

**PROPOSED MUNICIPAL CODE AMENDMENTS TO
UPDATE LOCAL SMOKING REGULATIONS AND
RESTRICT THE SALE AND DISTRIBUTION OF
FLAVORED AND MENTHOLATED TOBACCO
PRODUCTS AND TOBACCO LOOK-ALIKE
PRODUCTS**

February 3, 2020

Item 2





E-cigarettes and Vaping Products Are Not Safe

Public Health Department

As of January 14, 2020, a total of:

2,668 individuals have been hospitalized due to E-cigarette or Vaping Product Use-Associated Lung Injury (EVALI) cases or deaths have been reported to the US Centers for Disease Control and Prevention from all 50 states, the District of Columbia, and two U.S. territories (Puerto Rico and U.S. Virgin Islands).

60 EVALI-related deaths have been confirmed.



“Any E-cigarette Use and Vaping by Youth is Unsafe”

Public Health Department

“The recent surge in e-cigarette use among youth...is a cause for great concern. We must take action now to protect the health of our nation’s young people.”

- **Dr. Jerome Adams**, US Surgeon General’s advisory on e-cigarette use among youth (December 2018)





Tobacco Companies Target Youth with Flavored Products

Public Health Department

- More than 50 communities in California and 250 throughout the nation have taken formal action to discourage children, teenagers, and young adults from smoking
- The emphasis of these actions has been on new and emerging flavored and menthol tobacco products
- According to the California Department of Public Health (CDPH), the vast majority of teenagers say their first use of a tobacco product was flavored
- 95% percent of African-American teens 12-17 years of age who smoked cigarettes in the last 30 days smoked menthols¹



¹<https://tobaccocontrol.bmj.com/content/tobaccocontrol/24/1/28.full.pdf>



Staff Recommendations

Public Health Department

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption);
2. Direct the City Attorney to prepare amendments to update the local Pasadena Municipal Code (“PMC”) to align with current state and federal definitions related to tobacco products, tobacco paraphernalia, tobacco use, and age identification requirements for tobacco sales; and
3. Prohibit the sale and distribution within the city of mentholated cigarettes and/or other flavored tobacco products, including flavored products for electronic smoking devices (“ESD”), including ESD liquids, flavored little cigars, and tobacco look-alike products.