with purchase, cross-product promotion).. | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| P16. Are there any sweepstakes/contest offers in the store for: (Select all that apply) | Cigarettes | <input type="checkbox"/> |
| | Other tobacco products (not including e-cigarettes or e-liquid)..... | <input type="checkbox"/> |
| | E-cigarettes, vapor devices and e-liquid..... | <input type="checkbox"/> |
| | Alcoholic beverages/products/branded merchandise | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |

E-Cigarettes, Vapor Devices and E-Liquids Module

| | | |
|--|---|--------------------------|
| V2. Are any e-cigarettes, vapor devices or e-liquids sold? | Yes..... | <input type="checkbox"/> |
| | No | <input type="checkbox"/> |
| V3. Choose all that are sold here: (Select all that apply) | Dry Chamber vaporizer (e.g., PAX, Firefly)..... | <input type="checkbox"/> |
| | Heat not burn (Revo, Marlboro Heatstick/iQOS) | <input type="checkbox"/> |
| | None of these..... | <input type="checkbox"/> |
| V4. Which brands of e-cigarette, vapor device or e-liquid brands are sold? (Select all that apply) | Blu..... | <input type="checkbox"/> |
| | GreenSmoke..... | <input type="checkbox"/> |
| | Logic | <input type="checkbox"/> |
| | MarkTen..... | <input type="checkbox"/> |
| | NJOY | <input type="checkbox"/> |
| | Vuse | <input type="checkbox"/> |
| | Other e-cigarette, vapor device or e-liquid brands..... | <input type="checkbox"/> |
| V5. Which brands are located on the power wall? (Select all that apply) | Blu..... | <input type="checkbox"/> |
| | GreenSmoke..... | <input type="checkbox"/> |
| | Logic | <input type="checkbox"/> |
| | MarkTen..... | <input type="checkbox"/> |
| | NJOY | <input type="checkbox"/> |
| | Vuse | <input type="checkbox"/> |
| | Other e-cigarette, vapor device or e-liquid brands..... | <input type="checkbox"/> |
| | No brands are on the power wall..... | <input type="checkbox"/> |
| No power wall..... | <input type="checkbox"/> | |
| V6. Which brands are located on/next to the counter? (Select all that apply) | Blu..... | <input type="checkbox"/> |
| | GreenSmoke..... | <input type="checkbox"/> |
| | Logic | <input type="checkbox"/> |
| | MarkTen..... | <input type="checkbox"/> |
| | NJOY | <input type="checkbox"/> |
| | Vuse | <input type="checkbox"/> |
| | Other e-cigarette, vapor device or e-liquid brands..... | <input type="checkbox"/> |
| No brands are on the counter..... | <input type="checkbox"/> | |

