



REDUCING YOUTH TOBACCO AND VAPE USE.....

EXPANDING SMOKE-FREE ORDINANCES



What Is It?

On July 1, 2019 the Colorado Clean Indoor Air Act was updated to include e-cigarettes/vaping. As a result, most public indoor areas are now smoke- and vape-free.

Municipalities can strengthen existing smoke-free laws by including outdoor public areas such as parks and recreation areas, downtown areas, outdoor dining, and other public places.

Why Should We Consider It?

- Aerosol emitted from vaping devices can contain nicotine, cancer-causing agents, heavy metals and ultrafine particles that may be absorbed by bystanders.⁹
- Vaping in public can send youth the message that vaping is safe, normal, and acceptable.
- Restricting where vaping is permitted protects bystanders from secondhand aerosol exposure and helps enforce positive social norms of not using nicotine products.
- Laws establishing smoke- and vape-free outdoor public places help prevent children and animals from ingesting tobacco waste, reduce environmental pollution and clean up costs, and helps prevent fires.⁸

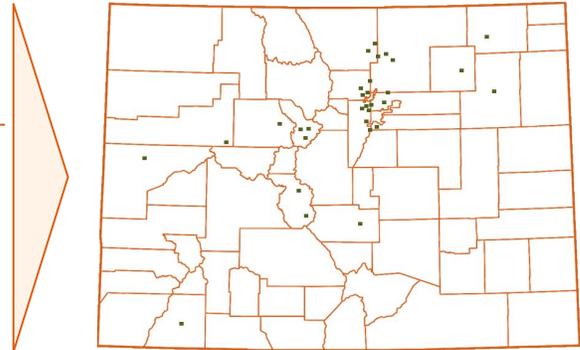
Evidence of Effectiveness

- Studies show that smoke-free policies reduce secondhand smoke exposure, support quitting among smokers, discourage youth from ever starting, and reduce tobacco-related morbidity and mortality.¹ Including vaping where smoking is prohibited may have the same effect and help encourage vape-free social norms.
- Prohibiting tobacco use in public places, including parks, is a recommended strategy by the surgeon general to prevent tobacco use among youth.² There is evidence that outdoor smoke-free policies reduce smoking in designated areas.^{3,4,5}
- A University of Minnesota survey found that among cities with tobacco-free park policies, 71% had less smoking in parks and 58% reported cleaner park areas.⁶
- The surgeon general states that including vaping in smoke-free policies “will maintain current standards for clean indoor air, reduce the potential for renormalization of tobacco product use, and prevent involuntary exposure to nicotine and other aerosolized emissions from e-cigarettes.”⁷

Who else is implementing it?

30+ Colorado communities have outdoor smoke-free laws that also include vaping

Akron • Arvada • Berthoud • Boulder • Breckenridge • Brush • Brighton • Buena Vista • Carbondale • Commerce City • Canon City • Dillon • Durango • Edgewater • Evans • Fort Collins • Frisco • Fruita • Golden • Greeley • Greenwood Village • Lafayette • Lakewood • Littleton • Longmont • Louisville • Salida • Sterling • Timnath • Vail • Wheat Ridge



What Do Our Community Members Think?



of Broomfield residents surveyed support vape-free outdoor seating/dining areas of restaurants and bars

of Broomfield residents surveyed support vape-free outdoor public places (recreation areas, parks, playgrounds, etc.)



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REDUCING YOUTH TOBACCO AND VAPE USE.....

INCREASING THE MINIMUM LEGAL SALES AGE OF TOBACCO TO 21



What Is It?

The minimum age of legal access to tobacco products was set at 18 years old by the U.S. States more than two decades ago in response to federal incentives and is now required by federal law. However, states and localities are free to raise the age, and many have raised it to 21 in order to reduce youth access to tobacco and nicotine products.

Why Should We Consider It?

