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To Whom it May Concern:

As a Kaiser Permanente physician, President of the Colorado Medical Society, and mother of three young adults, I urge you to support a comprehensive policy that ends the sale of all flavored tobacco products in the city.

As the largest nonprofit health plan in the state, providing care to over 500,000 members for over 50 years, Kaiser Permanente supports removing all flavored tobacco products from the market. A strong policy will reduce youth access, both initiation and maintenance of a potentially lifelong addiction.

Tobacco use remains the leading cause of disease, disability, and premature death in the U.S. Eighty-one percent of youth who have used tobacco started with a flavored product; the vast majority of those that use e-cigarettes say flavors are the reason they do it. Hooking kids helps ensure the tobacco industry has life-long customers and a healthy bottom line, while Colorado healthcare bears a \$2.19 billion cost to treating tobacco-related issues. And, as individuals, we all end up paying for tobacco addiction.

Ending the sale of all flavored tobacco products can reduce use of these dangerous and addictive products and supports the well-being of everyone. As a prevention-focused organization, Kaiser Permanente urges Denver City Council to support a comprehensive bill and end the sale of all flavored tobacco—all flavors, all products, in all locations.

Kim Warner, MD  
Colorado Permanente Medical Group



6001 Ron King Trail Unit C  
Littleton CO. 80125  
Telephone: 720-344-2762  
[www.coloradosheriffs.org](http://www.coloradosheriffs.org)

December 9, 2024

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Sent via email

Re: Flavor Ban Ordinance on all Tobacco Products

On behalf of our members, the County Sheriffs of Colorado write to voice our concern and opposition to Denver's ordinance to ban all flavored tobacco products. We believe this ban will have negative consequences on law enforcement, and the communities we serve.

Colorado has long seen the problems with illicit tobacco sales. According to the Mackinac Center for Public Policy, Colorado already has the 15<sup>th</sup> highest rate of cigarette smuggling in the nation. We believe that Denver's proposed flavor ban will simply move these products out of regulated stores onto our streets, generate a sizeable new black market and create a new unfunded enforcement mandate for law enforcement. Illicit actors would immediately exploit this opportunity by smuggling and trafficking flavored tobacco products from the surrounding counties of Jefferson, Douglas, Arapahoe, Adams and Broomfield and all over the state into the city and county of Denver.

Not only would the illicit trade likely create significant illicit profits for criminals in Colorado, but also provide new unregulated access to tobacco for Colorado's youth and undermine existing youth prevention efforts, regulations and laws.

Massachusetts' experience following its ban on flavored tobacco in 2019 acts as cautionary tale on this issue. Studies analyzing the flavored tobacco ban in Massachusetts concluded that "the flavor ban has been far from successful, as sales in both New Hampshire and Rhode Island experienced double-digit growth—almost making up for the entire decrease in Massachusetts." In short, the flavor ban in Massachusetts has triggered a significant illicit market in flavored tobacco, which is smuggled into the state from neighboring states. We believe the same would occur in Denver.

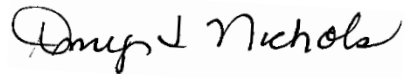
Furthermore, in our experience any black market also creates additional adjacent criminal activity, including theft and violence. A further increase in crime will be a burden on our already strained resources. Additionally, the prospect of having to interdict these new types of contraband which would be legal in all other parts of the state and in all the other counties surrounding

*Leading the Way to a Safer Colorado*

Denver is an impossible task for our law enforcement officers. Given the significant crime and public safety issues our law enforcement officers already face, this is not an enforcement issue and unfunded mandate we need or could prioritize.

We respectfully ask that you reconsider and reject the proposed ordinance and instead work with law enforcement to develop targeted strategies to combat the existing illicit tobacco trade in Colorado.

Sincerely,

A handwritten signature in black ink that reads "Amy J. Nichols". The signature is fluid and cursive, with the first name "Amy" and last name "Nichols" clearly legible.

Amy J Nichols  
Executive Director

Reference #  
15365014

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre  
Janine

Last Name / Apellido  
Browne-Franklin

I am a resident of: / Soy residente del:  
I don't know / No sé mi número de distrito

I am... / Estoy...  
FOR the item / a FAVOR del artículo

My testimony: / Mi testimonio:  
My name is Janine. I am a volunteer with Parents Against Vaping (PAVe). Above all, I am writing to you as a mom, speaking up for my daughter Jacqueline.

My vaping story begins when Jackie was 15 and a sophomore in high school. This is when she first tried vaping with some girlfriends at school.  
Jackie started dating a boy who vaped and two months later she was vaping every day. She began stealing money to buy vapes from her friends. At this point, Jackie's vaping had become a full-blown addiction. She was vaping the equivalent of about 20 cigarettes a day. Jackie was physically addicted and could not stop vaping.

By the following Spring, she was vaping the equivalent of 40 to 60 cigarettes a day. She could not go for more than an hour without using her vape. Vaping was her first act in the morning



and her last act before bed.

Initially, Jackie said the flavors were the hook that got her: mango, peach, French toast, watermelon, blue razzberry; innocent sounding yet infused with up to 6% nicotine; a drug which is one of the 5 most addictive substances in the world. Jackie's struggle with addiction started with nicotine and then progressed to other substances.

Please understand, this struggle is real, and the pain is real, and the nicotine addiction and cravings are real. So many families have similar stories; filled with tears and worry over their child's vaping addiction, which started with flavored tobacco products.

Have you ever noticed how easy it is to underestimate the power of something until it is too late and that something has you in its grip? I remember as a kid, going swimming at Eagle Lake in Minnesota. At one point I was laughing and walking in the lake-I could feel the sand bar under my feet. A second later, I was gasping for air, the bottom was gone, I had stepped off a shelf, and I had lost control. I was sinking and choking on lake water and fighting for my life, nearly drowning. I remember somehow getting pulled into a boat and saved by a neighbor. Thank God someone was looking out for me!

Today as we speak, our children have stepped off a similar figurative shelf. So many are drowning in nicotine addiction, and thousands have become tobacco/vape industry customers for life. Our children, unaware of the insidious and destructive nature of vaping, need our help now! Big Tobacco has our children in its sights and in its grip.

We all know flavored vapes are bad and addictive. What easier way to attract young people than with sweet, kid-friendly, candy-like flavors? We must protect our children and ban the sale of these harmful products. As parents, siblings, grandparents and community members, we should all be on the same side here – the side of protecting and advocating for our children. There is another side: The side of a multibillion-dollar industry that does not give a single care about our children. They don't care that my daughter is addicted to their products, and they don't care about the long-term health impacts from vaping. All they care about is their bottom line –money and profit.

Now is the time to choose a side. It really comes down to our children or the tobacco/vape industry. Anything less than a comprehensive ordinance that ends the sale of flavored vapes and all other flavored tobacco products is an act of appeasement to an industry that has no redeeming qualities.

I implore you to not put this off any longer. Please, please protect Denver's kids and eliminate the sale of all flavored vaping and tobacco products.

Thank you for your time and consideration.

Sincerely,

Janine Browne-Franklin

Finish Time

2024-12-12 17:05:17

Reference #  
15365019

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre  
Jacqueline

Last Name / Apellido  
Franklin

I am a resident of: / Soy residente del:  
I don't know / No sé mi número de distrito

I am... / Estoy...  
FOR the item / a FAVOR del artículo

My testimony: / Mi testimonio:

My name is Jackie and I'm 22 years old. I'm here today with my mom to share my story about vaping.

When I first started vaping, I was in 10th grade—just 15 years old. I had no idea there was nicotine inside of vapes; I thought it was just water vapor, so I had no reason to think it was dangerous. Vapes were everywhere—online, at convenience stores, and at school – I didn't have to search hard to find them.

In many cases, vapes were handed to me by friends who didn't know the full dangers either. Vaping soon became a regular part of my life, and I got hooked faster than I ever could have imagined. I didn't realize what I was getting myself into. Within a few weeks, I was feeling nauseous, lightheaded, and exhausted. But I kept vaping. It was so popular in my friend group that it quickly took over my life. And as much as I hated the way it made me feel, I couldn't stop. When I was 17, I was diagnosed with asthma—a condition I never had before. I had always been

active, playing varsity volleyball, but suddenly, I was getting winded easily and coughing up blood. Things kept getting worse, but I kept vaping. I kept thinking, maybe just one more hit, just one more day. I've tried to quit countless times, but typically, after two or three weeks, I cave. I've had some longer breaks. The longest I've been vape-free was eight months, but the pull is always there. Every time I hang out with friends who vape, or even see people I don't know vaping, I feel the instant temptation. It's like a switch flips in my brain.

I don't think anyone can understand how hard it is to quit unless they've been through it. This isn't just a bad habit—it's an addiction. When I was 15, I didn't understand that. I didn't understand the mental health toll it would take on me. No one told me about the long-term effects of nicotine - I'm not sure the kid in me would have listened. What's for sure is that I wish I had never started in the first place.

This addiction has taken over so much of my life. It shapes my days, the places I go, and the way I think. I plan my life around where I can vape and when I can get my next hit. And when I'm not vaping, I'm thinking about vaping. It's exhausting. If we want to protect the next generation, we need to stop making it so easy for them to start. Flavored vapes are a trap, and they're designed to keep young people coming back. That's why it's so important to take action and ban flavored vapes here in Denver.

Thank you for listening to my story.

Finish Time

2024-12-12 17:07:57

Reference #  
15365022

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre  
Kyle

Last Name / Apellido  
Wimmer

I am a resident of: / Soy residente del:  
I don't know / No sé mi número de distrito

I am... / Estoy...  
FOR the item / a FAVOR del artículo

My testimony: / Mi testimonio:

My name is Kyle Wimmer and I am a visual arts teacher at Mountain Range High School in Westminster as well as a volunteer with Parents Against Vaping (PAVe). I am also someone who has faced the challenges of addiction and has committed my life to helping young people navigate their own struggles.

I have been teaching for over 20 years. Post pandemic, I have witnessed an alarming rise of vaping among my students who are drawn to flavored tobacco products. Highschool kids feeling anxious, depressed, bored, like outcasts - all too often regard the thousands of kid-friendly flavors—as a social outlet and escape from whatever they are dealing with internally. These products which are so easily accessible are wrongly marketed on social media as safe, fun, and cool. Unfortunately, the flavors mask the harmful effects of the high levels of nicotine and create a pathway to addiction that can be difficult to escape -particularly, when they are so easy to get their hands on - at local retailers, online, and from plugs.

I have been sober for 9 years. I understand firsthand the grips of addiction. This personal experience fuels my passion for supporting my students as they confront their own challenges. I run a club called "The Phoenix," where students who are overwhelmed and struggling are encouraged to rise above the clutches of nicotine and other substances. Through this club, we provide a safe space for students to share their experiences and support one another in their journeys to quit.

In our discussions, it is clear that these easily accessible flavored products play a significant role in their addiction. Many of my students have shared that the enticing flavors made it easier for them to start vaping, often believing it was a harmless pastime. But their addiction is real and it is evident that they need more than just my support - they need strong policy change.

Let's not underestimate the power of our choices as a community. By getting these appealing options off the shelves, we can significantly reduce the number of young people who start using nicotine in the first place. Let's send a clear message that our lawmakers prioritize the well-being of our youth over the profits of tobacco companies. I urge you to support a comprehensive ban on flavored tobacco products in the City of Denver.

Together, we can help our youth rise up like phoenixes, free from addiction, and embrace brighter futures.

Thank you for your consideration.

Finish Time

2024-12-12 17:09:57

Reference #

15365148

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

aklilu

Last Name / Apellido

shishay

I am a resident of: / Soy residente del:

District 5 / Distrito 5

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Sample Testimony

Good Afternoon.

My name is Aklilu Shishay and I Mange Gas Plus Monaco LLC @ 800 S Monaco PKWY, Denver Co, 80224 store in city council district 5 Please oppose ordinance 241765 which would unfairly ban the legal sale of adult products through licensed, regulated stores like mine. I moved to Denver and America because of the opportunity to live the American dream and experience the freedoms that this country is founded on. I have experienced infringements like those in this ordinance that limit adults' rights and opportunities in pervious countries have lived in.

I worked 2 jobs to be able to purchase my first business in the city of Denver and live the American dream. This ordinance not only limits adults' rights it will limit the opportunity to live the

dream of freedom of choice and prosperity.

This ordinance will cost me the ability to continue my dream of owning my own business in this country,

with this cost the ban will be ineffective in reducing tobacco use, my store is 2 blocks from other stores

outside of Denver that my tobacco consumers will simply walk to those stores to buy the adult products

of their choice, taking all the soda, snack and other sales with them.

I see the ineffectiveness of the Golden Ban in my own store, daily I have customers that drive to my

store to purchase the adult tobacco products they use. There is a demand for these products and people

will simply find a way to get them.

What are we trying to solve for I am a responsible retailer and I do not sell to underage consumers. Also

the CDC data stating that youth usage of tobacco is at an all time low. This ordinance does not address

other products usage the city it does not ban fruity pebble rice crispy marijuana bars or fruity gummies.

This ordinance is product hypocrisy and oppressive to adult freedom of choice.

Let's move forward and not look to failed policies of the past, like prohibition. Let's start by recognizing

that adults should have the freedom of choice, and the council should work with the retail community

to find practical effective solutions.