| SURVEY QUESTION | POSSIBLE RESPONSES | |
|--|---|--------------------------|
| | No counter | <input type="checkbox"/> |
| V7. Choose all types of flavored e-cigarettes, vapor devices or e-liquids sold here: (Select all that apply) | Fruit or sweet (e.g., cherry, honey, etc.) | <input type="checkbox"/> |
| | Liquor (e.g., wine, margarita, etc.) | <input type="checkbox"/> |
| | Mint (e.g., menthol, wintergreen, etc.)..... | <input type="checkbox"/> |
| | None of these..... | <input type="checkbox"/> |
| V8. Are any e-cigarette, vapor device or e-liquid products displayed so customers can take one without asking the cashier for help? | Yes, in vending machine | <input type="checkbox"/> |
| | Yes, in freestanding display | <input type="checkbox"/> |
| | Yes, on counter..... | <input type="checkbox"/> |
| | No | <input type="checkbox"/> |
| V9. Are there price promotions for any e-cigarettes or vapor devices? (Select all that apply) | Special price or multi-pack discounts (e.g., \$1 off or Buy one get one)..... | <input type="checkbox"/> |
| | Other (e.g., gift with purchase, cross-product promotion).. | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| V10. What is the price of the cheapest e-cigarette device sold? | Enter price (next screen)..... | <input type="checkbox"/> |
| | Sold here but can't get price..... | <input type="checkbox"/> |
| | Product not sold here | <input type="checkbox"/> |
| V10. Price of cheapest e-cigarette device, no sales tax: | Unable to verify whether sales tax included | <input type="checkbox"/> |
| V10. RAW Price of cheapest e-cigarette device, no sales tax: | (Enter price) | <input type="checkbox"/> |
| V11. Is sales tax included? | Yes..... | <input type="checkbox"/> |
| | No | <input type="checkbox"/> |
| | Unable to verify | <input type="checkbox"/> |
| V12. Where are e-liquids located? (Select all that apply) | On/next to checkout counter in main checkout area | <input type="checkbox"/> |
| | On counter for self-service..... | <input type="checkbox"/> |
| | Within 6 inches of candy, ice cream or slushie/soda machine | <input type="checkbox"/> |
| | Elsewhere..... | <input type="checkbox"/> |
| V13. Are there price promotions for any e-liquids? (Select all that apply) | Special price or multi-pack discounts (e.g., \$1 off or Buy one get one)..... | <input type="checkbox"/> |
| | Other (e.g., gift with purchase, cross-product promotion).. | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| Placement & Exterior Ads Module | | |
| E2. Which tobacco products are visible in the main check-out area? (Select all that apply) | Cigarettes | <input type="checkbox"/> |
| | Chewing tobacco..... | <input type="checkbox"/> |
| | Little cigars/cigarillos | <input type="checkbox"/> |
| | Blunt wraps..... | <input type="checkbox"/> |
| | Snus..... | <input type="checkbox"/> |
| | E-cigarettes, vapor devices or e-liquids | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| E4. What products are next to baby formula? (Select all that apply) | Tobacco products next to formula | <input type="checkbox"/> |
| | Baby formula not sold here | <input type="checkbox"/> |
| E5. Do any signs indicate: (Select all that | No vaping allowed | <input type="checkbox"/> |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|---|--|
| apply) | Vaping is allowed..... <input type="checkbox"/> Quit smoking by vaping..... <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| E6. Which tobacco products are advertised on windows or doors? (Select all that apply) | Cigarettes, unflavored..... <input type="checkbox"/> Cigarettes, menthol..... <input type="checkbox"/> Chewing tobacco..... <input type="checkbox"/> Little cigars/cigarillos..... <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids..... <input type="checkbox"/> None of the above..... <input type="checkbox"/> |
| E7. Which tobacco products are advertised elsewhere outside the store (on building, side of building or sidewalk)? (Select all that apply) | Cigarettes, unflavored..... <input type="checkbox"/> Cigarettes, menthol..... <input type="checkbox"/> Chewing tobacco..... <input type="checkbox"/> Little cigars/cigarillos..... <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids..... <input type="checkbox"/> None of the above..... <input type="checkbox"/> |
| E8. Outside the store, are there any price promotions for the following? (Select all that apply) | Cigarettes..... <input type="checkbox"/> Chewing tobacco..... <input type="checkbox"/> Little cigars/cigarillos..... <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids..... <input type="checkbox"/> Alcoholic beverages/brands/products..... <input type="checkbox"/> None of the above..... <input type="checkbox"/> |
| E10. Which of the following are present: (Select all that apply) | Bars on windows..... <input type="checkbox"/> Graffiti/tagging (not murals)..... <input type="checkbox"/> Buildings with broken/boarded windows..... <input type="checkbox"/> Noticeable/excessive litter in street/sidewalk..... <input type="checkbox"/> Abandoned cars..... <input type="checkbox"/> Broken glass..... <input type="checkbox"/> Beer/liquor bottles/cans..... <input type="checkbox"/> Neighborhood watch signs..... <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| E11. How much graffiti/tagging is on the building/property? (Select one) | A lot..... <input type="checkbox"/> Some..... <input type="checkbox"/> A little..... <input type="checkbox"/> None..... <input type="checkbox"/> |
| E12. How much litter/garbage is within 10 feet of store entrance? (Select one) | A lot..... <input type="checkbox"/> Some..... <input type="checkbox"/> A little..... <input type="checkbox"/> None..... <input type="checkbox"/> |
| Any additional information about this store (optional): | <input type="checkbox"/> |

APPENDIX B



**CALIFORNIA HEALTH COLLABORATIVE
SMOKE-FREE NORTH STATE
Mentholated, Flavored & Electronic Nicotine Delivery Devices
1-E-3 Observation Data**

2018 STORE OBSERVATION SURVEY

January 2018

Further Amended HSHC Store Observation Survey, all but select Flavors, E-cigarettes and Advertising questions/variables were eliminated

CORE SURVEY

- C1. Store ID _____
- C2. Coder ID _____
- C3. Does the actual store name match the assigned store name?
- C4. Does the actual store address match the assigned address?

