



Testimony of Upstream Public Health and partner organizations to the  
Senate Committee on Business & Transportation  
In support of Tobacco Retail Licensure-SB 663  
Nafisa Fai – Program Manager

April 13h, 2015

Dear Chair Monnes Anderson and members of the committee

On behalf of the undersigned organizations, we write to express our support for Tobacco Retail Licensure, which would require licensing of retailers for sale of tobacco and inhalant products retailers. Thank you for bringing this important legislation forward. Tobacco Retail Licensure would bring an end to an embarrassing era for Oregon. That era – of not knowing who is selling tobacco and inhalant products, not knowing who is buying these products, and the perception of availability of these products by minors – will be over. The undersigned organizations strongly support enacting a tobacco and inhalant product retail licensing system to protect minors from the sales of these harmful products.

According to the 2013 Synar report, Oregon has the highest illegal sales rate of tobacco products to minors. Unfortunately, the high percentage of high school and middle school students who smoke will not just experience negative health impacts that they may recover from as adults. It is estimated that 68,000 Oregon youth 18 and younger will die prematurely from smoking – losing their lives to a product they should never have had access to in the first place.

Where there's no accountability, there is no rule of law. Given the lack of statewide tobacco retail licensing system, it is hard to enforce existing laws. Specifically, it is challenging to enforce ORS 163.575, which prohibits the sale of tobacco to minors, and ORS 167.407, which prohibits self-service tobacco products. Additionally, a retail licensing system will improve the ability to conduct inspections, pursuant to ORS 431.853, to ensure that tobacco retailers comply with existing rules (including those related to endangering the welfare of a minor, displaying signs concerning the sale of smoking devices, the location of tobacco vending machines, and tobacco distribution to minors).

A retail licensing system is the first step to ensure the enforcement of current laws regarding tobacco and inhalant products, to address retail density, and to ensure that tobacco retailers are not located in close proximity to schools. Tobacco Retail Licensure also addresses the public health concerns of youth access to and use of tobacco and inhalant products. Local counties need the state's support in establishing a statewide retail licensing system to help address rampant tobacco use – especially in our rural counties, some of which have youth tobacco use rates twice the state average.

To reduce the number of Oregon youth that illegally access these products and to change the perception that these products are available to youth, Oregon needs comprehensive retail licensing with a fair fee, culturally responsive enforcement, and education. Tobacco Retail Licensure benefits responsible retailers who want to do the right thing, and it discourages retailers from selling to minors through education with enforcement. We recommend that the

OLCC have local county health departments conduct the enforcement and education mechanism of the licensing system. This strategy is considered best practice, because the local health departments are already responsible for improving the health of their citizens.

Tobacco Retail Licensure will help eliminate the confusion of not knowing which businesses sell tobacco and inhalant products and will reaffirm existing laws. The undersigned organizations thank you again for considering this bill. We urge you to pass this legislation with amendments to provide culturally responsive education and to enable local county health departments to carry out the enforcement and the education mechanisms of this bill.

Sincerely,

Asian Health & Service Center  
Asian Pacific American Network of Oregon  
Center for Intercultural Organizing  
Health Equity Circle at Oregon Health Science University  
Native American Youth and Family Center  
Oregon Health Equity Alliance  
Oregon Latino Health Coalition  
Upstream Public Health  
Urban League of Portland  
We Can Do Better