Finish Time

2024-12-12 18:20:56



Reference #  
15365960

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre  
Blake

Last Name / Apellido  
Rodriguez

I am a resident of: / Soy residente del:  
I don't know / No sé mi número de distrito

I am... / Estoy...  
FOR the item / a FAVOR del artículo

My testimony: / Mi testimonio:

My name is Blake, and I'm a senior in high school. Both of my parents are heavy smokers, so tobacco was always an accepted part of my life. I started vaping in eighth grade because I wanted to be like everyone else. Vaping was fun and helped me fit in. When I was hanging out with friends, it was just something we did together. We shared our favorite flavors. Before I knew it, I was hooked. When I was bored or anxious, I would go to the bathroom. All the kids would share the tricks they could do blowing smoke. Now I realize that my mental health had really taken a hit and the more I vaped, the worse it got. Vaping gave me instant gratification, but nothing long-term. My cravings for nicotine were constant and I started smoking cigarettes too. During my freshman winter formal, I hit rock bottom. I stopped nicotine for a few months, but when I went back to school in September for my sophomore year, everyone was still vaping, setting off my cravings again. Vapes were just so easy to get and I was back to doing it. Thankfully a teacher in my school understood what I was going through and helped me see

vaping in a different light. Instead of vaping when I was bored or anxious, I started to run. I became passionate about track. I tend to do things by myself and am pretty independent, but Mr. Wimmer understood that you can't do it alone. Fortunately, my faith also gives me added strength and support. Now when I think about vaping it's disgusting to me. We need to get flavored vapes off the shelves so more kids don't fall into the same trap I did. It's about addiction and what it distracts us from—what really matters in life.

Finish Time

2024-12-13 07:10:08

Reference #  
15365967

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
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First Name / Nombre  
Victoria

Last Name / Apellido  
Bueno

I am a resident of: / Soy residente del:  
I don't know / No sé mi número de distrito

I am... / Estoy...  
FOR the item / a FAVOR del artículo

My testimony: / Mi testimonio:

My name is Victoria, and I'm a high school senior. I started vaping in eighth grade, when a friend encouraged me to hit his vape. I got addicted fast, and the flavors played a big role in drawing me in. I made so many friends because of vaping – I felt like I was part of a community. But with the help of one teacher, I realized that it was a dangerous addiction. I felt embarrassed that I had to constantly make excuses to hide in the bathroom to vape. I gave up things I cared about just to have more time to vape. Vaping was fun and I really enjoyed performing tricks for people in the bathroom, but I know that it's not good for my health. I've tried quitting many times, but it's extremely hard when these products are everywhere and my brain craves that nicotine buzz. Getting flavored vapes off the market is important to stop other young people from getting hooked the way I did.

Finish Time

2024-12-13 07:12:04

Reference #  
15366026

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre  
Mudi

Last Name / Apellido  
Kpohraror

I am a resident of: / Soy residente del:  
I don't know / No sé mi número de distrito

I am... / Estoy...  
AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Dear Sirs and Madams:

Cigar Association of America, Inc. ("CAA") and The Pipe Tobacco Council ("PTC") submit these comments in opposition to Denver, Colorado. Ordinance No. 24-1562, amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of tobacco products including flavored tobacco products ("Proposed Ordinance").

CAA is the leading national trade organization representing the interests of cigar manufacturers, importers, distributors, and major industry suppliers. CAA members manufacture, distribute, and sell a significant share of the large, premium, little, and filtered cigars sold in the United States. Its membership includes Smoker Friendly, a long-time Colorado business and staple in the community in Denver and surrounding jurisdictions. CAA is a key stakeholder in any discussion of regulation of cigars, as changes in laws and/or regulations significantly affect its members' ability to conduct business. PTC is the leading national trade association representing

pipe tobacco and smoking pipe manufacturers, importers, distributors, and retailers. PTC is a key stakeholder in the implementation of any regulation of pipe tobacco as these regulations significantly affect its members' ability to continue to conduct business.

The Proposed Ordinance aims to prohibit the sale of all flavored tobacco products, including cigars and pipe tobacco. This blanket approach is a disproportionate and ineffective attempt to address any issues of youth usage, especially considering that the only facts and allegations presented as justification for the Proposed Ordinance relates to other product categories – such as vapor and cigarette products.

First, a ban as it relates to cigars and pipe tobacco is not supported by scientific data. Surveys conducted or funded by government agencies all show that youth and young adult usage of cigars, including flavored cigars, is at historic lows, and youth usage of pipe tobacco is nearly unmeasurable. In Colorado, the most recent 2021 Youth Risk Behavior Survey data, sponsored by the Centers for Disease Control, show that high school students who currently smoke cigars frequently is 0.5%, which is below the national average in 2023 of 0.8%. This being the case, the burden of a ban on these products would fall almost entirely on the consenting adult consumers and result in no meaningful reduction in youth usage rates. As esteemed researcher Dr. Ken Warner recently observed, "Youth cigar smoking has plummeted as well. Past 30-day use of cigars dropped from 11.3% of high school students in 2011 to 1.8% in 2023. Middle school cigar use was 1.1%, down from 3.7%.<sup>1,3</sup> By any measure, youth smoking has nearly ceased to exist." Second, if enacted, this proposal would have a significant adverse financial impact throughout the City, which would fall mostly on small businesses. It can be estimated that flavored cigars represent up to 47% of the cigar market, and nearly all pipe tobacco can be considered flavored based simply on the process used to manufacture the product. Therefore, a proposed ban, if passed as currently drafted, would eliminate the entire product category of pipe tobacco and almost half of the cigar inventory within city limits, forcing adult consumers to patronize lounges and retail establishments in other jurisdictions, and inevitably encourage unregulated black-market sales. All of which would result in drastic economic impacts on small businesses in Denver.

When a similar proposal was raised in 2021, then-Mayor Hancock vetoed the bill, stating: Many convenience stores receive a significant portion of their revenue from the sale of flavored tobacco products. For many other retail stores, it is their entire business model. Many of these businesses are small and minority-owned. If we were to institute this ban only within our jurisdiction, many local businesses and business owners would experience a severe drop in their income, some may choose to locate to other jurisdictions where such a ban is not in place, and others would have to close their businesses entirely, leaving their employees out of a job. This economic disruption will be felt by Denver alone.

While a new mayor is in office now, this point remains relevant today - adult consumers will simply venture into neighboring jurisdictions to purchase these products, depriving the city of

valuable tax revenue and harming Denver's local economy. Further, as nearly all pipe tobacco can be considered flavored simply based on the process that is used to manufacture the products, the ban would eliminate this product's availability to adults even though it has virtually no measurable use rate among youth.

Finally, while CAA appreciates attempts made by the council to mitigate the impact of the bill on premium cigars by creating exemptions for access and packaging, the bill if passed in its current version, would still have a disastrous impact in its current form. The requirement that premium cigars have a \$12 wholesale price in order to qualify for relief is arbitrary and would virtually eliminate the market for adult consumers and retail businesses that sell premium cigars.

For the foregoing reasons, the Cigar Association of America urges the Denver Council not to adopt the Proposed Flavor Ban.

Respectfully submitted,

Mudi Kpohraror

Cigar Association of America, Inc.

Pipe Tobacco Council, Inc

Finish Time

2024-12-13 07:25:41

Reference #

15366355

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

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First Name / Nombre

BHRIGHU

Last Name / Apellido

SHAH

I am a resident of: / Soy residente del:

District 1 / Distrito 1

I am... / Estoy...

FOR the item / a FAVOR del artículo

My testimony: / Mi testimonio:

Banning flavoured tobacco products in our community would not only harm local business but also have intended consequences on adult consumers. I feel following main reasons:

# Economic Impact: Local business, including retailers and suppliers, depend on the sale of flavoured tobacco products for a significant portion of their revenue. A ban would lead to loss of jobs, reduced business profitability, and economic downturns in the community then to city and to entire covered area.....

# Consumer Choice: Adults should have the right to choose products that suit their preferences. Many adult smokers transition to flavoured tobacco as a less harmful alternative to traditional cigarettes. Banning these products could push consumers bck to more harmful alternatives.

# Regulation Over Prohibition: Instead of blanket ban, regulation can ensure the safety and the quality of these products. Implementing age restrictions strongly and effectively and



responsible marketing can prevent underage access without stifling legitimate business activities.

# Personal Freedom: Adults who choose to use flavoured tobacco products should have the freedom to do so, as long as it does not harm others. Prohibition could set a precedent for restricting personal freedoms in other areas of life.

IN CONCLUSION, INSTEAD OF AN OUTRIGHT BAN, WE SHOULD FOCUS ON REGULATION AND EDUCATION TO PROTECT PUBLIC HEALTH WHILE ALLOWING RESPONSIBLE ADULT CONSUMPTION AND SUPPORTING LOCAL BUSINESSES.

SECONDLY WE COULD MAKE SURE IN OUR 'POS' SYSTEM IN ( EVERY RETAILERS STORE,) NOT POSSIBLE TO SELL ANY SUCH PRODUCTS BY BYPASSING WITHOUT EITHER BY SCANNING ANY CUSTOMERS' ID OR PHYSICALLY ENTERING THEIR DATE OF BIRTH.

Thank you.

Finish Time

2024-12-13 09:28:58

Reference #  
15366808

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre  
Genet

Last Name / Apellido  
Meteku

I am a resident of: / Soy residente del:  
District 1 / Distrito 1

I am... / Estoy...  
AGAINST the item / en CONTRA del artículo

### My testimony: / Mi testimonio:

My name is Genet Meteku, and I am partial owner of S & G TOBACCO LLC SAMUEL DIRAR MBR store in city council district 1.

Please oppose ordinance 241765, which would unfairly ban the legal sale of adult products through licensed, regulated stores like mine.

All I've heard in this meeting is the need to address menthol and e-vapor youth usage. But this ban does so much more and lacks facts and logic.

Let's look at the government's own facts. The CDC data on youth usage over the last 2 decades shows:

- Youth cigarette smoking is the lowest in a generation (1.3%).
- Youth menthol cigarette use is the lowest in a generation (0.8%).
- Youth use of smokeless tobacco products is also the lowest in a generation (1.2%).
- Youth use of cigars is also the lowest in a generation (0.8%).

Why does this ban include a ban on legal adult products like smokeless tobacco and cigars? There isn't a youth usage issue, and these are adult products just like alcohol which have flavors as well. Let's start by removing products that have nothing to do with this conversation – smokeless tobacco, cigars, and even menthol cigarettes are at historic lows of usage and our nation didn't get there by prohibitionist policies.

We achieved these tremendous results by investing in education to our younger people and investing into the licensed regulated retail market to require more penalties for social sourcing and better technology solutions to ensure age verification takes place during a tobacco transaction.

Let's move forward and not look to failed policies of the past, like prohibition. Let's start by recognizing there are products in this ban that aren't part of any problem and remove them and then work with the retail community to find practical effective solutions.

Data on youth usage comes from:

1. National Survey on Drug Use and Health 2002-2020 combined; state is 12- to 17-year-olds who report past 30-day use.

2. Park-Lee E, Jamal A, Cowan H, et al. Notes from the Field: E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024. MMWR Morb Mortal Wkly Rep 2024;73:774–778. DOI: <http://dx.doi.org/10.15585/mmwr.mm7335a3>

Finish Time

2024-12-13 11:14:50

Reference #  
15367192

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre  
Bria

Last Name / Apellido  
Melaragno

I am a resident of: / Soy residente del:

I am... / Estoy...  
FOR the item / a FAVOR del artículo

My testimony: / Mi testimonio:

My name is Bria, and I'm a junior in high school. I started vaping in 5th grade, long before I really understood what I was getting into. It seemed fun at first—flavors like Strawberry and Cotton Candy, the buzz, and the social aspect at school made it feel harmless. But before I knew it, I was hooked on vaping. I would feel anxious when I didn't have my vape. I've tried quitting over the past two years over ten times, but it's been a struggle, especially when my friends still vape. The hardest part is how easy it is to get vapes and how vaping is still everywhere I go. Older kids pass them around and there are vape shops that don't check IDs. Thankfully, I've had help from a teacher, Mr. Wimmer, who taught me how dangerous vaping is and helped me see it for what it really is: gross and unhealthy. I've gone weeks without vaping, and I'm proud of that. But the cravings are tough, and the temptation is always there. We need to make it illegal to have flavored vapes in Denver because they are too addictive and too easy to get. I hope you decide to take them off the market ASAP.

Finish Time

2024-12-13 13:04:39

Reference #

15367383

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. /

Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

Tiffany

Last Name / Apellido

Truong

I am a resident of: / Soy residente del:

District 1 / Distrito 1

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

I am the owner of the gas stations in Denver where my revenue significantly come from selling cigarettes and tobacco products. My 2 gas station are right at the border of City of Lakewood and Aurora so customers just drive couple blocks down the street to get the products that are banned in Denver, this solution does not help to solve the problem that city of Denver try to do instead giving the tax money to other cities instead. I don't mind if this is a statewide ban or at least the whole metro but just city of Denver itself won't make a difference other than killing small businesses in the city. Please reconsider your ban and help us , those small business owners. Thanks so much.

Finish Time

2024-12-13 14:24:11

Reference #

15367471

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

Craig

Last Name / Apellido

Holmes

I am a resident of: / Soy residente del:

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Members of the Denver City Council,

My name is Craig Holmes and I work for Circle k. I am writing to oppose a flavored tobacco ban in Denver, CO (Ordinance #241765), and asking to amend the broad ordinance to focus on prohibiting the sale of flavored vapor products (excluding menthol).

Circle K has 14 stores in the city of Denver and employs 135 people in the area. I am urging you to oppose a flavor ban on menthol cigarettes, flavored dip, flavored cigars, and menthol vapor products. This proposed legislation is bad policy because prohibition does not end the supply of the products consumers want, but rather shifts the products to outside of the city of Denver or possibly illicit sellers lacking regulatory oversight. Our stores are the neighborhood markets, for the communities we serve and go beyond serving as convenience store or gas station. I urge you to oppose ordinance 24-1765, which unfairly targets businesses like ours that the communities

we serve depend on, by banning the sale of flavored tobacco products.

As a licensed seller of tobacco products, we comply with all laws and the proper regulation of tobacco products. This ban will push these products to illegal sellers who don't follow the law, don't care if their products end up in the hands of underage purchasers, don't buy their products from FDA regulated manufacturers, and don't pay taxes. There is a better path forward – harm reduction, not prohibition.