| SURVEY QUESTION | POSSIBLE RESPONSES | |
|--|---|--------------------------|
| Core Survey | | |
| C5. Can you survey this store? | Yes, I can | <input type="checkbox"/> |
| | No, store does not exist | <input type="checkbox"/> |
| | No, store is closed | <input type="checkbox"/> |
| | No, under 18 not allowed to enter | <input type="checkbox"/> |
| | No, membership or fee required to enter | <input type="checkbox"/> |
| | No, environment unsafe for me | <input type="checkbox"/> |
| | I was asked to leave before completing the survey | <input type="checkbox"/> |
| | Other (specify) | <input type="checkbox"/> |
| C6. What percent of the windows and clear doors are covered by signs? | Less than 10% | <input type="checkbox"/> |
| | Between 10% and 33% | <input type="checkbox"/> |
| | More than 33% | <input type="checkbox"/> |
| | No windows or clear doors | <input type="checkbox"/> |
| C7. Choose all that are advertised on windows and clear doors: (Check all) | E-cigarettes, vapor devices, or e-liquids | <input type="checkbox"/> |
| | Any other tobacco products (e.g., cigarettes, chew) | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| C8. Products advertised on building/sidewalks (NOT on windows/doors): (Select all that apply) | E-cigarettes, vapor devices, or e-liquids | <input type="checkbox"/> |
| | Any other tobacco products (e.g., cigarettes, chew) | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |
| C9. Are tobacco products (includes e-cigs/vapor devices/e-liquids) visible to customers? (Ask if none are visible) | Yes..... | <input type="checkbox"/> |
| | No, neither tobacco products nor e-cigarettes/vapor devices or e-liquids are visible but they are sold..... | <input type="checkbox"/> |
| | No, store does not sell tobacco products | <input type="checkbox"/> |
| C10. Which products are sold here? (Select all that apply) | E-cigarettes, vapor devices or e-liquids | <input type="checkbox"/> |
| | Any other tobacco products (e.g., cigarettes, chew) | <input type="checkbox"/> |
| C11 & C12. Store type: (Pick one) | Chain convenience | <input type="checkbox"/> |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|---|--|
| | Drug store/pharmacy <input type="checkbox"/> Liquor store <input type="checkbox"/> Small market/deli/produce market <input type="checkbox"/> Supermarket/large grocery store <input type="checkbox"/> Discount store (e.g., Dollar Store, Family Dollar)..... <input type="checkbox"/> Gas station booth..... <input type="checkbox"/> Hookah bar/cafe <input type="checkbox"/> Tobacco store <input type="checkbox"/> Vape shop/lounge..... <input type="checkbox"/> Walmart..... <input type="checkbox"/> Other (“retail”)..... <input type="checkbox"/> |
| C13. Does the store have a pharmacy counter (e.g. Safeway, Vons)? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| C14. Choose all that are sold here: (Select all that apply) | Cigarettes, unflavored <input type="checkbox"/> Cigarettes, menthol <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Little cigars/cigarillos <input type="checkbox"/> Blunt wraps..... <input type="checkbox"/> Snus..... <input type="checkbox"/> Large cigars..... <input type="checkbox"/> Hookah..... <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C15. Choose all e-cigarette, vapor devices or e-liquids that are sold here: (Select all that apply) | E-cigarettes <input type="checkbox"/> Vape pens <input type="checkbox"/> Mod/tanks <input type="checkbox"/> E-liquids <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C16. In the main checkout area, are any of these placed on/next to the counter(s): (Select all that apply) | E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> Any other tobacco products (e.g., cigarettes, chew) <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C17. Which are displayed on the counter so customers can take one without asking the cashier for help? (Select all that apply) | Cigarettes <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Little cigars/cigarillos <input type="checkbox"/> Blunt wraps..... <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> |
| C18. Which products are within 6 inches of candy, ice cream, or slushie/soda machines? (Select all that apply) | Cigarettes <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Little cigars/cigarillos <input type="checkbox"/> Blunt wraps..... <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C20. Which advertisements are placed within 3 feet (any direction) of candy or toys? (Select all that apply) | E-cigarettes, vapor devices or e-liquid ads..... <input type="checkbox"/> Any other tobacco product ads (e.g., cigarettes, chew) <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| C21. Which advertisements are placed | E-cigarettes, vapor devices or e-liquid ads..... <input type="checkbox"/> |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|--|--|
| below 3 feet? (Select all that apply) | Any other tobacco product ads (e.g., cigarettes, chew) <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| C22. What is the SMALLEST pack of cigarillos/little cigars in the store? (Select one) | One (sold as singles) <input type="checkbox"/> Packs of 2 to 5 <input type="checkbox"/> Packs of 6 to 19 <input type="checkbox"/> Packs of 20 or more..... <input type="checkbox"/> None (no cigarillos/little cigars are sold here)..... <input type="checkbox"/> |
| C23. Choose all types of flavored non-cigarette tobacco products sold here: (Select all that apply) | Fruit or sweet (e.g., cherry, honey, vanilla) <input type="checkbox"/> Liquor (e.g., wine, margarita)..... <input type="checkbox"/> Mint (e.g., menthol, wintergreen) <input type="checkbox"/> None of the above <input type="checkbox"/> |
| C24. Are FLAVORED Swisher Sweets cigarillos /little cigars sold here? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| C25. What is the cheapest price to purchase only ONE flavored Swisher Sweets? Check one | Enter price (next screen) <input type="checkbox"/> Sold here but can't get price <input type="checkbox"/> No single flavored Swisher Sweets sold here <input type="checkbox"/> |
| C26. Price for ONE Swisher Sweets cigarillo, no sales tax: (enter 0.99 for 99 cents) | Unable to verify whether sales tax is included <input type="checkbox"/> |
| C26. RAW What is the cheapest price to purchase only ONE Swisher Sweets, any flavor, no sales tax: (enter 0.99 for 99 cents) | (Enter price) <input type="checkbox"/> |
| C27. Is the Swisher Sweets on sale, e.g. cents off or buy one get one free? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| C28. Is sales tax included in the Swisher Sweets price? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> Unable to verify <input type="checkbox"/> |
| Flavored Products Module | |
| F2. What is the price to purchase ONE Newport menthol hard pack? | Enter price (next screen) <input type="checkbox"/> Sold here but can't get price <input type="checkbox"/> Not sold here <input type="checkbox"/> |
| F3. Price for one Newport menthol hard pack, no sales tax: | Unable to verify whether sales tax included <input type="checkbox"/> (Enter price) <input type="checkbox"/> |
| F4. Is the Newport menthol on sale, e.g. \$1 off or Buy one get one free? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> |
| F5. Is sales tax included in the Newport menthol price? | Yes..... <input type="checkbox"/> No <input type="checkbox"/> Unable to verify <input type="checkbox"/> |
| F6. What is the price to purchase ONE | Enter price (next screen) <input type="checkbox"/> |

