



To: Chair Monnes Anderson and Members of the Committee
From: Dr. Tia Henderson
Date: April 13, 2015
Re: Tobacco Retail License Policy, SB 663

Good afternoon, my name is Dr. Tia Henderson, the Research Manager at Upstream Public Health, a statewide nonprofit focused on improving the health of all Oregonians through sound policy. Thank you for this opportunity to submit comments today. On behalf of Upstream I commend the legislators for having brought forward this policy to protect the next generation's health and prevent Oregon youth from starting to use tobacco and nicotine products. We are all responsible for protecting our youth and recommend you pass this policy.

Tobacco retailer licensing can protect the common good: research indicates that in other states with this policy¹, it helps reduce youth access to tobacco through enforcement of laws preventing sales to minors. This is critical because at least one data source shows that Oregon has the highest number of sales of tobacco to minors in the country². Without this policy we risk losing federal funds that support tobacco prevention and efforts that help people quit smoking. This policy includes provisions to remove retailer's use of coupons, promotional pricing or multiple packs for reduced prices; efforts that research indicates will reduce how enticing tobacco can seem to youth³. If we could successfully lower our current rate of youth smoking by just two percentage points, the state could prevent nearly 30,000 kids from growing up to become adult smokers, saving nearly 10,000 lives and saving \$484.6 million dollars in health care costs⁴.

In your capacity as protectors I ask you to amend the existing policy adding that education and enforcement related to this policy use culturally responsive methods to prevent language barriers to compliance for retailers and staff to ensure that all neighborhoods, regardless of economic hardship or cultural and racial background, receive balanced protection⁵. I also request that the Oregon Liquor and Control Commission be granted the ability to work with county health departments and offices of equity for the enforcing this policy as they have important relationships with communities who are burdened by tobacco and nicotine availability. We recommend increasing clarity on the accountability for civil penalties ensuring that owners provide institutional support for this policy and to limit the grandfathering process to ensure a license cannot be applied to a business just from changing their name or brand if they have incurred penalties in the past. We also request that during the rule making process the OLCC explore model programs of enforcement that includes racial equity sensitivity in enforcing this, and related, tobacco laws. Upstream is in the early stages of a Health Equity Impact Assessment, supported with funding from the Knight Cancer Institute Community Partnership Program at Oregon Health & Science University, to examine how this policy could affect residents in Multnomah County. Based on our initial review of research studies, without these precautions, the policy has the potential of introducing barriers to retailers for whom English is a second language and could result in an imbalance of who is receiving citations and fines.

Tobacco retail licensing helps protect and support the community through reducing youth access to tobacco and addictive nicotine products. The sooner we have a policy in place, the sooner we'll see these communitywide benefits. Thank you for your time.

Dr. Tia Henderson
Research Manager

¹ American Lung Association in California, Center for Tobacco Policy & Organizing. 2013. *Tobacco Retail Licensing is Effective*, <http://center4tobaccopoly.org/wp-content/uploads/2013/09/Tobacco-Retailer-Licensing-is-Effective-September-2013.pdf>

² Annual SYNAR Report, 42 U.S.C. 300x-26, FFY 2014 State: Oregon

³ Health Equity Guide: Point-of-sale strategies to address access and exposure to tobacco products, Centers for Disease Control and Prevention, 2014

⁴ Broken Promises to Our Children: A State-by-State Look at the 1998 State Tobacco Settlement 16 Years Later, 2014.

⁵ Gottlieb et al., (2004), Minors' tobacco possession law violations and intentions to smoke: implications for tobacco control. *Tobacco Control*, (13) 237-243.