We support the need to address issues including underage vaping, but ordinance 24-1765 does not do that. We work hard at preventing youth access and abides by existing laws to ensure adult products are kept out of the hands of youth in Denver. We provide training and resources to our employees on the importance of age verification on all tobacco and alcohol sales. Our stores enforce 21 as the legal age to purchase tobacco and vapor products, employ members of the Denver community, and pay our taxes.

We also know that prohibition does not work. It did not work for alcohol, it did not work for marijuana, and it won't work by banning adult-preferred products. Moreover, this ban would undermine public health by pushing the sales of these products to the illegal market where criminals don't care about checking IDs. and it could increase policing tensions.

If implemented, this proposal to ban adults from purchasing flavored tobacco products will further diminish the resources for business like ours to invest in the Denver community while doing nothing to address underage vaping.

We urge the council to seek solutions for the retail environment that will actually have an impact on youth vaping. Smart regulations like supporting the scanning of all IDs for every tobacco purchase, harsher penalties on retailers who continually fail inspections, and education would do a better job to further support our efforts at retail to ensure adult compliance.

We appreciate your consideration and opposition of ordinance 24-1765.

Sincerely,

Craig Holmes

Finish Time

2024-12-13 14:54:15



Reference #

15369526

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

Amy

Last Name / Apellido

Bales

I am a resident of: / Soy residente del:

District 2 / Distrito 2

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

In July, Gov. Jared Polis signed House Bill 20-1001 into law, raising the minimum legal age to buy tobacco products in Colorado from 18 to 21 years of age, aligning the state with federal legislation that was enacted in December 2019.

Although the federal T21 law applied to Coloradans starting at the end of last year, the passage of this state law makes it possible for further enforcement and regulation to take place locally. Along with raising the minimum tobacco purchasing age, the law requires every retailer of tobacco and nicotine products in Colorado to be licensed before July 1, 2021. The Colorado Department of Revenue will collaborate with local authorities to conduct compliance checks at each retailer twice annually, and the department holds the power to revoke licenses if retailers are not following the new policies.

The bill repeals a past law that criminalized the purchase or attempted purchase of tobacco products by a minor. Under the new law, retailers who sell electronic smoking devices (ESD)

cannot advertise or visibly promote ESDs outside of the store. Lastly, the law states that retailers cannot allow employees under the age of 18 to sell or participate in the sale of cigarettes, tobacco products or nicotine products.

The above referenced law already in place this renders the pursuit of a ban on flavored tobaccos by City Council of Denver pointless and a waste of taxpayer time. Underage persons are already prohibited from legally purchasing tobacco products of any kind.

Finish Time

2024-12-15 19:38:42

Reference #  
15369808

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):  
24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre  
Guy

Last Name / Apellido  
Bentley

I am a resident of: / Soy residente del:  
I don't know / No sé mi número de distrito

I am... / Estoy...  
AGAINST the item / en CONTRA del artículo

### My testimony: / Mi testimonio:

Members of the City Council, thank you for the opportunity to submit comments regarding the proposed ban on flavored tobacco products. My name is Guy Bentley, and I am the director of consumer freedom at the Reason Foundation, a 501(c)3 nonprofit think tank.

The intention to limit tobacco use, especially among youth, is to be applauded. However, the evidence shows that banning flavored tobacco products pushes sales to other jurisdictions, increases the illicit tobacco trade, and can increase smoking.

A ban on all flavored tobacco products would forbid adult smokers in Denver from purchasing products authorized for sale by the Food and Drug Administration (FDA) as “appropriate for the protection of public health.” These products include e-cigarettes, oral nicotine products, and heated tobacco products, each of which has been subjected to intensive review from scientists and experts at the FDA and authorized for sale because the public health benefits of these products outweigh their potential risks, including risks to youth. These products are safer than

combustible cigarettes and can help those smokers who have been unable to quit through other means to achieve their health goals.

Furthermore, a growing literature demonstrates that banning safer alternatives to cigarettes, such as flavored e-cigarettes, increases the sales of traditional cigarettes. Researchers from three universities found that an additional 12 cigarettes were sold for every e-cigarette pod that was not sold because of flavor bans. If cigarette sales replace flavored alternatives to cigarettes, that would represent a negative trade-off for public health.

While prohibiting flavors other than tobacco may seem an attractive solution to the problem of youth vaping, policymakers should recognize that, according to the 2024 National Youth Tobacco Survey (NYTS), youth vaping has fallen by almost 70 percent since 2019. These dramatic reductions in youth vaping were achieved without a national prohibition on flavored tobacco products.

In 2018, the city of San Francisco banned the sale of all flavored tobacco products, including e-cigarettes with flavors other than tobacco. A study conducted by Yale University's Abigail Friedman found that after San Francisco's flavored tobacco ban was enacted, youth in the area were twice as likely to smoke compared to young people in similar jurisdictions that had not enacted tobacco flavor bans. This ban did not reduce youth smoking.

"While neither smoking cigarettes nor vaping nicotine are safe per se, the bulk of current evidence indicates substantially greater harms from smoking, which is responsible for nearly one in five adult deaths annually. Even if it is well-intentioned, a law that increases youth smoking could pose a threat to public health," said Friedman. A separate study published in Addictive Behavior Reports found the majority of young adult tobacco users continued using flavored products, and the ban may have actually increased cigarette smoking.

We urge the committee to consider the risks of an outright ban on all flavored tobacco products. Preventing youth tobacco use should always be a public health priority, but it can be achieved without the unintended consequences that can stem from prohibition.

Guy Bentley, Director of Consumer Freedom, Reason Foundation  
[guy.bentley@reason.org](mailto:guy.bentley@reason.org)

Finish Time

2024-12-16 04:37:27

Reference #  
15370150

## Public Hearings

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First Name / Nombre  
Adam

Last Name / Apellido  
Hoffer

I am a resident of: / Soy residente del:  
I don't know / No sé mi número de distrito

I am... / Estoy...  
Neutral / Neutral

My testimony: / Mi testimonio:

To: Members of the City Council

From: Adam Hoffer, PhD, Director of Excise Taxation, Tax Foundation

Subject: Comments Regarding a Ban on the Sale of Flavored Tobacco

A flavor ban would likely cost Denver and the state of Colorado more than \$3 million in revenue per year. On top of the declining sales, illicit trade would increase substantially.

Roughly one in five cigarettes consumed each year in Colorado are not purchased in Colorado, according to the latest data [Data available on our website and upon request]. Cigarette smuggling costs the state nearly \$40 million in excise tax revenue each year. Due to its size, Denver plays a disproportionate role in that smuggling.

Data from statewide bans in Massachusetts and California provide evidence that tobacco flavor bans are a costly and ineffective means of addressing harms associated with smoking.

Massachusetts saw a \$125 million decline in revenue the first year of its flavor ban. California

saw annualized revenue decline by roughly \$300 million, surpassing the state's revenue loss estimates by more than a third.

Identifying the cause of the decline in legal purchases following the flavor ban is paramount to determining the effects of the policy. Menthol smokers may have quit smoking after no longer being able to purchase their preferred products or they may be continuing to smoke by buying products across state borders or products that have been smuggled into the state.

In the year following the Massachusetts flavored cigarette ban, roughly 90 percent of the decline in state cigarette sales simply shifted to neighboring states. The 24 percent decline in Massachusetts sales was offset almost entirely by a 22 percent increase in sales in New Hampshire and an 18 percent increase in sales in Rhode Island.

Banning flavored products other than combustible cigarettes also thwarts efforts to convert smokers to users of less harmful nicotine products. The US Food and Drug Administration approved reduced harm products for sale in the US, including flavored e-cigarettes, heat-not-burn sticks, and oral tobacco products. Any move that limits consumer access to these products will result in persistently higher smoking rates and worse public health outcomes.

City councilmembers are charged with the difficult task of striking the right balance among reducing the harm caused by smoking, raising enough revenue to fund smoking cessation and other public health programs, and maintaining a legal, well-regulated marketplace where participants can safely transact. As you consider these matters, we are happy to be a resource and would be delighted to provide you with more research on this topic.

Finish Time

2024-12-16 07:09:55

Reference #

15371005

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

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First Name / Nombre

Sejal

Last Name / Apellido

Patel

I am a resident of: / Soy residente del:

District 3 / Distrito 3

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

I have been an 7-11 franchise business owner for 19 years in the city and county of Denver. As a franchisee who used to make a profit at the store to meet my family financial needs, to now having had to let go of 2 of my store due to all of the cost of higher hourly wages, Family Leave contribution, Higher cost of goods, higher crime (theft) in the city, violence against me and my employees. I was in a loss in sales for the last 2 years unable to recover.

The loss/ban on flavored tobacco will again have a huge negative affect on the profitability of the last store that I was able to hold on to 32 percent of the business is in tobacco and vapor. Wishing that 32 percent ... the revenue I will loose monthly to the ban will be approximately 31k in sales per month from tobacco sales plus the amount that we will loose in sales from other products that will not be sold because those tobacco customer will not come into our stores . They will find a way to buy this product online or through other avenues. I am looking at a loss of \$500k or more in revenue annually.

This loss will mean I have to decrease labor even further than I have to save money to keep afloat. I am barely afloat now. A store where I was able to generate a decent profit to raise my family a few years ago is now barely profitable to take care of my family not to mention the compensation loss to my employees as I cut their hours at work or terminate based on lack of business.

We as members of the community due our due diligence to prevent sales to minors which the council is concerned about the access.

The truth is as a parent of 2 teens. These children are not accessing this product by buying it at the local store, but they are accessing it from buying from the internet, from older siblings, from other methods.

I would request you to consider rejecting the ban as we are responsible members of the community and selling within the law. This ban will be detrimental to our financial survival for our families and the families of our employees

Finish Time

2024-12-16 10:23:35



Reference #

15371106

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

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First Name / Nombre

R.J.

Last Name / Apellido

Ours

I am a resident of: / Soy residente del:

District 5 / Distrito 5

I am... / Estoy...

Neutral / Neutral

My testimony: / Mi testimonio:

Council President Sandoval and Council Members,

My name is R.J. Ours and I am the Colorado Government Relations Director for the American Cancer Society Cancer Action Network, or ACS CAN. I have served as Government Relations Director for over 20 years and am a 40+ year Denver resident.

On behalf of everyone at ACS CAN, I want to thank the sponsors of this bill - Council Members Gonzales-Gutierrez, Lewis, and Watson - and the entire Council, for their many months of work throughout 2024, aimed at passing a comprehensive flavored tobacco product ordinance. We strongly support the Denver City Council taking action to end the sale of menthol cigarettes and all other flavored tobacco products in our city.

ACS CAN supports ending the sale of menthol cigarettes and all other flavored tobacco products without exemption. We are concerned about how the industry may take advantage of any exemptions or loopholes remaining on the table - such as one for hookah - to continue to addict

the next generation, communities of color, residents with lower incomes, and members of the LGBTQI+ community.

A lot of kids don't even know how dangerous and addictive these flavored products are until it's too late. Indeed, smoking hookah has many of the same health risks and contains many of the same harmful components found in cigarette smoke, such as nicotine, tar, and heavy metals. Hookah tobacco comes in different flavors, such as apple, mint, cherry, chocolate, coconut, licorice, cappuccino, and watermelon.

Prohibiting the sale of flavored hookah as well as all other flavored tobacco products will help discourage young people from smoking hookah and encourage and support people who are currently addicted to quit rather than switch to whatever flavored products are left on the market.

It is critical for all flavored tobacco products, including flavored hookah, come off the market in Denver. Our community needs your continued leadership on this important health challenge still impacting too many of our youth. I hope we can count on your support to do what is right for the health and quality of life of our kids and our city.

Again, thank you all so much for Denver City Council's work on this important health prevention goal.

Respectfully submitted,

R.J. Ours, Colorado Government Relations Director,

American Cancer Society Cancer Action Network

1050 S. Fulton St.

Denver, CO 80247

Rj.ours@cancer.org

303-748-7357

Finish Time

2024-12-16 10:25:03

Reference #

15371136

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

gurpreet

Last Name / Apellido

singh

I am a resident of: / Soy residente del:

I don't know / No sé mi número de distrito

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Hello I am against the Tobacco flavor ban. I feel it will just push people to purchase outside of denver and add to already tough times in the denver retail business. Thanks

Finish Time

2024-12-16 10:34:14

Reference #

15371200

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

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First Name / Nombre

Komal

Last Name / Apellido

Randhawa

I am a resident of: / Soy residente del:

District 1 / Distrito 1

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Respected City Council,

I am a small business owner that carry the flavored tobacco and cig products. Roughly 43% overall sale is from tobacco category. This flavor ban will highly impact my business/sales.

Please stop this ban.

Thank you.

Finish Time

2024-12-16 10:49:35

Reference #

15371235

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

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First Name / Nombre

Elizabeth

Last Name / Apellido

George

I am a resident of: / Soy residente del:

District 5 / Distrito 5

I am... / Estoy...

FOR the item / a FAVOR del artículo

My testimony: / Mi testimonio:

My name is Elizabeth George. I own five 7- Eleven stores for the past 14 years. I'm requesting all council to please not ban flavor ban cigarettes or tobacco. I know you guys want to clean the city, but banning flavor ban cigarettes or tobacco is not the way to do it. Denver is losing a-lot of hard working Business people, which means unemployment will be on the rise, economy will go down, and less taxes to give to the city of Denver. The unemployed will eventually be homeless due to high inflation and no job, or will turn to some sort of drugs or alcohol abuse. Your actions and decisions has major effect on our economy. Please make a wise decision, support business's, keep people employed, save the economy and the prosper the city of Denver. Thank you for your time.