| SURVEY QUESTION | POSSIBLE RESPONSES | |
|---|--|--------------------------|
| tin of Grizzly wintergreen long cut, 1.2 oz? | Sold here but can't get price | <input type="checkbox"/> |
| | Not sold here | <input type="checkbox"/> |
| F7. Price for ONE tin of Grizzly wintergreen long cut, 1.2 oz: | Unable to verify if sales tax included | <input type="checkbox"/> |
| | (Enter price) | <input type="checkbox"/> |
| F8. Is the Grizzly wintergreen on sale, e.g. \$1 off or Buy one get one free? | Yes..... | <input type="checkbox"/> |
| | No | <input type="checkbox"/> |
| F9. Is sales tax included in the Grizzly wintergreen price? | Yes..... | <input type="checkbox"/> |
| | No | <input type="checkbox"/> |
| | Unable to verify | <input type="checkbox"/> |
| F10. Which products are available in any MINT flavor, including menthol? (Select all that apply) | Chewing tobacco | <input type="checkbox"/> |
| | Snus..... | <input type="checkbox"/> |
| | E-cigarettes, vapor devices or e-liquids | <input type="checkbox"/> |
| | None of these..... | <input type="checkbox"/> |
| F11. Which products are available in any OTHER flavor, e.g., fruit/sweet, liquor? (Select all that apply) | Chewing tobacco | <input type="checkbox"/> |
| | Snus..... | <input type="checkbox"/> |
| | E-cigarettes, vapor devices or e-liquids | <input type="checkbox"/> |
| | None of these..... | <input type="checkbox"/> |
| F12. Choose all types of flavored cigarillos/little cigars sold here: (Select all that apply) | Fruit or sweet (e.g., cherry, honey, etc.) | <input type="checkbox"/> |
| | Liquor (e.g., wine, margarita, etc.) | <input type="checkbox"/> |
| | Mint (e.g., menthol, wintergreen, etc.)..... | <input type="checkbox"/> |
| | None of these..... | <input type="checkbox"/> |
| F13. Choose all types of blunt wraps sold here: (Select all that apply) | Fruit or sweet (e.g., cherry, honey, etc.) | <input type="checkbox"/> |
| | Liquor (e.g., wine, margarita, etc.) | <input type="checkbox"/> |
| | Mint (e.g., menthol, wintergreen, etc.)..... | <input type="checkbox"/> |
| | None of these..... | <input type="checkbox"/> |
| F15. Does the store sell these cigarettes? (Select all that apply) | Camel Crush..... | <input type="checkbox"/> |
| | Marlboro NXT | <input type="checkbox"/> |
| | None of the above | <input type="checkbox"/> |

Price & Promotion Module – ELIMINATED IN 2018

E-Cigarettes, Vapor Devices and E-Liquids Module

| | | |
|--|---|--------------------------|
| V2. Are any e-cigarettes, vapor devices or e-liquids sold? | Yes..... | <input type="checkbox"/> |
| | No | <input type="checkbox"/> |
| V3. Choose all that are sold here: (Select all that apply) | Dry Chamber vaporizer (e.g., PAX, Firefly)..... | <input type="checkbox"/> |
| | Heat not burn (Revo, Marlboro Heatstick/iQOS) | <input type="checkbox"/> |
| | None of these..... | <input type="checkbox"/> |
| V4. Which brands of e-cigarette, vapor device or e-liquid brands are sold? (Select all that apply) | Blu..... | <input type="checkbox"/> |
| | GreenSmoke..... | <input type="checkbox"/> |
| | Logic | <input type="checkbox"/> |
| | MarkTen..... | <input type="checkbox"/> |
| | NJOY | <input type="checkbox"/> |
| | Vuse | <input type="checkbox"/> |
| | JUUL | <input type="checkbox"/> |
| Other e-cigarette, vapor device or e-liquid brands | <input type="checkbox"/> | |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|--|---|
| V5. Which brands are located on the power wall? (Select all that apply) | Blu..... <input type="checkbox"/> GreenSmoke..... <input type="checkbox"/> Logic..... <input type="checkbox"/> MarkTen..... <input type="checkbox"/> NJOY..... <input type="checkbox"/> Vuse..... <input type="checkbox"/> JUUL..... <input type="checkbox"/> Other e-cigarette, vapor device or e-liquid brands..... <input type="checkbox"/> No brands are on the power wall..... <input type="checkbox"/> No power wall..... <input type="checkbox"/> |
| V6. Which brands are located on/next to the counter? (Select all that apply) | Blu..... <input type="checkbox"/> GreenSmoke..... <input type="checkbox"/> Logic..... <input type="checkbox"/> MarkTen..... <input type="checkbox"/> NJOY..... <input type="checkbox"/> Vuse..... <input type="checkbox"/> JUUL..... <input type="checkbox"/> Other e-cigarette, vapor device or e-liquid brands..... <input type="checkbox"/> No brands are on the counter..... <input type="checkbox"/> No counter..... <input type="checkbox"/> |
| V7. Choose all types of flavored e-cigarettes, vapor devices or e-liquids sold here: (Select all that apply) | Fruit or sweet (e.g., cherry, honey, etc.)..... <input type="checkbox"/> Liquor (e.g., wine, margarita, etc.)..... <input type="checkbox"/> Mint (e.g., menthol, wintergreen, etc.)..... <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| V8. Are any e-cigarette, vapor device or e-liquid products displayed so customers can take one without asking the cashier for help? | Yes, in vending machine..... <input type="checkbox"/> Yes, in freestanding display..... <input type="checkbox"/> Yes, on counter..... <input type="checkbox"/> No..... <input type="checkbox"/> |
| V10. What is the price of the cheapest e-cigarette device sold? | Enter price (next screen)..... <input type="checkbox"/> Sold here but can't get price..... <input type="checkbox"/> Product not sold here..... <input type="checkbox"/> |
| V10. Price of cheapest e-cigarette device, no sales tax: | Unable to verify whether sales tax included..... <input type="checkbox"/> |
| V10. RAW Price of cheapest e-cigarette device, no sales tax: | (Enter price)..... <input type="checkbox"/> |
| V11. Is sales tax included? | Yes..... <input type="checkbox"/> No..... <input type="checkbox"/> Unable to verify..... <input type="checkbox"/> |
| V12. Where are e-liquids located? (Select all that apply) | On/next to checkout counter in main checkout area..... <input type="checkbox"/> On counter for self-service..... <input type="checkbox"/> Within 6 inches of candy, ice cream or slushie/soda machine..... <input type="checkbox"/> Elsewhere..... <input type="checkbox"/> |
| Placement & Exterior Ads Module | |
| E2. Which tobacco products are visible in | Cigarettes..... <input type="checkbox"/> |