- The age at which people first try tobacco products is critical. Among adults who become daily smokers, approximately 95% report first use before reaching 21 years of age.¹
- Young people are more vulnerable to addictive effects of nicotine. The brain continues to develop until age 25; nicotine exposure before that age may have long lasting negative impacts on brain development, including the parts of the brain that control attention, learning, mood, and impulse control.²
- Underage users rely primarily on “social sources” (friends and relatives) to get tobacco. By raising the minimum legal age to 21, those who can legally obtain tobacco are less likely to be in the same social networks as high school students. Therefore, it limits high school students’ access to tobacco and nicotine products.¹
- Underage access to tobacco is relatively easy in Broomfield and Boulder: About 60% of high school students feel that it would be easy to get cigarettes and two-thirds (66%) feel it would be easy to get e-cigarettes/vapes.³
- Having consistency with the minimum sales age for other substances, such as alcohol and marijuana, can support effective tobacco retail law enforcement (e.g., drivers licenses of people under age 21 are vertical, enabling easier identification and verification of age) and can promote social norms to reduce overall youth substance use.
- The economic impact of raising the minimum age to 21 is minimal. Only 2% of U.S. cigarette sales go to those under the age of 21.⁴

Evidence of Effectiveness

Increasing the minimum sales age to 21 is emerging as a promising strategy to reduce youth tobacco/nicotine initiation. Because this is a relatively new strategy, data on the impact is limited, but the data that are available provide strong reason to believe that it will contribute to reductions in youth tobacco and nicotine product use.

- California: Tobacco purchase data show a significant decline in tobacco sales to younger teens following implementation of the law. Data for 15-16 year olds showed a 45% reduction in sales of tobacco products to underage buyers before and after the law.⁴
- Needham, Massachusetts: Youth smoking rate decreased from 13% to 7% in the first 5 years after the law took effect.⁵
- Chicago: Use of cigarettes and e-cigarettes among 18-20 year olds declined from 15.2% to 9.7% after raising the minimum sales age to 21.⁶
- New York City: 29% decline in current cigarette smoking among high school students between 2013 and 2015. There were also reductions in ever trying cigarettes (-18%) and smoking initiation in the past 12 months (-13%).⁷

In 2015, Congress directed the Food and Drug Administration to convene a panel of experts to study the public health implications of raising the minimum age to purchase tobacco products. The resulting report, by the Institute of Medicine, concluded that increasing the minimum age will likely prevent or delay initiation of tobacco use by adolescents and young adults, with the 15-17 year old age group most impacted.¹

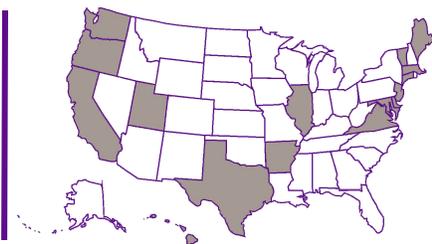
Using predictive modeling and a review of the literature, the report found that raising the sales age to 21 would:

- “significantly reduce the number of adolescents and young adults who start smoking; reduce smoking-caused deaths; and immediately improve the health of adolescents, young adults, and young mothers who would be deterred from smoking, as well as their children.”¹
- “decrease the smoking rate by approximately 12% and reduce smoking-related deaths by 10%; this means over 200,000 fewer premature deaths and 50,000 fewer deaths from lung cancer.”¹

Who else is implementing it?

6 Colorado communities have increased the minimum legal sales age to 21 as of July 2019

Aspen • Avon • Basalt • Carbondale •
Eggewater • Snowmass Village



16 states and at least 475 localities have raised the minimum legal sales age to 21 as of July 2019⁸

Colorado's minimum legal sales age is 18

What Do Our Community Members Think?



of Broomfield residents surveyed support increasing the minimum legal sales age of tobacco products to age 21

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REDUCING YOUTH TOBACCO AND VAPE USE.....

LICENSING TOBACCO RETAILERS



What Is It?

