



Mayor Bibb and Cleveland City Council Members,

We, the undersigned organizations, ask for your support for an ordinance that ends the sale of all flavored tobacco products including menthol and establishes a Tobacco Retail License (TRL) in the City of Cleveland.

For decades, the tobacco industry has targeted communities of color with flavored tobacco products. Products such as menthol cigarettes and flavored cigars were intentionally developed to mask the harsh taste of tobacco, allowing more frequent use, and resulting in higher addiction rates. The industry's predatory behavior has had a devastating impact. Black communities suffer the greatest burden of tobacco-related death, with black adults 32% more likely to die from heart disease and 45% more likely to die from stroke.

Now the tobacco industry is using the same tactics to addict our children. Kid-friendly flavors like gummy bear, grape crush and cotton candy, often used in non-combustible "e-cigarettes," are designed to hook a new generation of tobacco users. Nearly all (97%) youth e-cigarette users report using flavored products, and the overwhelming majority point to flavored products as their starting point.

In addition to ending the sale of flavored products, the City of Cleveland needs better tools to enforce existing tobacco laws. While the minimum age for tobacco sales was raised to 21 in 2015, enforcement efforts continue to be inadequate in deterring sales to underage youth. In 2019, only 28% (176) of Cleveland's 618 tobacco retailers received a compliance check. Of the 176 inspections performed, 66 or 38% failed inspection. And of the tobacco retailers that failed inspection, 78% received only a warning letter.

A comprehensive Flavored Tobacco and Tobacco Retail License ordinance is needed to:

- End the sale of all flavored tobacco products, including but not limited to menthol cigarettes, flavored cigars/cigarillos, flavored e-cigarettes, flavored smokeless tobacco, flavored shisha/hookah, etc.
- Require every tobacco retailer in Cleveland to get a license and renew annually so the city can know how many tobacco retailers are operating in the city and more effectively enforce local, state, and federal tobacco laws.
- Use the annual tobacco retail license fee to fund robust enforcement efforts, including at a minimum one compliance check per retailer per year.

- Hold retailers accountable for unlawful sales to youth through graduated penalties and license suspension or revocation for repeated violations.

Ending the sale of flavored products addresses decades of predatory marketing on behalf of the tobacco industry directed towards communities of color, as well as recent efforts to hook a generation of youth users with flavored e-cigarettes. Establishing a Tobacco Retail License will allow the City to better enforce laws that keep tobacco products out of the hands of youth. Taken together, these policies give the City the tools needed to lower Cleveland’s startling high smoking rate of 38.6% (a rate 17% higher than the state average and 21% higher than the national rate), prevent future tobacco addiction and tobacco-related health outcomes including heart disease, lung cancer and stroke, and reduce the health disparities that confront Cleveland’s Black and Brown communities as a result of decades of racial targeting.

Please put the health of our kids and community first by passing a comprehensive Flavored Tobacco and Tobacco Retail license ordinance that ends the sale of ALL flavored tobacco products in Cleveland and ensures tobacco retailers aren’t selling to underage customers. This policy will go a long way toward addressing racism as a public health crisis in the City of Cleveland.

Sincerely,

American Cancer Society - Cancer Action Network	National Association for the Advancement of Colored People (NAACP) – Cleveland Branch
American Heart Association	National Coalition of 100 Black Women, Inc.
American Lung Association	Northeast Ohio Black Health Coalition
A Vision of Change	Northeast Ohio Neighborhood Health Services, Inc.
Better Health Partnership	Ohio Public Health Association
Campaign for Tobacco Free Kids	Old Brooklyn Community Development Corporation
Care Alliance Health Center	Parents Against Vaping E-Cigarettes
Case Western Reserve University	Preventing Tobacco Addiction Foundation
Center for Black Health and Equity	See You at the Top (SYATT)
Center for Health Affairs	Signature Health
Center for Community Solutions	Slavic Village Community Development Corporation
Cleveland Clinic	The African American Tobacco Control Leadership Council
Cleveland Office of Minority Health	The Gathering Place
Cuyahoga Metropolitan Housing Authority	University Hospitals Rainbow Babies & Children's Hospital
First Year Cleveland	Urban League of Greater Cleveland
Healthy Cleveland BreatheFree Committee	Young Latino Network
Hospice of the Western Reserve	YWCA Greater Cleveland
MetroHealth	
Midtown Cleveland Inc.	
Mt. Sinai Health Foundation	