| SURVEY QUESTION | POSSIBLE RESPONSES |
|---|--|
| the main check-out area? (Select all that apply) | Chewing tobacco <input type="checkbox"/> Little cigars/cigarillos <input type="checkbox"/> Blunt wraps..... <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> None of the above <input type="checkbox"/> |
| E5. Do any signs indicate: (Select all that apply) | No vaping allowed <input type="checkbox"/> Vaping is allowed..... <input type="checkbox"/> Quit smoking by vaping..... <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| E6. Which tobacco products are advertised on windows or doors? (Select all that apply) | Cigarettes, unflavored..... <input type="checkbox"/> Cigarettes, menthol <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Little cigars/cigarillos <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> None of the above <input type="checkbox"/> |
| E7. Which tobacco products are advertised elsewhere outside the store (on building, side of building or sidewalk)? (Select all that apply) | Cigarettes, unflavored..... <input type="checkbox"/> Cigarettes, menthol <input type="checkbox"/> Chewing tobacco <input type="checkbox"/> Little cigars/cigarillos <input type="checkbox"/> Snus..... <input type="checkbox"/> E-cigarettes, vapor devices or e-liquids <input type="checkbox"/> None of the above <input type="checkbox"/> |
| E10. Which of the following are present: (Select all that apply) | Bars on windows <input type="checkbox"/> Graffiti/tagging (not murals) <input type="checkbox"/> Buildings with broken/boarded windows <input type="checkbox"/> Noticeable/excessive litter in street/sidewalk <input type="checkbox"/> Abandoned cars <input type="checkbox"/> Broken glass <input type="checkbox"/> Beer/liquor bottles/cans..... <input type="checkbox"/> Neighborhood watch signs..... <input type="checkbox"/> None of these..... <input type="checkbox"/> |
| E11. How much graffiti/tagging is on the building/property? (Select one) | A lot <input type="checkbox"/> Some <input type="checkbox"/> A little <input type="checkbox"/> None <input type="checkbox"/> |
| E12. How much litter/garbage is within 10 feet of store entrance? (Select one) | A lot <input type="checkbox"/> Some <input type="checkbox"/> A little <input type="checkbox"/> None <input type="checkbox"/> |
| Any additional information about this store (optional): | <input type="checkbox"/> |

APPENDIX C



**CALIFORNIA HEALTH COLLABORATIVE
SMOKE-FREE NORTH STATE
Mentholated, Flavored & Electronic Nicotine Delivery Devices
1-E-3 Observation Data**

2020 STORE OBSERVATION SURVEY

June 2020

Newly Designed Instrument

CORE SURVEY

1. Store ID _____
2. Coder ID ____
3. Does the actual store name match the assigned store name?
4. Does the actual store address match the assigned address?

5. Can you survey this store?
 1. Yes, I can
 2. No, store does not exist
 3. No, store is closed
 4. No, membership or fee required to enter
 5. No, environment unsafe for me
 6. I was asked to leave before completing the survey
 7. Other (specify) _____

6. Outside the store, what percent of the windows and clear doors are covered by signs?
 1. Less than 10% (1/10)
 2. Between 10% and 33% (between 1/10 and 1/3)
 3. More than 33% (more than 1/3)
 4. No windows or clear doors

7. Outside the store, which tobacco products are advertised on windows and clear doors? (Select all that apply)
 1. Vaping products - E-cigarettes, vapor devices or e-liquids
 2. Cigarettes, menthol
 3. Chewing tobacco
 4. Little cigars/cigarillos
 5. Pouch tobacco (e.g., Snus or Zyn)
 6. None of the above

8. Which products are advertised elsewhere outside the store (on building, side of building or sidewalks - NOT on windows/doors)? (Select all that apply)
 1. Vaping products - E-cigarettes, vapor devices or e-liquids
 2. Cigarettes, menthol
 3. Chewing tobacco
 4. Little cigars/cigarillos
 5. Pouch tobacco (e.g., Snus or Zyn)
 6. None of the above

Please enter the store to continue the survey.