Licensing requires retailers to obtain a license to sell tobacco products and follow all tobacco control laws or risk fines and losing the ability to sell those products. It also:

- Helps enforce tobacco point-of-sale laws
- Provides an accurate list of tobacco retailers for inspection
- Funds retailer education, administration of licenses, and enforcement

A tobacco retail license ordinance can also include additional provisions that may further reduce youth access such as:

- Prohibiting the sale of tobacco to anyone under the age of 21
- Requiring all tobacco products be displayed behind counters and requiring a clerk's assistance
- Requiring a minimum age for retail sales clerk
- Prohibiting the sale of any tobacco products through vending machines
- Restricting the age of entrance to tobacco retail establishments
- Restricting the sale of certain flavors of tobacco products
- Prohibiting the sale of tobacco products within a certain distance from youth-oriented facilities
- Restricting the retailer's ability to redeem coupons for tobacco products

Why Should We Consider It?

- In Broomfield, over 60% of high school students say it's easy to get cigarettes and e-cigarettes.¹
- Current compliance checks are not sufficient to deter sales to minors. The average retailer is checked only once every few years.² Licensing increases the potential for compliance checks to be conducted more regularly because the license fees can fund inspections.
- In Colorado, almost 70% of youth under 18 years who try to buy tobacco products are able to do so.³
- Licensing levels the playing field for the businesses who already comply with the law. It also sends a message to all tobacco retailers that the community is serious about protecting youth from purchasing tobacco products.
- Tobacco licenses are small annual fees compared to typical earnings from the sale of tobacco. Tobacco licenses in Colorado range from \$100 - \$500 per year. Colorado retailers report earning up to \$216,000 per year on the sale of tobacco.

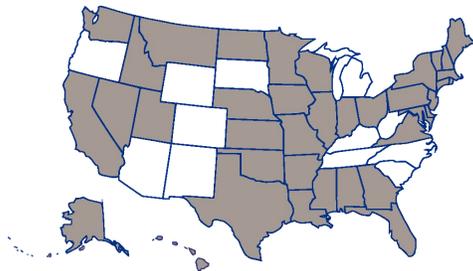
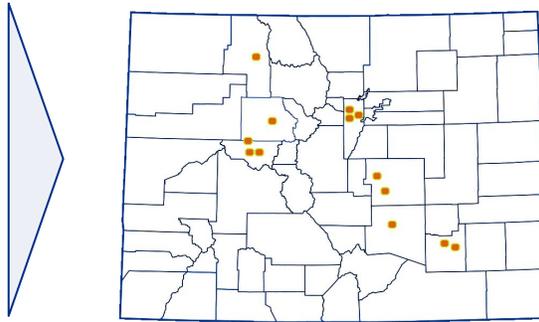
Evidence of Effectiveness

- Tobacco retail laws with enforcement and retailer education are an effective way to reduce tobacco sales to minors.^{4,5} Tobacco retail stores located in jurisdictions with weaker enforcement are more likely to sell to minors than retailers located in jurisdictions with more effective measures, such as licensing.⁶
- An evaluation published recently in the journal *Pediatrics* shows tobacco retailer licensing can help reduce youth use and initiation of both cigarettes and e-cigarettes. Youth living in jurisdictions with strong retailer ordinances were less likely to use or try tobacco compared to youth living in jurisdictions with weak ordinances.⁷
- A study in Fort Morgan, Colorado showed that the true violation rate of sales to minors was as high as 48% - more than five times the state's reported rate. This rate fell to 3.4% with more frequent inspections, and underage retail purchases declined.⁸
- An independent study conducted in Colorado showed that communities with retail ordinances had significantly lower violation rates than communities without such ordinances. Findings suggest that local tobacco retail ordinances may decrease tobacco sales to minors.⁹

Who else is implementing it?

