



March 13, 2015

TO: The Honorable Paul Holvey, Chair
The Honorable Brent Barton, Vice Chair
The Honorable Bill Kenemer, Vice Chair
House Committee on Business and Labor

FROM: Karen Girard, Manager
Health Promotion and Chronic Disease Prevention Program
Center for Prevention and Health Promotion
Public Health Division
Oregon Health Authority

SUBJECT: House Bill 2969, Food and Beverage Consumption in Certified Smoke Shops

Chair Holvey and members of the committee, my name is Karen Girard and I am the Health Promotion and Chronic Disease Prevention Section Manager for the Oregon Health Authority. I am submitting information related to HB 2969, concerning the allowance of on-premises consumption of food and nonalcoholic beverages at smoke shops certified by the Oregon Health Authority.

The Oregon Health Authority has certified 24 smoke shops, as defined by ORS 433.847. HB 2969 allows the consumption of food and nonalcoholic beverages at smoke shops certified by the Oregon Health Authority. It does not allow for the consumption of alcoholic beverages. It would not allow for the sale of food, nonalcoholic or alcoholic beverages.

According to OAR 333-015-0068(3), to obtain certification as a smoke shop, a business must allow the Oregon Health Authority or Local Public Health Authority to make unannounced inspections of the business to determine compliance with the Indoor Clean Air Act. The inspector, in cooperation with the Person in Charge of the certified smoke shop, completes an assessment of compliance such as whether minors are allowed on the premises, and other Indoor Clean Air Act provisions such as proper posting of required

signs. The Public Health Division provides detailed instructions and trainings to Local Public Health Authorities on the implementation of the Indoor Clean Air Act, including conducting a site visit. Violations of the requirements for certified smoke shops may result in revocation of certification and/or a civil penalty.

As currently written, the Public Health Division does not have any concerns with HB 2969 and can easily incorporate these changes into our procedures.

Tobacco remains the leading cause of preventable disease and death in Oregon. An estimated 7,000 Oregonians die prematurely from tobacco-related causes each year. Properly enforcing Oregon's Indoor Clean Air Act contributes to the Public Health Division's mission of promoting health and preventing the leading causes of death, disease and injury. Please do not hesitate to contact me with any questions.