9. Which types of vaping products (that contain nicotine) are sold here? (Select all that apply.)

1. Pod Mods (e.g., JUUL, Suorin, Vuse Alto/devices pods)
2. E-cigarettes
3. Vape pens
4. Mod/tanks
5. E-liquids
6. None of the above
7. Store does NOT sell vaping products

10. Which other tobacco products are sold here: (Select all that apply)

1. Cigarettes, menthol
2. Chewing tobacco
3. Little cigars/cigarillos
4. Blunt wraps
5. Pouch tobacco (e.g., Snus or Zyn)
6. Large cigars
7. Hookah
8. None of the above
9. Store does NOT sell other tobacco products

11. Which products are available in any MINT flavor, including menthol? (Select all that apply)

1. Chewing tobacco
2. Pouch tobacco (e.g., Snus or Zyn)
3. Pod Mods (e.g., JUUL, Sourin, Vuse Alto)
4. Other vaping products - e-cigarettes, vapor devices or e-liquids
5. Cigars/cigarillos
6. Blunt wraps
7. None of the above

12. Which products are available in any OTHER flavor, e.g., fruit or sweet, liquor? (Select all that apply)

1. Chewing tobacco
2. Pouch tobacco (e.g., Snus or Zyn)
3. Pod Mods (e.g., JUUL, Sourin, Vuse Alto)
4. Other vaping products - e-cigarettes, vapor devices or e-liquids
5. Cigars/cigarillos
6. Blunt wraps
7. None of the above

13. Inside the store, are there any price promotions for any of the following FLAVORED products? (Select all that apply)

1. Vaping products - E-cigarettes, vapor devices or e-liquids
2. Cigarettes, menthol
3. Chewing tobacco
4. Little cigars/cigarillos
5. Blunt wraps
6. Pouch tobacco (e.g., Snus or Zyn)
7. None of the above

14. Which FLAVORED PRODUCT advertisements are placed within 3 feet (any direction) of candy or toys? (Select all that apply)

1. Vaping products - E-cigarettes, vapor devices or e-liquid ads
2. Any other tobacco product ads (e.g., cigarettes, chew)
3. None of these

Any additional information about this store? (optional)

APPENDIX D



CALIFORNIA HEALTH COLLABORATIVE - CHICO

Mentholated, Flavored and Electronic Nicotine Delivery Devices - Policy

1-E-4 PUBLIC OPINION POLL

August 2017 FINAL – Oroville

Introduction: Hello. My name is _____ (first and last name). I'm calling on behalf of the California Health Collaborative who is right here in Butte County making lives better. We are conducting a short survey to find out what people think about menthol and flavored tobacco products, and the use of e-cigarettes.

Screen 1. Am I speaking to someone who is 18 or over?

- Yes (continue to Screen 2)
- No May I speak to a person in your household who is age 18 or older?
If the person gets a parent or other adult in the household (go to Introduction)
If the person says No (go to Terminate)
- Refused to answer (go to Terminate)

Terminate. We are only interviewing people who are age 18 or older. Thanks for your time. Have a nice day/evening.

Screen 2. Do you currently live within the city limits of Oroville? (Oroville means zip codes 95965 or 95966, within the city limits means that if you dial 911, the Oroville Police respond and not the Sheriff's Department)

- Yes (continue to Q1 Intro)
- No (go to Terminate)
- Refused to answer (go to Terminate)

Terminate. We are only interviewing people who live within the city limits of Oroville. Thanks for your time. Have a nice day/evening.

Q1 Intro: I'm calling you today because we need your help to understand what is best for our community in terms of menthol and flavored tobacco products sales and use of e-cigarettes. Your answers are completely anonymous and confidential. Is it okay if I ask you a few questions? (After response, say 'thank you' before proceeding.)

These first few questions ask what you think about the use of flavored tobacco products and electronic smoking devices. When we say tobacco products, we mean chew, cigars, little cigars, menthol cigarettes and electronic smoking devices, e.g. e-cigarettes. When we say flavored tobacco, we mean flavors like wintergreen, mint, grape, bubble gum or margarita.

1. Do you agree or disagree with the following statements? *(Caller, just say agree or disagree)*

| | Agree | Not Sure/ Don't Know | Dis- agree |
|--|--------------------------|-------------------------------|--------------------------|
| a. Kids and teens try e-cigarettes because of appealing flavors like bubble gum, cotton candy and CapN Crunch | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Do you agree or disagree with . . . Kids and teens who use e-cigarettes or vape are more likely to smoke regular cigarettes and/or use other tobacco products | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Do you agree or disagree with . . . Kids and teens try flavored cigars such as Swisher Sweets because of appealing flavors like cherry, grape and chocolate | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Do you agree or disagree with . . . It is easy for youth who are under 21 years old to purchase or access cigarettes, e-cigarettes and other tobacco products in Oroville | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

2. The next few questions ask about specific laws in Oroville and will be useful to policymakers. In California, you have to be 21 in order to purchase nicotine products. However, the use of e-cigarettes and flavored products among kids and teens is on the rise. *(Caller, just say support or oppose)*

| | Support | Not Sure/ Don't Know | Oppose |
|---|--------------------------|-------------------------------|--------------------------|
| a. Would you support or oppose a law to <u>ban</u> the sale of flavored tobacco products like menthol cigarettes and fruit flavored little cigars | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Would you support or oppose a law to <u>ban</u> the sale of flavored e-juices for electronic smoking devices | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Would you support or oppose a law to <u>ban</u> the sale of electronic smoking devices | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Q3 Intro. Just a few more questions. These last few questions are for demographic purposes only.