13 Colorado communities have some kind of tobacco retail license as of May 2019

Avon • Aspen • Basalt • Edgewater • Fountain • Golden • La Junta • Lakewood • Manitou Springs • Pueblo • Rocky Ford • Snowmass Village • Steamboat Springs



39 U.S. states require tobacco retail licenses as of September 2018

Colorado does NOT require licenses to sell tobacco products

What Do Our Community Members Think?



80% of Broomfield residents surveyed support requiring retailers to have a license to sell tobacco products

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REDUCING YOUTH TOBACCO AND VAPE USE.....

REGULATING THE PRICE OF TOBACCO PRODUCTS



What Is It?

Making tobacco products less affordable to youth is a policy strategy to prevent youth from starting to use tobacco, and encourages adults to cut back or quit entirely. Vape products are not included in the state or federal tobacco tax.

Price increases can occur in several forms at the local level:

- Implementing a local tax on all tobacco products, including vape products;
- Prohibiting redemption of coupons, discounts and promotions on tobacco/vape products; and/or
- Setting a minimum sales price for tobacco/vape products.

Why Should We Consider It?

- Youth are particularly sensitive to price increases. Raising the price of tobacco prevents many teens from starting because they reconsider whether it is worth it or not.¹
- Colorado's tobacco products are among the least expensive in the nation due to our low excise tax.⁷ This creates an environment where youth are more likely to experiment with tobacco and possibly become addicted.¹
- Vaping products are not included in the Colorado State or federal tobacco excise tax.
- Lower-income adults smoke at higher rates than the state average and are more sensitive to changes in tobacco prices.¹ Tobacco companies keep their products inexpensive and accessible through discounts and promotions. Municipalities can prohibit retailers from accepting these promotions.
- A local tobacco tax (in place of the local portion of the state tobacco tax) could be an increased revenue source for Broomfield.

Evidence of Effectiveness

When communities raise the price of tobacco products, studies have found that kids are less likely to start using tobacco and adults are more likely to reduce their use or quit, especially low-income adults. Extensive research has been done examining the impact.

Price affects virtually all measures of tobacco use, including per capita consumption, smoking rates, and the number of cigarettes smoked daily.

- The surgeon general has called raising prices on tobacco “one of the most effective tobacco control interventions.” “The evidence is sufficient to conclude that increases in the prices of tobacco products prevent initiation of tobacco use, promote cessation and reduce the prevalence and intensity of tobacco use among youth and adults.”¹
- The Congressional Budget Office found that a 10% increase in the price of tobacco results in a 5 to 15% decrease in smoking among youth and a 3 to 7% decrease in smoking among adults.²
- Following the 2009 federal tobacco excise tax increase on cigarettes and smokeless tobacco, analyses showed that smoking among high school students dropped between 10 and 13%. It is estimated that there would have been approximately 220,000 - 287,000 more current smokers in the U.S. had the federal tax not been increased.³
- After Colorado raised its tobacco tax in 2004, the state’s smoking rate among adults declined significantly from 21% to 16%.⁴
- The tobacco industry itself, in its internal company documents, describe how price increases lead to significant reductions in smoking, particularly among young people.⁵

Who else is implementing it?

- Three communities in Colorado have increased taxes on cigarettes and all other tobacco products, including e-cigarettes: Aspen, Basalt and Avon. Taxes range from \$2-\$4 per pack of cigarettes, and 40% tax on all other tobacco products.
- Tobacco taxes vary by state, ranging from \$0.17 (Missouri) to \$4.50 (District of Columbia). The average state tax rate is \$1.81 per pack. Colorado’s state tax is \$0.84, ranking 39th in the country. Cigarettes in Colorado are also subject to the state’s sales tax of 2.9% (approximately \$0.15 per pack).^{6,7,8}
- Federal taxes for cigarettes and little cigars are \$1.01 per pack.⁹

What Do Our Community Members Think?



65% of Broomfield residents surveyed support increasing the price of tobacco products; 15% don't know or are neutral

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