Finish Time

2024-12-16 11:12:38

Reference #

15371488

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

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First Name / Nombre

GAURAV

Last Name / Apellido

SHARMA

I am a resident of: / Soy residente del:

District 1 / Distrito 1

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Good evening, Members of the Denver City Council,

Thank you for the opportunity to speak tonight. My name is GAURAV SHARMA (Buyer for Hi-Market Stores) , and I am here to voice my opposition to Ordinance 24-1765, which seeks to amend Chapters 24 and 34 of the Denver Revised Municipal Code to ban the sale of flavored tobacco products.

While I understand and deeply respect the intent to protect public health, particularly among young people, I believe this ordinance is misguided and will have several unintended consequences that outweigh its benefits.

First, prohibiting the sale of flavored tobacco products in Denver will likely drive consumers to neighboring jurisdictions or unregulated markets. This does not eliminate access; it merely shifts the economic activity away from legitimate, local businesses. For small business owners, this ban could be devastating, forcing many to lay off employees or close their doors entirely. In a

time when we are working to rebuild our local economy, this measure risks undermining those efforts.

Second, enforcing such a ban places an unnecessary burden on already strained city resources. Denver's law enforcement and regulatory agencies should prioritize pressing issues, not divert energy to policing the sale of flavored tobacco products. Moreover, such enforcement often disproportionately impacts marginalized communities, creating inequities rather than resolving public health issues.

Third, while the ordinance aims to reduce youth access to tobacco, it overlooks the robust age verification and compliance measures already in place at many licensed retailers. Punishing responsible businesses that follow these protocols is counterproductive. A more effective approach would be to strengthen enforcement against illegal sales and invest in education and prevention programs that directly target youth.

Finally, it is crucial to acknowledge that many adults use flavored tobacco products as an alternative to more harmful forms of consumption. Removing these options could discourage harm reduction efforts and unintentionally push people back toward more dangerous products, undermining public health goals.

In conclusion, while we all share the goal of protecting the health and well-being of Denver's residents, I believe this ordinance is not the right solution. Instead of an outright ban, let's focus on education, targeted enforcement, and support for small businesses to ensure a balanced approach that benefits our entire community.

Thank you for your time and consideration.

Finish Time

2024-12-16 12:24:40

Reference #

15371731

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

Sukhbir

Last Name / Apellido

Dhillon

I am a resident of: / Soy residente del:

I don't know / No sé mi número de distrito

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Testimony Against Proposed Ordinance 24-1765

Presented by: Sukhbir Dhillon

Franchisee, 7-Eleven

Dear Denver City Council Members,

Thank you for allowing me the opportunity to provide testimony regarding Ordinance 24-1765, which seeks to ban the sale of flavored tobacco and nicotine products in Denver. I strongly oppose this proposed legislation, as it would have devastating consequences on small business owners like myself, my employees, and the community we serve.

As a 7-Eleven franchisee, my store serves as a vital neighborhood business, offering convenient access to essential goods and services. Flavored tobacco products currently represent a significant portion of our sales. The proposed ban would result in a substantial decline in revenue, jeopardizing not only the financial health of my business but also the livelihood of my



employees and my family.

#### Economic Impact on Small Businesses

The experience of Golden, Colorado, which implemented a similar ban, serves as a cautionary tale. Data from Golden demonstrates that banning flavored tobacco products leads to:

1. Significant Sales Declines: Stores reported steep drops in revenue, with many customers opting to purchase these products in nearby towns where they remain available.
2. Reduction in Labor Force: Decreased revenue forces store owners to cut employee hours or lay off workers entirely.
3. Economic Ripple Effects: With fewer resources to reinvest in the community, small businesses contribute less to the local economy.

If Denver follows the same path, it is likely that my store and others like it will face these same challenges. Without the revenue generated from flavored tobacco products, I will be forced to reduce employee hours and potentially downsize my workforce. This would not only harm my employees, who rely on stable hours to support their families, but also weaken Denver's labor market.

#### Impact on My Family and Community

I take pride in being a small business owner and contributing to Denver's economy. However, the financial strain imposed by this ordinance would make it difficult for me to support my own family. The income I currently earn allows me to pay bills, invest in my business, and give back to the local community. A decline in revenue will hinder my ability to thrive as a business owner and provider, potentially forcing me to reevaluate my long-term future in this industry.

#### Unintended Consequences

While the ordinance aims to address youth access to flavored tobacco, banning these products in Denver will not eliminate demand. Instead, customers will cross city or county lines to purchase these products, as they have in Golden and other municipalities. This not only harms Denver businesses but also fails to achieve the intended public health outcomes.

As a responsible retailer, I follow strict guidelines to prevent the sale of tobacco products to minors, including age-verification protocols and training for employees. Rather than penalizing small business owners, I urge the Council to consider enforcing existing laws and partnering with retailers to strengthen compliance efforts.

#### Conclusion

This ordinance threatens to impose devastating economic harm on small business owners, employees, and families while failing to achieve its intended public health objectives. I respectfully urge the Council to reconsider the proposed flavor ban and seek alternative solutions that address concerns about youth access without undermining the livelihoods of Denver's hardworking small business owners.

Thank you for considering my testimony. I am happy to provide further information or collaborate with the Council to explore more effective approaches to this issue.

Sincerely,  
Sukhbir Dhillon  
7-Eleven Franchisee

Finish Time  
2024-12-16 13:04:17

Reference #

15371742

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

Jasmeet

Last Name / Apellido

Dhillon

I am a resident of: / Soy residente del:

I don't know / No sé mi número de distrito

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Testimony Against Proposed Ordinance 24-1765

Presented by: Jasmeet Dhillon

Spouse of a 7-Eleven Franchisee

Dear Denver City Council Members,

Thank you for the opportunity to share my perspective as the spouse of a 7-Eleven franchisee.

My husband has been a proud 7-Eleven franchisee for the past six years, during which I have witnessed the hard work, sacrifices, and long hours he has dedicated to building a successful business that supports our family and provides jobs for our community.

This proposed ordinance, which bans the sale of flavored tobacco products, threatens to dismantle not only our business but also our livelihood. These products represent a significant portion of our store's revenue. Losing this income would force us to make impossible decisions—cutting employee hours, letting go of staff, or scaling back essential expenses that

sustain our store. This ripple effect would impact not just our family but also the employees who rely on us to pay their bills and support their loved ones.

#### Financial and Emotional Toll on Families

As a wife, I can't help but feel anxious about how we will continue to support our family if this ordinance passes. Our business is the backbone of our financial stability. The decline in revenue from this ban would mean sacrificing the quality of life we've worked so hard to achieve. We've already seen what happened in Golden, Colorado, after a similar flavor ban went into effect: small businesses suffered, employees lost hours, and families like ours faced insurmountable challenges. I fear Denver will follow the same path if this ordinance is enacted.

#### Community Impact

Our stores are more than just a business; it's part of the neighborhood. We've built relationships with our customers and have always operated responsibly, ensuring that tobacco sales comply with age-verification laws. This proposed ban will not stop people from seeking flavored products—they will simply travel to neighboring areas to buy them, taking revenue away from Denver businesses like ours. This doesn't solve the problem—it shifts it.

#### A Plea for Balance

I understand the intention behind this ordinance, but I believe there are more effective ways to protect youth without devastating small businesses. Strengthening enforcement of existing laws and working with local retailers to improve compliance would strike a better balance between public health and economic stability.

In closing, I urge you to consider the real families and small business owners who will be affected by this ban. Our livelihood, our employees' stability, and the strength of our community hang in the balance. Please reconsider this ordinance and work toward a solution that supports families like mine while addressing your concerns.

Thank you for your time and consideration.

Sincerely,

Jasmeet Dhillon

Finish Time

2024-12-16 13:10:28

Reference #

15371790

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

Mohinder

Last Name / Apellido

Sandhu

I am a resident of: / Soy residente del:

District 6 / Distrito 6

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Dear Council Members,

My name is Mohinder Sandhu and I currently reside in Aurora, Colorado. I own and operate businesses in Denver located at 5910 Tower Rd, Denver, CO 80249 and 19245 E 56th Ave, Denver, CO 80249.

As a business owner, I am disappointed to hear that Denver city council members are considering a ban on flavored nicotine products including menthol cigarettes, flavored dip, and flavored cigars. This proposal would hurt small businesses and endanger jobs. I ask that you please oppose these proposals---it would be bad for our community.

Our business and businesses like ours add to the economy and create jobs in Denver. We follow the law, pay our taxes, and strictly enforce the legal age of 21 by checking IDs. These proposals could force many stores to close and would send sales outside city limits.

Prohibition does not work. It did not work for alcohol, it did not work for marijuana, and it

won't work for nicotine products. Moreover, this ban would undermine public health by prohibiting products authorized by the FDA as protecting public health. I understand the proposal is supposed to lower youth access, but it will only push sales of these products to the illegal market where criminals don't care about checking IDs.

These proposals would be bad for our community and have unintended consequences you should seriously take into consideration.

Thank you,

Mohinder Sandhu

Finish Time

2024-12-16 13:39:29

Reference #

15371854

## Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

24-1765: An ordinance amending Chapters 24 and 34 of the Denver Revised Municipal Code regarding the sale of certain tobacco products, including flavored ones. This is a 30-minute courtesy public hearing. The council will hear as many speakers as possible within 30 minutes. / Una ordenanza que enmienda los Capítulos 24 y 34 del Código Municipal Revisado de Denver con respecto a la venta de ciertos productos de tabaco, incluidos los saborizados. Esta será una audiencia pública de cortesía de 30 minutos. El Concejo escuchará a tantos oradores como sea posible en ese tiempo.

First Name / Nombre

Anvir

Last Name / Apellido

Purewal

I am a resident of: / Soy residente del:

District 11 / Distrito 11

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Dear Council Members,

My name is Anvir Purewal and I currently reside in Aurora, Colorado. My family owns and operates businesses in Denver located at 5910 Tower Rd, Denver, CO 80249 and 19245 E 56th Ave, Denver, CO 80249.

As a business owner, I am disappointed to hear that Denver city council members are considering a ban on flavored nicotine products including menthol cigarettes, flavored dip, and flavored cigars. This proposal would hurt small businesses and endanger jobs. I ask that you please oppose these proposals---it would be bad for our community.

Our business and businesses like ours add to the economy and create jobs in Denver. We follow the law, pay our taxes, and strictly enforce the legal age of 21 by checking IDs. These proposals could force many stores to close and would send sales outside city limits.

Prohibition does not work. It did not work for alcohol, it did not work for marijuana, and it

won't work for nicotine products. Moreover, this ban would undermine public health by prohibiting products authorized by the FDA as protecting public health. I understand the proposal is supposed to lower youth access, but it will only push sales of these products to the illegal market where criminals don't care about checking IDs.

These proposals would be bad for our community and have unintended consequences you should seriously take into consideration.

Thank you,

Anvir Purewal

Finish Time

2024-12-16 13:43:00





# Cancer Center

UNIVERSITY OF COLORADO ANSCHUTZ MEDICAL CAMPUS

December 16, 2024

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

**Re: COUNCIL BILL NO. 24-1765**

Dear Mayor Johnston and City Council Members:

The University of Colorado Cancer Center strongly supports ending the sale of all flavored tobacco products. Tobacco use continues to be the leading cause of preventable death in the United States. Flavored tobacco products are fueling this public health crisis. In Colorado, 8.7% (CI: 8.2-9.3%) of high school students are current e-cigarette users (Healthy Kids Colorado Survey, 2023). Flavored tobacco products appeal to youth and new smokers. While e-cigarettes tend to be popular and heavily marketed to young people, other flavored tobacco products are designed to specifically appeal to youth. Cigars are marketed in flavors like Banana Smash and Iced Donut and sold in colorful packaging as cheap as three for .99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor. Moreover, the tobacco industry has targeted the Black community with menthol cigarettes. Menthol use is disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant also prefer menthol cigarettes. Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities. The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control.

Please protect our kids and our communities from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

A handwritten signature in blue ink that reads "Richard D. Schulick".

Richard D. Schulick, MD, MBA  
FACS The Aragón/Gonzalez-Gíustí Chair  
Professor and Chair, Department of Surgery, School of Medicine  
Director, University of Colorado Cancer Center

---

AN NCI DESIGNATED COMPREHENSIVE CANCER CENTER

Office of the Director | 13001 E. 17th Pl. MS #F-434 | Aurora, CO 80045  
Phone 303-724-3152 | fax 303-724-3162 | [suzanne.heasley@ucdenver.edu](mailto:suzanne.heasley@ucdenver.edu) |  
[www.coloradocancercenter.org](http://www.coloradocancercenter.org)



## LAW ENFORCEMENT ACTION PARTNERSHIP

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

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Chair, New Hampshire, USA

Det. Sgt. Neil Woods, Fmr.  
Staffordshire Moorlands, England  
LEAP UK

Date: December 16, 2024

Re: Flavored Tobacco Products Ban

Position: OPPOSE

To: the City and County of Denver

Distinguished Council Members,

Thank you for the opportunity to submit testimony in opposition to the proposed ban on all flavored tobacco products. I am writing on behalf of myself as a retired police officer and as the executive director for the Law Enforcement Action Partnership (LEAP). My colleagues and I at LEAP oppose flavored tobacco bans because they have a negative impact on public health and safety.

LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety, promoting alternatives to arrest and incarceration, addressing the root causes of crime, and working toward healing police-community relations.

I suspect that, like I do, all members of the council want to reduce the prevalence of smoking, a deadly habit that takes the lives of nearly half a million Americans each year. This is a worthy cause deserving our attention, but banning flavored products is not the correct approach.

I spent my law enforcement career in California, where some of our jurisdictions have already experimented with these bans. San Francisco's 2018 flavored vape ban already appears to be pushing teens to use conventional cigarettes. A 2021 study by the Yale School of Public Health found [students' odds of smoking cigarettes doubled after the implementation of this flavored vape ban](#), even when adjusting for demographic factors and other tobacco policies.