3. Do you use nicotine products such as cigarettes, chew, e-cigarettes, cigars, little cigars, blunt wraps, etc.?

- Yes
- No
- Don't know/not sure
- Decline to state

4. If yes, what kind of nicotine products do you use? *(Check all that apply)*

- Cigarettes
- Smokeless tobacco (e.g., Chew, Snuff, Snus, etc.)
- Electronic smoking devices
- Cigars
- Little cigars (Swishers, Phillies)
- Blunt Wrappers
- Other (please specify)_____

5. **What is your age?** (Caller, allow respondent to just say their age then mark the appropriate box.)

- 18-29
- 30-39
- 40-49
- 50-59
- 60-65
- Older than 65
- Decline to state

6. **Last, question. Which race/ethnicity do you identify yourself as?** (Caller, do not read the choices unless the respondent hesitates. Mark only one.)

- White/Non-Hispanic
- Hispanic/Latino
- Asian
- Native American
- African American/Black
- Pacific Islander
- Don't know/not sure
- Decline to state
- Other (describe) _____

Thank you for completing the survey! Your responses, along with the responses of others in your community, will help policymakers determine how to move forward. Have a nice day/evening.

CALLER: Please code the respondent's gender and the zip code associated with the telephone number (from the provided phone number list):

Gender: Male
 Female

Zip code: _____ (enter)

----- END OF SURVEY

APPENDIX E



CALIFORNIA HEALTH COLLABORATIVE

Mentholated, Flavored and Electronic Nicotine Delivery Devices - Policy

1-E-5 KEY INFORMANT INTERVIEWS

August 2017 – Oroville

The intent of the key informant interviews is to identify barriers and facilitators to adopting a new policy (or amending the current TRL) that prohibits the sale and distribution of mentholated cigarettes, flavored tobacco products and electronic smoking devices. The targeted jurisdiction is Oroville (n=6). (There is already a TRL in place which Oroville is slowly implementing. The license fee is \$36.)

Date of Interview: _____ Interview Conducted: In Person By Phone

Key Informant Name: _____ Position/Title: _____

Key Informant Organization: _____ Months/Years with Org.: _____

Phone: _____ Email: _____

Interview Start Time: _____ Duration of Interview: _____

Protocol: Introduce yourself. Explain why you’re there, define why this informant was sought out, how information will be used, and request permission to record for note-taking purposes or – if not recording – inform person that you will be taking/typing notes. Assure the informant that contact information will not be shared with solicitors and that all responses will be anonymous.

Sample Introduction

“Hello, my name is Sue Haun. I am calling on behalf of the California Health Collaborative. Thank you for agreeing to talk with me. I am gathering information from city council members, the city manager and other key leaders in Oroville to assess perceptions about instituting a policy in Oroville that prohibits the sale of menthol cigarettes, flavored tobacco products and electronic smoking devices. We value your opinion on this issue. Your responses will be combined with others and shared as a whole, with individual identifying information held confidential.

1. For City STAFF only: Can you tell me a little about **your roles and responsibilities** within the city government?

Background data

Did you have a chance to look at the handouts that I sent along with the email? Do you have any questions about them?

The questions I have for you today focus on flavored tobacco products and electronic smoking devices. Are you familiar with the laws regarding flavors? In the US, cigarettes are prohibited from containing flavors other than menthol; however, other tobacco products such as e-cigarettes and little cigars are exempt from this regulation. Flavored tobacco products include fruit flavors, e.g., cherry cigarillos, they include mint flavors, e.g., mint flavored chew. There are also sweet flavors such as gummy bear, bubble gum or cotton candy which are especially appealing to youth and young adults.

I’ll also be asking about electronic smoking devices. Are you familiar with the term? By the term electronic smoking devices,

I mean e-cigarettes, e-pipes and e-hookah. Unlike traditional cigarettes which produce secondhand smoke when puffed, electronic smoking devices - e-cigarettes, e-pipes and e-hookah - emit an aerosol or vapor that contains nicotine and other additives. E-liquids that are used in these electronic smoking devices come in a variety of flavors. Use of e-cigarettes has increased substantially in recent years, particularly among youth, and in 2015 surpassed the rate of cigarette smoking. The use of flavored products and e-cigarettes goes hand in hand.

2. Most teens report that the first tobacco product that they ever used was a flavored product. Although cigarette smoking rates have declined among youth in recent years, the use of many of these flavored tobacco products has grown over time because many youth and young adults think they are safer because the flavor masks the harsh taste of nicotine.