**LawEnforcementActionPartnership.org**

*Formerly known as Law Enforcement Against Prohibition*

Similarly, Massachusetts' statewide flavored tobacco ban also did not result in less smoking. Instead, it promoted the growth of an underground market wherein residents traveled to nearby states for flavored products and brought them back to Massachusetts to sell illegally. Massachusetts's tax revenue plummeted while nearby states benefited. In short, [the ban failed to reduce smoking as proponents intended](#) and cost the state \$50 million in tax revenue in the first half of 2020 alone, as people began traveling out of state to purchase, and then sell, flavored tobacco products. Banning flavored products is going to continue pushing revenue out of Denver, while bolstering illegal cigarette and e-cigarette markets.

The proposed tobacco ban could damage police-community trust, specifically in communities of color, as it includes a ban on menthol cigarettes, [the number one choice](#) among Black smokers. Banning flavored tobacco products, including menthol, is just one more avenue through which well-intentioned policy has disastrous consequences for communities that already experience the most conflict with police - low-income communities and communities of color. Just like the War on Drugs has failed to eliminate demand by criminalizing some drugs, menthol will continue to be bought and sold. But this ban will create a new class of "criminal," primarily comprised of Black smokers, and create more opportunities for negative police interactions in communities of color.

When people do not trust the police, it impedes on our ability to effectively do our jobs and protect public safety. [Two-thirds of Black Americans do not believe that the police treat them equally compared to white Americans.](#) This distrust largely stems from the over-enforcement of low-level offenses in communities of color. When police need tips and witnesses, we need to be able to talk to people in our communities. If they do not trust us, they won't call for help, even when they themselves are the victim of a crime. This makes our work nearly impossible. Right now, too many people fear and distrust police more than they want to help solve crime. If flavored tobacco products are made illegal, there will only be more unnecessary police interactions in already over-policed communities, which would further damage police community trust.

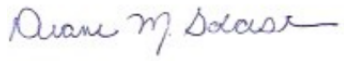
We strongly support approaches that can help to reduce rates of smoking without increasing law enforcement contact or enforcement over these products. These include emphasizing education on the harms of smoking, cessation options, and laws that limit minors' access to adult products. These types of health-focused policies have proven effective and have helped reduce smoking in both youth and adults to historic lows. [Underage e-cigarette usage is down to 5.9% \(from 7.7% in 2023\)](#) and [cigarette smoking reached the lowest level ever recorded by the National Youth Tobacco Survey, with only 1.4% of students reporting current use in 2024.](#) This decrease in youth nicotine use is not the result of prohibition, but rather of health-focused policies.

In short, as law enforcement professionals we know that there is a better way to regulate the recreational nicotine market than criminalization or full bans. We cannot allow Denver to follow San Francisco and Massachusetts in becoming another cautionary tale of the ineffectiveness of flavored tobacco bans. We know

that a flavored tobacco ban will serve as another point of law enforcement contact in over-policed communities, ultimately further damaging police-community trust, public safety and health.

Thank you for the opportunity to share our perspective in opposition to this bill.

Respectfully,

A handwritten signature in blue ink, reading "Diane M. Goldstein".

Lt. Diane Goldstein (Ret.)  
Redondo Beach Police Department  
Executive Director, Law Enforcement Action Partnership (LEAP)



# DID YOU KNOW?

## BIG TOBACCO USES COTTON CANDY FLAVORED E-CIGS TO HOOK OUR KIDS

### LET'S NOT LET THE TOBACCO INDUSTRY HOOK ANOTHER GENERATION OF DENVER KIDS

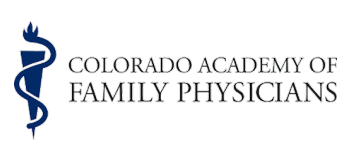
## Two out of three Denver voters and a broad coalition of community organizations support ending the sale of all flavored tobacco products

American Academy of Pediatrics  
DEDICATED TO THE HEALTH OF ALL CHILDREN™  
Colorado Chapter

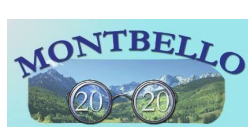
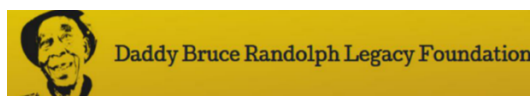
**AATCLC**  
SAVING BLACK LIVES!



**NAACP**  
Colorado / Montana / Wyoming  
State Area Conference



BUTLER | SNOW





December 13, 2024

Dear Members of Denver City Council:

Enclosed are letters of support previously submitted by leading health and community-based organizations. Also enclosed are correspondence previously submitted from individuals, elected officials and subject matter experts.

## **Flavors Hook Kids Denver Letters of Support**

### **Organizations**

1. Healthcare Systems Leaders
2. Academy of Urban Learning
3. Action on Smoking and Health
4. African American Tobacco Control Leadership Council
5. African Leadership Group
6. American Heart Association
7. American Lung Association
8. ARD Coaching Institute
9. Association for Nonsmokers - MN
10. Center for African American Health
11. Center for Black Health and Equity
12. Children's Hospital Colorado
13. CLLARO
14. Colorado Academy of Family Physicians
15. Colorado Black Health Collaborative
16. Colorado Black Round Table
17. Colorado Dental Association
18. Denver Community Health Service
19. Denver Health ACS and DCHS Board
20. Denver Health and Hospital Authority
21. Denver Health Medical Plan
22. Five Points Business Improvement District
23. Higher Level LLC
24. Kaiser Permanete
25. Metro Denver Chapter of the Oncology Nursing Society
26. MileHigh Medical

27. Montbello 2020
28. National Council of Jewish Women Colorado Section
29. Parents Against Vaping E-Cigarettes
30. Servicios De La Raz
31. Single Mother of Color

### **Municipalities**

1. Edgewater, Colorado
2. Glenwood Springs, Colorado
3. Golden, Colorado
4. Bloomington, Minnesota
5. Hennepin County, Minnesota
6. Minneapolis, Minnesota

### **Individuals**

1. Dr. Rezk-Hanna, researcher
2. Farid Shamo, epidemiologist
3. Dr. Terri Richardson, retired medical doctor
4. Leisa Boykin Willson, physician assistant
5. Randall Brown, resident
6. Tracy Gilford, community member
7. Theresa Wideman, resident
8. Niara Scott, parent
9. Johnny Williams, MPH, volunteer





School of Medicine  
UNIVERSITY OF COLORADO  
ANSCHUTZ MEDICAL CAMPUS



University of Colorado  
Anschutz Medical Campus



## September 2024

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

### **Dear Mayor Johnston and Members of the Denver City Council:**

As healthcare leaders in Colorado, we strongly urge you to pass a local ordinance ending the sale of all flavored tobacco products in Denver. Ending the sale of all flavored tobacco products — including menthol cigarettes, flavored cigars, e-cigarettes, hookah, and smokeless tobacco — will prevent youth initiation, advance racial and health equity, reduce healthcare costs, and create a healthier future for our community.

### ***Flavors hook kids***

The continued use of nicotine products among our nation's youth is one of the most critical public health issues currently facing our country.

Flavored tobacco products are widely considered “starter” products for youth as they play a key role in convincing young people to try tobacco. Kid-friendly flavors like “cotton candy,” “atomic fireball,” and “sour mango” are marketed to appeal to underage users, and it’s working. In 2023, nine out of ten high school students who use e-cigarettes report using flavored tobacco.<sup>[1]</sup>

Mint and menthol cigarettes pose unique health risks. Research shows menthol cigarettes are more addictive and harder to quit. This makes menthols especially dangerous to youth. Young people use menthol and mint tobacco products, including cigarettes and e-cigarettes, at disproportionately high rates, which drives nicotine addiction.

Flavored tobacco products are often packaged to look like the candy they emulate. They are often cheaper than candy, too. For example, Swisher Sweets chocolate cigars can sell for as little as 2 for 99 cents — that makes it cheaper for kids to buy a chocolate cigarillo than a candy bar.

Flavors are hooking kids. Sweet flavors entice them and a strong hit of nicotine addicts them — potentially for life — with many kids using flavored e-cigarettes unaware they are even using nicotine.

Nicotine in any form can harm adolescent brain development, which impacts attention, memory, and learning. The younger kids are when they start consuming nicotine, the more likely they will be addicted.

Many flavors in e-cigarettes, which remain largely unregulated by the FDA, have been found to be toxic and can expose users to carcinogenic chemicals such as formaldehyde and lead.



According to the most recent Healthy Kids Colorado Survey, 9 percent of high school students in Colorado report using e-cigarettes, down from 16 percent in 2021.<sup>[2]</sup> This decrease is encouraging and affirms that the combination of education, outreach and stronger policies is working. However, significant concerns remain, and we cannot become complacent. Many youth are experimenting with vape products earlier and are reporting symptoms of nicotine dependence when using tobacco only a few days per month.

## ***Flavors exacerbate health disparities***

Progress made in the tobacco prevention movement is uneven and represents a serious social justice and health equity problem. The deadly toll of tobacco disproportionately impacts people of color, LGBT and low-income communities, and people experiencing mental health challenges.

None of this is by accident — it is by design.

Since the 1950s, the tobacco industry has targeted minority groups, especially Black Americans, with pervasive marketing of menthol cigarettes through sponsorship of community and music events, free sampling, magazine advertising, and retail promotions. This deliberate pattern of activity persists with expanded marketing strategies like supporting Historically Black Colleges and Universities (HBCUs), providing sponsorship funding for events, supporting various Black leaders with monetary support, and abundant advertising in stores frequented by people of color.

Less than 10% of Black smokers used menthol cigarettes in the 1950's. By 2019, about 85% of Black adults who smoked cigarettes used menthol cigarettes, compared to less than 30% of Whites who smoked.<sup>[3]</sup> Menthol cigarettes are a major reason why Black Americans suffer disproportionately from tobacco use.

Because menthol cigarettes are more addictive and harder to quit, they magnify the health burden of tobacco on Black communities. Youth who smoke menthol are more likely to become addicted to nicotine than their peers that smoke non-menthol, and African American menthol smokers have lower odds of successfully quitting.

## ***Tobacco use drives up healthcare costs***

Tobacco use remains the leading cause of disease, disability, and premature death in the U.S. In Colorado, smoking causes over 5,000 premature deaths each year. Tobacco use is one of the largest drivers of healthcare costs. Chronic diseases are the most common and costly of all health problems, and they are also the most preventable. Annual health care costs in Colorado directly caused by smoking amount to \$2.19 billion.<sup>[4]</sup>

## ***Swift action is needed to protect another generation from a lifetime of nicotine addiction***

Health care providers routinely caution patients about the harmful effects of nicotine products. However, we cannot do this work alone. To ensure the future health of our communities, we must help young people avoid becoming hooked on these addictive products. This is why we strongly support policies prohibiting the sale of all flavored tobacco products.

Denver showed national leadership with its tobacco retail licensing and Tobacco 21 policies. We urge you to, once again, lead the way and pass an ordinance ending the sale of all flavored tobacco products in Denver.

**Respectfully,**

**Bryan Trujillo**

Regional Director, Community Health  
Improvement  
AdventHealth Rocky Mountain Region

**Deidre Johnson**

CEO & Executive Director  
Center for African American Health

**Jena Hausmann**

President & CEO  
Children's Hospital Colorado

**Cathy J. Bradley, Ph.D.**

Professor and Dean  
Colorado School of Public Health  
Deputy Director  
University of Colorado Cancer Center

**Andrew J. Gaasch, MSHL, CPA**

President  
CommonSpirit Health Mountain Region

**Donna Lynne, DrPH**

Chief Executive Officer  
Denver Health and Hospital Authority

**Crystal Potter Rivera**

Executive Director  
Denver Health Foundation

**Simon Hambidge, MD, PhD**

Chief of Ambulatory Care Services  
Chief Executive Officer, Denver Community  
Health Services

**Sara Carpenter**

Chair  
Denver Community Health Services Board

**Greg McCarthy**

Chief Executive Officer  
Denver Health Medical Plan Inc.

**Adrianne Maddux**

Executive Director  
Denver Indian Health and Family Services, Inc.

**Mary Laird Warner, MD,**

Pulmonologist  
Chief Medical Officer  
HealthONE

**Charles Gilford III**

CEO  
Inner City Health

**Scott Peek**

President, Front Range Market  
Intermountain Health

**Jeff Krawcek, MD, MBOE**

President, Executive Medical Director  
Kaiser Permanente Colorado  
KP Medical Foundation

**Michael S. Ramseier**

President, Kaiser Foundation Health Plan of  
Colorado  
Kaiser Permanente

**Michael Salem, M.D., FACS**

President and CEO  
National Jewish Health

**Rudolph Gonzales**

President & CEO  
Servicios de La Raza

**Jim Garcia**

CEO & Founder  
Tepeyac Community Health Center

**Don Elliman**

Chancellor  
University of Colorado Anschutz Medical Campus

**John J. Reilly, Jr., M.D.**

Dean  
University of Colorado School of Medicine  
Vice Chancellor for Health Affairs  
CU Anschutz Medical Campus

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1. [Youth and Tobacco Use | Smoking and Tobacco Use | CDC](#)
2. [Healthy Kids Colorado Survey information | Department of Public Health & Environment](#)
3. [Unfair and Unjust Practices and Conditions Harm African American People and Drive Health Disparities | Tobacco - Health Equity | CDC](#)
4. [The Toll of Tobacco in Colorado - Campaign for Tobacco-Free Kids](#)



November 19, 2024

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear City Council Members:

As a school principal in Denver, I am writing to express my strong support for prohibiting the sale of flavored tobacco products in Denver. I have witnessed firsthand the devastating consequences of youth tobacco use, in terms of health and behavior changes among our students as well as disruptions in academic and extracurricular performance. The AUL Denver High School staff has expended a considerable amount of time, effort, and resources to prohibit vaping at our school. As a principal, it is very discouraging to put so much effort into stopping students from vaping at school when that energy could be put into enhancing educational and post secondary opportunities for students and families in an extremely high needs and marginalized community.

You would be hard-pressed to find a Denver middle or high school teacher whose work has not been disrupted by the youth e-cigarette crisis over the past decade. For the 10th year in a row, e-cigarettes have been the most commonly used tobacco product among both high school and middle school students. Nationally, more than 2.1 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products.

Furthermore, the latest data from the Healthy Kids Colorado Survey shows that 6.5% of Denver high school students are current e-cigarette users, and there's no doubt that flavors like cotton candy, pink lemonade, and mango are driving these numbers. Plumes of fruity aerosol fill school bathrooms, students are becoming addicted, and we are amassing a growing collection of confiscated e-cigarette devices, many shaped like common school supplies including USB flash drives, pens, and highlighters. Prohibiting flavored tobacco products is an important step forward to protecting the future we are working to provide for our students.

For many of our students, use of e-cigarettes and other tobacco products is a pathway to addiction with serious consequences for both health and academic success. The U.S. Surgeon General reports that nicotine can have lasting damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control. Our teachers witness these impacts every single day.

Even though e-cigarettes are the most popular and heavily marketed product among our students, other flavored tobacco products are specifically designed to appeal to youth. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as 3 for 99 cents. Additionally, menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor. Despite the tremendous declines we have seen in youth smoking, over 8,700 Colorado kids try their first cigarette each year. Concerningly, these flavored cigars and



menthol cigarettes are disproportionately marketed to our students of color. In an effort to protect all kids, all flavored tobacco products should be prohibited.

I urge you to stand up for our students against the unrelenting efforts of the tobacco industry to hook them into addiction. It is time to end the sale of all flavored tobacco products in Denver. Thank you for your time and consideration.

Sincerely,

Frank A. Lee, Jr.

A handwritten signature in black ink, appearing to read 'Frank A. Lee, Jr.', written over the printed name.

Principal

AUL Denver High School



November 8, 2024

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and City Council Members:

Action on Smoking and health (ASH) strongly supports ending the sale of all flavored tobacco products in Denver. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. While most of these deaths occur later in life, nearly all victims became addicted as children, and flavored tobacco products are largely to blame.

At least 70% of adults who smoke wish they could quit. Even more wish they hadn't started, and nearly all are desperate that their kids don't start. The best way to protect youth against a lifetime of addiction and an early death is to remove flavored tobacco products from the market.

The tobacco industry knows that their replacement customers must be addicted when they are young, and they market flavored tobacco products specifically because they appeal to youth. There's no doubt that flavors like cotton candy, pink lemonade and mango drive youth initiation. While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as three for 99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted African Americans and other communities with menthol cigarettes, exacerbating health inequities. Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control. That is why it is critical that the policy includes all products, all flavors, in all locations. History has taught us that the tobacco industry will fully exploit any loopholes to continue to addict kids. Their business model entirely depends on it.

Please protect kids and the community from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a comprehensive local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

Chris Bostic, Policy Director  
ASH > ACTION ON SMOKING & HEALTH  
1250 Connecticut Ave, NW, 7th floor  
Washington, DC 20036



## The African American Tobacco Control Leadership Council

**October 26, 2024**

**To:** Amanda P. Sandoval, Amanda Sawyer, Flor Alvidrez, Chris Hinds, Jamie Torres, Kevin Flynn, Sarah Parady, Paul Kashmann, Statice Gilmore, and Diana Romero [Sponsors Serena Gonzales-Gutierrez, Shontel M. Lewis, and Darrell Watson]

**From:** The African American Tobacco Control Leadership Council

**Re: Prohibit the Sale of Menthol and all Other Flavored Tobacco Products in Denver Colorado! No Exemptions: All Flavors, All Products at All Locations!**

The African American Tobacco Control Leadership Council (AATCLC) strongly encourages the Denver City Council to prohibit the sale of menthol and all flavored tobacco products, with no exemptions. We are glad to see that this Legislation has finally made its way back to the Council. Frankly, this couldn't come at a better time. We already know that 80% of youth, 12-17 start smoking using flavored cigarettes (Ambrose et al., 2015). If the Council truly wants a healthier Colorado, and we believe that you do, then it is imperative that menthol flavored cigarettes and flavored little cigars be prohibited. This will end the predatory marketing of these products that disproportionately impacts poorer communities, marginalized groups, youths, and communities of color.

**Menthol the Ultimate Candy Flavor; It Helps the Poison Go Down Easier!**

**This is no minor matter.** Menthol and flavored tobacco products are driving tobacco-related deaths and diseases nationwide. While the use of non-flavored tobacco cigarettes has been decreasing, the use of menthol cigarettes is on the rise, among youth and adults; among Latinos, Blacks, and Whites (Villanti, 2016). Let's be clear, the majority of women smokers smoke menthol cigarettes; folks from the LGBTQ community disproportionately smoke these products; 47% of Latino smokers prefer menthol cigarettes, with 62% of Puerto Rican smokers using menthol; nearly 80% of Native Hawaiians; a majority of Filipinos; and a majority of smokers with behavioral health issues smoke menthol cigarettes. Frankly, the most marginalized groups disproportionately use these so-called "minty" products (CDC, 2010; Fallin, 2015; Forbes, 2013; Delnevo, 2011; Hawaii State Dept. of Health, 2009; Euromonitor, 2008; Hickman, 2015).

Be appraised that 85% African American adults and 94% of Black youth who smoke are using menthol products (Giovino, 2013). These striking statistics arise from the predatory marketing of these products in the Black Community, where there are more advertisements, more lucrative promotions, and the most disturbing menthol cigarettes are *cheaper in the Black community* compared to other communities (Henriksen et al., 2011; Seidenberg et al., 2010). These





## The African American Tobacco Control Leadership Council

predacious practices for the past 50 years have led to Black folks dying disproportionately from heart attacks, lung cancer, strokes, and other tobacco related diseases (RSG, 2014).

**Take note that new research, shows that menthol cigarettes were responsible for 1.5 million new smokers, 157,000 smoking-related premature deaths and 1.5 million life-years lost among African Americans over 1980–2018. While African Americans constitute 12% of the total US population, these figures represent, respectively, a staggering 15%, 41% and 50% of the total menthol-related harm (Mendez & Le, 2021).**

The Council should be aware that menthol is an anesthetic, and as if to add insult to injury, it masks the harsh taste of tobacco and allows for deeper inhalation of toxins and greater amounts of nicotine. The greater the nicotine intake, the greater the addiction. Hence, it is no surprise menthol cigarette users find it harder to quit than non-menthol cigarette users (Ton et al., 2015; Levy et al., 2011). The “cool refreshing taste of menthol” heralded by the tobacco industry is just a guise; **ultimately, menthol and all flavors allow the poisons in cigarettes and cigarillos “to go down easier!”**

### **Hookah: The Manipulation of Culture for Industry Profits!**

While we have all become aware of the meteoric rise of E-Cigarette use, especially among kids, another addictive product is growing in popularity: flavored shisha / Hookah. Let’s not be fooled: passing tobacco smoke through water does nothing to stop the user from inhaling all the toxins, nicotine and cancer-causing chemicals associated with tobacco smoking. Let’s be clear, Hookah is just as deadly as cigarettes, if not more. Studies show that in a single hookah smoking session of 40 minutes, smokers consume 25 times the tar, 125 times the smoke 2.5 times the nicotine and 10 times the carbon monoxide compared to smoking a cigarette (Primack et al., 2016). Moreover, both patrons and employees at Hookah lounges are exposed to elevated levels of 2<sup>nd</sup> hand smoke and are already recognized cause of cancer (Zhou et al., 2016)

Then there is the fiction that Hookah smoking is a 1000-year-old tradition in the Middle East. Look, tobacco only made its way the Europe some 500 years ago and only gradually made its way to the Middle East 3 to 4 hundred years ago. Make no mistake about it, it’s the Hookah Lounge owner’s manipulation of culture argument and adding a broad array of flavors that was done to attract more users and ultimately more profits. **Flavored shisha like Blue Mist, Irish Kiss and Sex on the Beach has nothing to do with Middle Eastern Culture!** Once it was determined in the 1960s that smoking kills, Islamic Leaders deemed tobacco, Hookah and Shisha Forbidden. At bottom, Hookah lounges with their nightclub atmosphere have nothing to do with Middle Eastern Culture, rather it’s all about the Benjamin’s! **It’s not about getting rid of all hookahs or all tobacco products, it's about getting rid of all flavors, at all places, in all products, period.**



## The African American Tobacco Control Leadership Council

### We Can't Wait for the FDA

Today over 100 municipalities prohibit the sale of all menthol tobacco products including flavored e-juices: [chrome-extension://efaidnbmnnnibpcajpcgglefindmkaj/https://no-smoke.org/wp-content/uploads/pdf/flavored-tobacco-product-sales.pdf](https://no-smoke.org/wp-content/uploads/pdf/flavored-tobacco-product-sales.pdf). Denver should join its sister cities of Aspen, Boulder, Carbondale, Edgewater, Glenwood Springs, Golden and Snowmass Village ending the sale of menthol and all flavored tobacco products. These cities didn't wait for the FDA!

Indeed, in June of 2020, the State of Massachusetts became the first State to prohibit the sale of menthol and all flavored tobacco products state-wide and in November of 2022, California followed suit and became the second state to do so.

While it is important that the FDA finally announced a rule to end the sale of menthol products on April 28, 2022, and said it would be moved forward in August of 2023, here we are in October of 2024 and no rule has been announced. The Federal government has been dragging its feet for years on this issue. All flavors were removed from cigarettes in 2009, Except Menthol (Argh!). Here it is some 15 years later and still no action. Look at the all the deaths, especially of African Americans that have taken place becomes of this neglect over the past 15 years. Enough! **The bottom line is that we can't wait for the FDA. Denver must take steps to protect the health of their citizens, lives are at stake.**

### Who Are the Racists: The Tobacco Control Advocates or the Tobacco Industry?

Some groups funded by the tobacco industry insist that removing menthol cigarettes and flavored little cigars would be taking away "our" cigarette; we'd be discriminatory; racist. This line of argumentation stands history on its head. As was pointed out earlier, it was and is the tobacco industry that predatorially markets these products in the Black Community. The facts are these: there are more advertisements, more lucrative promotions, and the most disturbing thing is that menthol cigarettes are *cheaper in the Black Community* compared to other communities (Henriksen et al., 2011; Seidenberg et al., 2010). This is how these flavored death sticks became "our" cigarettes, they pushed them down our throats!

Still other groups, spurred on and funded by the tobacco industry, have been spreading falsehoods, stating that restricting the sale of menthol and flavored tobacco products, including flavored e-juices will lead to the "criminalization" of particularly young Black men. Nothing could be further from the truth. All ordinances adopted around the country *prohibit the sale* of flavored products, *they don't prohibit the possession* of these products. Indeed, the FDA proposed rule states explicitly that there are no penalties for individual use or possession. The



## The African American Tobacco Control Leadership Council

facts are that the adoption of menthol restrictions will not lead to police having any greater interaction with any youth; it won't be illegal to possess these products, just retailers cannot sell them.

These same groups rail about “unintended consequences.” We respond: **Look at the Intended Consequences!** As mentioned before, Black folks die disproportionately from tobacco related diseases of heart disease, lung cancer, and stroke compared to other racial and ethnic groups. (RSG, 2014); menthol cigarettes and flavored little cigars are the agents of that destruction. It is estimated that 45,000 Black folks die each year from tobacco related diseases (RSG, 1998). In this regard, the Council should remove all criminal penalties associated with the purchase, use and possession of all tobacco products. Decriminalize tobacco! Hold retail owners responsible, not clerks, don't punish kids!

### The AATCLC

Formed in 2008, the African American Tobacco Control Leadership Council is composed of a cadre of dedicated community activists, academics, public health advocates and researchers. Even though we are based in California, we are national in our scope and reach. We have partnered with community stakeholders, elected officials, and public health agencies, from Chicago, Boston, Columbus, Washington D.C., Atlanta, New York City and Minneapolis to Berkeley and San Francisco. Our work has shaped the national discussion and direction of tobacco control policy, practices, and priorities, especially as they affect the lives of Black Americans, African immigrant populations and ultimately all smokers. The AATCLC has been at the forefront in elevating the regulation of mentholated and other flavored tobacco products on the national tobacco control agenda, including testifying at the FDA hearings in 2010 and 2011 when the agency was first considering the removal of menthol cigarettes from the marketplace. In November of 2019 we testified on Capitol Hill in support of HR 2339 (The Pallone Bill), this bill would prohibit the manufacturing and sale of menthol and all flavored tobacco products throughout the United States. This Bill was passed in the House of Representatives in February of 2020 but went nowhere in the Senate. In June of 2020 the AATCLC along with its partner Action on Smoking and Health (ASH) filed a lawsuit against the FDA for dragging their feet by leaving menthol on the marketplace with overwhelming scientific evidence showing that it should be removed immediately. Subsequently and importantly the American Medical Association (AMA) and the National Medical Association (NMA) have joined the lawsuit as plaintiffs. Today, after initially withdrawing our complaint in 2022 and refiled in 2024 because the FDA didn't and hasn't kept its promises, we have also amended our suit and have added 5 individual menthol smokers as plaintiffs to strengthen our standing with the court. Be apprised that the government is still trying to dismiss the case.



## The African American Tobacco Control Leadership Council

### Call to Action!

Now is the time to adopt strong tobacco control measures that can protect our families. We already know that menthol and flavors “makes the poison go down easier.” The Council needs to put the health of Denver Citizens in the forefront of their thoughts, not the interests and profits of the tobacco industry, the vaping industry, and their surrogates. This is not the time for half-steps, like continuing to allow these products to be sold in adult-only venues, rather it is time to take a stand for the public’s health and say: **No Selling of Menthol Cigarettes and All Other Flavored Tobacco Products, including Flavored E-Juices and Flavored Hookah in the City of Denver Colorado!** Say “No” to the continued predatory marketing of menthol flavored tobacco products to our youth and say “Yes” to the health and welfare of our kids, who are the most vulnerable. In fact, say “Yes” to the protection for **all** residents of Denver.