Would you be in support of or opposed to the adoption of a policy that prohibits the sale and distribution of flavored tobacco products and e-cigarettes? [Probe: Why or why not?]

3. If the informant is not initially supportive of any such policy or is tentative, ask: **Are there any conditions under which you would support a policy that prohibits the sale and distribution of flavored products and e-cigarettes?** [i.e., what might convince you?]
4. **What arguments can be made in favor of this type of policy?** [Probe: who or what groups are likely to be in favor of such a policy?]
5. **What arguments can be made in opposition to this type of policy?** [Probe: who or what groups are likely to be against such a policy?]
6. **What challenges or barriers might there be in adopting and implementing a policy that prohibits the use of flavored tobacco products and e-cigarettes in Oroville?** If so, how do you think they could be overcome?
7. **Can you suggest other administration or staff members or key leaders in the community that are likely to be influential on this issue?** [Possible probe: Would they be likely supporters or champions of efforts to pass a policy – or likely oppose it?]
8. **What is the next step in the process of considering a policy?**

Demographics

1. **What is your zip code?** _____
2. **What is your age?** _____
3. **Which category best describes your race?**
 - a. American Indian/Alaska Native
 - b. Asian
 - c. Black or African American

- d. **Hispanic/Latino**
 - e. **Native Hawaiian/Other Pacific Islander**
 - f. **White**
 - g. **Some other race** _____
 - h. Decline to state [don't read]
4. Male or female? *[don't read]*
- a. **Male**
 - b. **Female**
 - c. **In another way:** _____
 - d. Decline to state *[don't read]*
5. **Did you use tobacco products (i.e., cigarettes, chew, cigars, e-cigarettes) in the last 30 days?**
- a. **Yes**
 - b. **No**
 - c. Decline to state *[don't read]*
6. **Did you use electronic nicotine devices (e.g., e-cigarettes, e-hookah, e-pens, vape devices, etc.) in the last 30 days?**
- a. **Yes**
 - b. **No**
 - c. Decline to state *[don't read]*
7. **Do you have children under 18 living with you?**
- a. **Yes**
 - b. **No**
 - c. Decline to state *[don't read]*
8. **How would you describe your political leaning, for instance, do you see yourself as being very conservative, conservative, moderate, liberal or very liberal?**
- a. **Very conservative**
 - b. **Conservative**
 - c. **Moderate**
 - d. **Liberal**
 - e. **Very Liberal**
 - f. **Don't Know**
 - g. **Refused**

That concludes my questions. Thank you for sharing your insights. *[Explain how talking with them was helpful and what you learned from them]*. Do you have any questions for me?

APPENDIX F

INDIVIDUAL ENFORCEMENT FORM

Name of Organization or Individual

Address

Telephone

Email



I/We support the efforts of the California Health Collaborative to prohibit the sale and distribution of mentholated cigarettes, flavored tobacco products and electronic nicotine delivery device products (electronic cigarettes) in Oroville. We recognize:

- The U.S. Food and Drug Administration (FDA) and the surgeon general have stated that flavored tobacco products help new tobacco users establish habits that can lead to long-term addiction.
• Little cigars, or cigarillos, are very popular among youth in the US. 1 in 6 young adults reported smoking cigars.
• 44% of new smokeless tobacco users start before the age of 18.
• Tobacco is advertised in the windows and/or glass doors in 51% of Oroville stores that sell tobacco, of those stores 31.4% of them advertise menthol cigarettes.
• Menthol cigarettes are sold in 94.1% of Oroville stores that sell tobacco, with an average price of \$5.91, compared to \$6.01 in the rest of Butte County.
• 71% of African American youth are menthol smokers.
• The nicotine solutions sold for use in electronic smoking devices are marketed in many bright colors and "kid friendly" flavors, such as bubble gum.
• According to the 2014 California Healthy Kids Survey, 13% of Butte County 11th graders and 32% of non-traditional high school students have used electronic cigarettes in the last 30 days.

I/We encourage Oroville city leaders to protect the health of Oroville residents by supporting a policy that will prohibit the sale and distribution of mentholated cigarettes, flavored tobacco products and electronic nicotine delivery device products (electronic cigarettes) in Oroville.

Signature

Date

California Health Collaborative * 25 Jan Court, Suite 130, Chico, CA 95928 * 530- 345-2483
FAX: 530-345-3214 Email: dvasquez@healthcollaborative.org

ORGANIZATIONAL ENFORSEMENT FORM

Smoke-Free North State

I/We support the efforts of California Health Collaborative to improve the health of our community and request that the Oroville City Council pass a policy to restrict the sale and distribution of mentholated cigarettes, flavored tobacco products and electronic nicotine delivery device products.

We recognize:

- According to the 2014 California Healthy Kids Survey, 18% of Butte County 11th graders and 32% of non-traditional high school students have used electronic cigarettes in the last 30 days.
- If 50% of current menthol smokers quit, then approximately 633,252 lives would be saved over the next 40 years.
- Flavored tobacco products and electronic nicotine delivery products are marketed with bright colors and fruity flavors to appeal to youth consumers.

| Name | Email |
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California Health Collaborative • 25 Jan Court, Suite 130, Chico, CA 95928 • 530-345-2483

Event: _____ Date: _____