We are all counting on you!

Sincerely,

Phillip Gardiner, Dr. P.H. Co-Chair AATCLC [www.savingblacklives.org](http://www.savingblacklives.org)

Carol McGruder, Co-Chair AATCLC

Valerie Yerger, N.D., Co-Chair AATCLC



**AFRICAN  
LEADERSHIP  
GROUP**

African Leadership Group  
10700 E. Evans Avenue  
Aurora, CO 80014  
(303) 862-4062  
[www.usalg.org](http://www.usalg.org)

**Subject: African Leadership Group Supports a Comprehensive Flavored Tobacco Ban Without Hookah Exemption**

**Dear Members of the Denver City Council:**

My name is Papa Dia, the Founder and President of the ***African Leadership Group (ALG)***, an advocacy organization dedicated to improving the quality of life for African immigrants and members of the diaspora.

I immigrated to Denver in 1998 from Senegal and had a successful career in banking before focusing my efforts on running and growing ALG. Through social, economic, and educational empowerment programs, ALG helps families successfully integrate into their local community.

**ALG is in full support of the proposed ordinance to end the sale of all flavored tobacco products in Denver.**

We know you are hearing from lobbyists and businesses that profit from flavored hookah tobacco sales that you should exempt flavored hookah because they falsely claim hookah use is culturally important to some African communities. As a member of this community in Denver, I want you to know that hookah use is not unique to any community or culture, but it is becoming increasingly common among young people from many different backgrounds. Most of these young people are not using hookah for cultural reasons. It is because of the enticing flavors, slick marketing and easy access.

Don't be fooled. **Communities like mine get left behind when policies get watered down and exemptions are made based on money and profit versus research, evidence and best practices.**

Please let me know if you have any questions.

Thank you,

Dr. Papa M. Dia  
Founder and Executive Director  
Email: [papamdias@usalg.org](mailto:papamdias@usalg.org)



Council President Torres and Council Members,

On behalf of the American Heart Association, I am reaching out regarding the public health of our community, specifically youth use of tobacco and nicotine products.

As you know, the Colorado Legislature has failed to pass state-wide legislation to protect our children and communities from the dangers of flavored tobacco products. Governor Polis has been clear that he believes it is best handled at the local level. Because of this, **the American Heart Association strongly urges Denver to end the sale of ALL flavored tobacco products.**

Ending the sale of all flavored tobacco products is an important way to protect our kids from highly addictive nicotine. Nearly all (97%) of youth e-cigarette users report using flavored products, while most report that flavored products are a key reason for their use. While the Healthy Kids Colorado survey has shown positive trends in self-reported youth use of tobacco products, now is not the time to let up. We need to double-down on our efforts to eliminate the epidemic of youth use of e-cigarette.

The American Heart Association urges local, state and federal action to adopt policies that:

- Cover ALL tobacco products,
- Include ALL characterizing flavors, including mint and menthol, and
- Focus enforcement and penalties on tobacco retailers.

This will be an integral step to reducing youth smoking and vaping, and preventing a life-long addiction to tobacco and nicotine products – but we can't do it without your help. The American Heart Association greatly appreciates your consideration of ending the sale of all flavored tobacco products.

Please let us know if there is more information we can provide, and I hope we can count on your support to improve the health and quality of life for Denver residents.

Sincerely,

Eric Heydorn  
Colorado Government Relations Director  
[eric.heydorn@heart.org](mailto:eric.heydorn@heart.org)





Honorable Mayor Mike Johnston	Denver City Council
City & County of Denver	City & County of Denver
1437 Bannock Street	1437 Bannock Street
Room 350	Room 451
Denver, CO 80202	Denver, CO 80202

Dear Mayor Johnston and City Council Members:

The American Lung Association strongly supports ending the sale of all flavored tobacco products. As we continue to push for FDA to move forward with proposed rules to end the sale of menthol cigarettes and other flavored tobacco products, we applaud states and localities that exercise their authority to prohibit the sale of flavored tobacco products in their jurisdictions, including flavored e-cigarettes.

Tobacco use remains the leading cause of preventable death and disease in the United States, and in Colorado. Currently 16 million people in the U.S. live with a tobacco-related disease.

This public health burden is a guiding motivation for pursuing policies to foster the first tobacco-free generation. And the urgency to enact these policies is particularly important for communities that have disproportionately borne the burden of death and disease at the hands of tobacco products. To adequately protect kids from the tobacco industry's tactics, Denver is right to center its approach on flavors. Kids overwhelmingly prefer flavored tobacco products – products which have been a preferred tobacco industry on-ramp for generations.

E-cigarettes and other flavored products are heavily marketed to young people. Cigars come in flavors like blue raspberry, mango, and banana smash, and are sold in colorful packaging for as cheap as three for 99 cents. Tobacco companies have relied on the soothing and cooling effects of menthol to make cigarettes more appealing to new smokers, youth, Black Americans and LGBTQ Americans among others. The marketing of menthol cigarettes has been targeted at Black Americans for decades. Ending the sale of all flavored tobacco products in Denver, especially menthol cigarettes, will save lives and reduce health disparities.

Please protect our kids and our communities from vaping, tobacco use and nicotine addiction. The American Lung Association urges the Denver City Council to act without delay to pass an ordinance ending the sale of all flavored tobacco products. Please consider the American Lung Association your partner in this effort.

Respectfully,

Nick Torres

Director, Advocacy

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and City Council  
Members:

ARD Coaching Institute strongly supports ending the sale of all flavored tobacco products in Denver. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis and a prohibition on their sale, without exemptions or loopholes, is the solution we need.

Nationally, more than 1.6 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Colorado, 9.2% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product.

There's no doubt that flavors like cotton candy, pink lemonade and mango are driving these numbers. While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as three for 99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is also disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant prefer menthol cigarettes as well.

Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control. That is why it is critical that the policy includes all products, all flavors, in all locations.

Please protect our kids and our community from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a comprehensive local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

*Franchell S. Dunham*

President





December 6, 2024

Mayor Mike Johnston and members of the Denver City Council:

We are writing in support of the ordinance restricting the sale of flavored tobacco. The Association for Nonsmokers - MN has been and continues to be a leader in tobacco prevention. We backed passage of the first flavor restrictions by Minnesota cities and we have learned a lot since our first policy passed in 2016.

Our first policies carved out exceptions and were far from comprehensive. We quickly learned that the tobacco industry exploits every exception and turns it into a loophole large enough to drive a semi through. In recent years we have successfully pushed for full flavor restrictions. Cities that have partial policies find themselves revisiting the issue time and again trying to reign in an industry that is uninterested in the impact their product has on their own customers.

One exception that has been proposed and universally rejected by Minnesota cities is an exemption for shisha, hookah tobacco. Contrary to the stereotype of a Minnesota filled with blond Swedes, Minnesota has a large East African and Muslim population. East African and Muslim community leaders and organizations have supported ordinances aimed at ending the sale of all flavored commercial tobacco products including flavored shisha. They have rejected efforts by the tobacco industry to exempt flavored shisha in the name of “cultural sensitivity.”

In attempts to fend off regulation and expand their customer base, the hookah industry often argues that hookah is a “cultural” practice unique to Somali, East African, Indian and Middle Eastern communities. They claim that hookah should be treated differently than other tobacco products because of these cultural considerations. In fact, the opposite is true. Exempting flavored hookah tobacco unfairly subjects these communities to dangerous products that they do not want their young people to use.

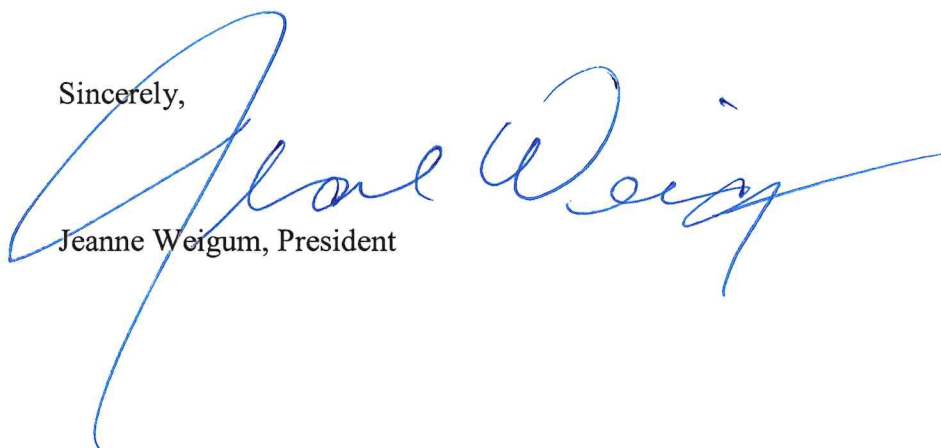
The negative health consequences of using hookah tobacco are well documented but not well known by the public or decision makers. According to the CDC, using a hookah to smoke tobacco poses serious health risks to smokers and others exposed to the smoke from the hookah. Hookah smoke contains high levels of toxins including carbon monoxide, heavy metals, nicotine, and other cancer-causing chemicals. Hookah users may inhale as much smoke in one session as a cigarette smoker would inhale in 100 cigarettes. Hookah is also highly addictive. Users often take in high doses of nicotine during long hookah smoking sessions. A hookah user is two times more likely to become a cigarette smoker than someone who does not smoke hookah. Saint Paul used to allow ‘hookah lounges’. They found that these lounges had the same amount of police calls as bars and were similar to pawn shops.

The hookah industry targets youth and young adults with marketing that associates smoking hookah with a fun, social and sophisticated lifestyle. Just like flavored cigars and vapes, hookah tobacco is sold in a wide variety of kid-friendly flavors like cherry, cotton candy, and bubble gum. And here in Minnesota the industry has been particularly aggressive in trying to exploit our community.



Defending a deadly product that causes addiction and is harmful to health can never be considered “cultural protection.” Exempting hookah from flavored tobacco regulations perpetuates health disparities by allowing the tobacco industry a clear path to market and sell a deadly product. Comprehensive flavor restrictions that include hookah protect everyone from the harms of tobacco.

Sincerely,

  
Jeanne Weigum, President



November 11, 2024

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and City Council Members:

Center for African American Health strongly supports ending the sale of all flavored tobacco products. Tobacco use continues to be the leading cause of preventable death in the United States, with more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis.

Nationally, more than 2.1 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Denver, 6.5% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product. While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant also prefer menthol cigarettes. Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save thousands of lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control.

Please protect our kids and our communities from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

Deidre Johnson  
CEO & Executive Director







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November 6, 2024

To: The Honorable Amanda P. Sandoval, Amanda Sawyer, Flor Alvidrez, Chris Hinds, Jamie Torres, Kevin Flynn, Sarah Parady, Paul Kashmann, Statice Gilmore, and Diana Romero [Sponsors Serena Gonzales-Gutierrez, Shontel M. Lewis, and Darrell Watson]

From: The Center for Black Health & Equity

Re: Prohibit the Sale of Menthol and all Other Flavored Tobacco Products in Denver Colorado with No Exemptions

As you know, the prosperity of the city and county of Denver is directly correlated to the health of its people. That is the premise underlying a new policy proposal aimed at improving health outcomes for the citizens of Denver. The Center for Black Health & Equity (The Center) strongly encourages the Denver City Council to prohibit the sale of menthol and all flavored tobacco products with no exemptions.

Tobacco companies have long targeted youth with their products. Adding flavors to tobacco products plays a crucial role in youth and young adult use of tobacco products. Research shows that children and adolescents have more of a preference toward sweet flavors than adults. Nearly three-quarters — 72.7% — of young adult current tobacco users report flavored tobacco use.<sup>1</sup> Flavors like, sour apple, cherry, grape, chocolate, strawberry margarita, appletini, pina colada, and cotton candy increase the appeal. Flavored tobacco products also typically have bright, colorful packages and are often sold individually and cheaply, making them even more accessible to youth and young adults.

Menthol makes smoking easier to start and harder to quit. Black people consistently report more quitting attempts than the general smoking population yet experience lower success rates. The tobacco industry has executed a calculated, menthol-centered strategy to establish a strong presence in Black communities, appropriate Black culture, and create a dependency on tobacco funding. For decades, the tobacco industry specifically marketed menthols to African American communities. The industry appropriated elements of Black culture and heavily invested advertising dollars into African American publications. They are known for sponsoring Black events like the KOOL Jazz festival, saturating urban Black neighborhood stores with ads, and pricing menthols more cheaply in Black neighborhoods. As a result of their efforts, 85% of African American smokers choose menthols while less than 30% of white smokers prefer menthols.<sup>2</sup>

Hookahs (water pipes) originate from Middle Eastern countries, but their use has rapidly increased in the United States. The tobacco used in hookah often has flavorings or sweeteners added to enhance the taste and aroma. Research shows

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<sup>1</sup> Harrell MB, Loukas A, Jackson CD, Marti CN, Perry CL. Flavored Tobacco Product Use among Youth and Young Adults: What if Flavors Didn't Exist? *Tob Regul Sci*. 2017 Apr;3(2):168-173. doi: 10.18001/TRS.3.2.4. PMID: 28775996; PMCID: PMC5536860.

<sup>2</sup> Gardiner PS. The African Americanization of menthol cigarette use in the United States. *Nicotine Tob Res*. 2004 Feb;6 Suppl 1:S55-65. doi: 10.1080/14622200310001649478. PMID: 14982709.



that many youth and young adults perceive hookah to be safer than other combustible tobacco products.<sup>3</sup> However, according to the CDC, using a hookah to smoke tobacco poses serious health risks to smokers and others exposed to the smoke from the hookah.<sup>4</sup> Because the flavors and the smoking technique create a more soothing (“smooth”) experience, hookah smokers can inhale more deeply and spend more time in a “hookah session,” which typically lasts for 40 to 45 minutes (three to four times longer than it takes to smoke a cigarette).

Tobacco use is the leading cause of preventable disease and death in the United States. Tobacco is a leading cause of many health problems, including cancer, cardiovascular disease, and stroke.

This is a call to protect our kids and our community from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass an equitable, comprehensive ordinance ending the sale of all flavored tobacco products. The time is now!

Sincerely,

Delmonte Jefferson  
Executive Director

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<sup>3</sup> Ambrose, BK, et al., “Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014,” Journal of the American Medical Association, published online October 26, 2015. Wackowski, OA and Delnevo, CD, “Young Adults’ Risk Perceptions of Various Tobacco Products Relative to Cigarettes: Results from the National Young Adult Health Survey,” Health Education & Behavior, published online August 24, 2015. Villanti, AC, et al., “Correlates of Hookah Use and Predictors of Hookah Trial in U.S. Young Adults,” American Journal of Preventive Medicine, 48(6):742-746, 2015.

<sup>4</sup> CDC, “Hookahs.” Available at [http://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/tobacco\\_industry/hookahs/](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/tobacco_industry/hookahs/). Accessed November 6, 2024.



November 7, 2024

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Denver, CO 80202

RE: Support for Denver Flavor Ban Ordinance

Dear Members of the Denver City Council,

On behalf of Children's Hospital Colorado, the patients and families, and communities we serve, we are writing to express our support of the proposed ordinance to eliminate the sale of all flavored tobacco products in Denver - without any loopholes or exemptions - proposed by Council Members Serena Gonzales-Gutierrez, Shontel Lewis, and Darrell Watson. We applaud their leadership and support the Council in moving this important policy work forward without delay.

Children's Hospital Colorado has advocated for policy change at the local, state and federal levels to address the concerns with flavored tobacco and vaping products.

Highly addictive nicotine can have damaging effects on kids' health, including harming the development of parts of the brain that control attention, learning, mood, and impulse control. E-cigarettes contain a significant amount of nicotine and chemicals, and oils - all of which are bad for kids and their lungs.

Tobacco industry documents show that tobacco companies have a long history of developing and marketing flavored tobacco as "starter" products that attract kids. Flavors disguise the taste and the harshness of tobacco, making them more appealing and easier for beginners to try. In 2023, nine out of ten high school students who use e-cigarettes reported using flavored tobacco.<sup>1</sup>

This health equity issue perpetuates inequities in health outcomes and undermines efforts to reduce smoking-related diseases in marginalized communities. For example, the tobacco industry has spent decades aggressively marketing flavored tobacco products to hook and addict youth, low-income communities, people who are LGBTQ+, and communities of color.

Tobacco use remains the leading cause of disease, disability, and premature death in the U.S. In Colorado, smoking causes over 5,000 premature deaths each year. Tobacco use is one of the largest drivers of healthcare costs. Chronic diseases are the most common and costly of all health problems, and they are also the most preventable. Annual health care costs in Colorado directly caused by smoking amount to \$2.19 billion.<sup>2</sup>

Chronic use of nicotine is far from a choice - it is an addiction. 9 out of 10 adults who smoke cigarettes started before the age of 18. By ending the sale of flavored tobacco, you will be removing the tool that the tobacco industry has used to hook a new generation to their dangerous products.

At Children's Colorado, our providers routinely caution patients about the harmful effects of tobacco and nicotine products. However, we cannot do this work alone. To ensure the future health of our communities, we must help young people avoid becoming hooked on these addictive products. This is why we strongly support policies prohibiting the sale of all flavored tobacco products. Denver showed national leadership



13123 E 16th Ave, Aurora, CO 80045

720-777-1234 | [childrenscolorado.org](https://childrenscolorado.org)

with its tobacco retail licensing and Tobacco 21 policies. We urge you to, once again, lead the way and pass an ordinance ending the sale of all flavored tobacco products in Denver that covers all products, all flavors and all locations.

Thank you for your time and consideration of this important ordinance. Please let us know if you have any questions.

Sincerely,

Ellen Stern  
Director, Government Affairs  
Children's Hospital Colorado  
[Ellen.Stern@childrenscolorado.org](mailto:Ellen.Stern@childrenscolorado.org)

1 [About National Youth Tobacco Survey \(NYTS\) | Smoking and Tobacco Use | CDC](#)  
2 [The Toll of Tobacco in Colorado - Campaign for Tobacco-Free Kids](#)



November 18, 2024

Denver City Council  
City & County of Denver  
1437 Bannock Street, Room 451  
Denver, CO 80202

Dear Members of the Denver City Council:

I write to urge the Denver City Council to end the sale of all flavored tobacco products in Denver. Research has told us that tobacco use remains the leading cause of preventable death in our country. Flavored tobacco products contribute significantly to this public health crisis. A prohibition on their sale in Denver is the solution we need.

For too long, the tobacco industry has targeted our Latino youth with flavors that mask the taste of tobacco and leads, too often, to addiction and poor health outcomes. Tobacco use can have lasting and damaging effects on brain development according to the U.S. Surgeon General. Denver's children deserve every opportunity to live healthy and full lives.

For 60 years, the Colorado Latino Leadership, Advocacy & Research Organization (CLLARO) has advocated for policies that help Latinos in Denver thrive and become fully contributing members of this city and the state of Colorado. Banning the sale of flavored tobacco products will help our Latino youth and adults live healthier and more productive lives.

Sincerely,

**Michael Eduardo Cortés, MSW, MPP, PhD**  
President & CEO  
(303) 722-5150 office





## COLORADO ACADEMY OF FAMILY PHYSICIANS

November 12, 2024

Dear Mayor Michael Johnston and the Denver City Council:

The Colorado Academy of Family Physicians wishes to express our strong support for the comprehensive flavored tobacco ban ordinance being considered by the Council. We represent over 2,500 family physicians, family medicine residents and medical students interested in Family Medicine across Colorado. We know flavored tobacco products are the main way underage youth start using tobacco and nicotine products. A ban on these products will help them go on to live healthier lives as adults.

We know most people begin using tobacco products before age 18 and over 80 percent of underage youth say flavors are a major reason they start. Big Tobacco knows this and has directed flavored tobacco marketing campaigns at youth. In recent years they have used social media to focus on vaping products. For decades they have effectively used the same strategy to maximize the use of menthol flavored combustible tobacco within Black, Latino and LGBTQ+ communities with disproportionate harm. Banning flavored tobacco and nicotine products is an opportunity for Denver to protect a new generation from addiction to nicotine.

Adults will still be able to choose non-flavored tobacco products. Some do indeed vape in place of smoking tobacco products. However, the evidence does not yet make it clear whether vaping is safer than smoking and the FDA has not approved vaping or the use of electronic smoking devices for smoking cessation. CAFP remains concerned that approximately 30% of adults who vape continue to smoke tobacco as well, and evidence suggests this “dual use” may be especially harmful.

We are aware and concerned about the potential financial impact this ban may have on some businesses such as convenience stores and specialty shops selling these products. However, other cities with similar bans of flavored tobacco products have not had significant increased rates of business failures. We believe protecting our youth from these harmful products is a clear priority.

As family physicians, every day we help many of our patients manage the enormous harms of tobacco and nicotine addiction. We want to do anything we can to protect a new generation of youth from these harms. We are excited to support a Denver City Council decision to ban the sale of all flavored tobacco and nicotine products in the City of Denver to protect the health of our underage youth.

Abbie Urish, MD  
President, Colorado Academy of Family Physicians



COLORADO ACADEMY OF  
FAMILY PHYSICIANS

**November 4, 2024**

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

**Dear Mayor Johnston and City Council Members:**

Thank you for your thoughtful consideration of the proposed policy to end the sale of flavored tobacco and nicotine products, including flavored vapes, cigars, hookah, and menthol cigarettes. As you weigh your decision, know that the tobacco industry's relentless predatory marketing practices have resulted in an urgent social justice issue that disproportionately impacts young people and communities of color.

For generations Big Tobacco has targeted youth, women, the LGBTQ+ community, and racial and ethnic groups including Black, Indigenous, Asian, Latinx, and others. Industry tactics lure people from these communities to their deadly products, keep users hooked, and cost countless lives. According to an R. J. Reynolds representative when asked why none of the company's executives smoked, the response was, "We don't smoke the s\*\*t. We just sell it. We reserve the right to smoke for the young, the poor, the black and the stupid."

Research shows that menthol flavoring makes it easier to start smoking and contributes to greater nicotine dependence, meaning that those who begin smoking menthol cigarettes have a much harder time quitting. Tobacco companies began adding menthol to cigarettes in the 1920s. The soothing and cooling effect of menthol reduces tobacco's harshness and the irritation from smoking. In the 1950s and 1960s, the tobacco industry started targeting African Americans specifically with menthol cigarette advertising; consequently, nearly 9 in 10 African Americans ages 12 and older who smoke cigarettes, use menthol cigarettes.

Campaigns by Big Tobacco – and more recently the **vaping, cigar, and commercial hookah industry** have attempted to block community efforts to prohibit the sale of flavored tobacco-nicotine products. These efforts simply represent the most recent example of this industry's unscrupulous efforts to exploit marginalized groups for profit with no regard for public health and well-being.

We have seen it all before. Do not be tricked by their tactics to **twist the truth**. Here is what we know and what you can expect.

- We know that the Industry's efforts to exempt menthol, flavored cigars, and flavored hookah tobacco will result in more addiction, disease, and lives lost.

- We know that the tobacco industry feigns social responsibility while mounting aggressive campaigns to stop prevention interventions proven to reduce tobacco-nicotine related health disparities.
- We know that the tobacco industry makes calculated financial contributions to political campaigns, Black publications, cultural events and educational institutions. This allows the tobacco industry to curry favor with Black leaders and to falsely show they care about the Black community; in reality, they are poisoning us.
- We know that the tobacco industry uses fearmongering tactics, including false claims that eliminating menthol cigarettes will subject Black Americans to more police brutality and mass incarceration. To be clear, the proposed local ordinance **does not criminalize individuals.**

No amount of smoke and mirrors can hide the truth. The tobacco and nicotine Industries are interested in exploiting marginalized communities, recruiting new users with their vast variety of flavored tobacco-nicotine products, and securing future profits. We respectfully request your support of the proposed comprehensive policy to end the sale of **ALL flavored tobacco-nicotine products with no loopholes or exemptions!**

Sincerely,

A handwritten signature in black ink that reads "Terri Richardson, MD". The signature is fluid and cursive, with the letters "MD" written in a slightly larger, more distinct font at the end.

Terri Richardson, MD  
Internist

Vice Chair, Colorado Black Health Collaborative

**Mission:** to achieve health equity in Colorado's Black Community

[www.coloradoblackhealth.org](http://www.coloradoblackhealth.org)

# **CBRT** *Colorado Black Round Table*

November 24, 2024

Dear Members of the Denver City Council,

The Colorado Black Round Table's purpose and mission is to provide advocacy, information and programs for African-American Coloradans. We are a well-recognized statewide organization of leaders from the faith, media, business and nonprofit sectors. As the Chairman, I work to foster honest conversations about critical issues facing Colorado's Black community. We are involved in serious conversations concerning the persistent problem of tobacco-related health disparities and the youth vaping crisis across our state.

**The Colorado Black Round Table supports the proposed ordinance to end the sale of all flavored products in Denver. Further, we urge the Denver City Council to pass a comprehensive policy without exemptions for menthol cigarettes, flavored hookah tobacco or any other flavored product. Less than comprehensive policies compromise the potential public health benefits, are harder to enforce and leave people behind.**

Last week the U.S. Surgeon General Vivek Murthy released a new report, *Eliminating Tobacco-Related Disease and Death: Addressing Disparities*. The report makes clear that the tobacco industry is a major driver of these disparities, especially the industry's decades-long targeting of Black and other communities with menthol cigarettes and other flavored products. The report details the industry's pervasive role in creating and perpetuating tobacco-related disparities, including manipulating products to make them more appealing and addictive, targeted marketing to specific population groups, and undercutting policies proven to prevent initiation and help people quit.

The report also underscores the need for action at all levels of government to further drive down tobacco use and eliminate tobacco-related disparities, including the elimination of menthol cigarettes and other flavored tobacco products.

"Tobacco use imposes a heavy toll on families across generations. Now is the time to accelerate our efforts to create a world in which zero lives are harmed by or lost to tobacco," **said Surgeon General Dr. Vivek Murthy**. "This report offers a vision for a tobacco-free future, focused on those who bear the greatest burden, and serves as a call to action for all people to play a role in realizing that vision."

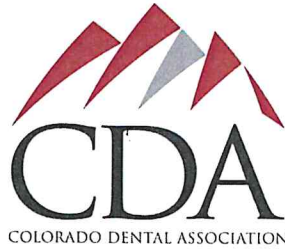
Please do your part to help Denver realize this vision by passing a comprehensive policy ending the sale of all flavored tobacco in Denver. Once again, Denver can lead by example and show other cities, the state and the nation that we prioritize our kids' health.

Sincerely,

*John Bailey*

John Bailey, Chairman  
Colorado Black Round Table





December 9, 2024

Dear Members of the Denver City Council,

The Colorado Dental Association is the professional association of dentists across the state that advances the oral health of the public. We advocate for oral health and issues that matter to our members and their patients, because oral health is health, and a healthy mouth is essential for whole body health.

We are proud to stand with the Flavors Hook Kids Denver coalition and support the proposed policy to end the sale of all flavored tobacco products in the city.

The facts about oral health and tobacco use are well documented by the Centers for Disease Control and Prevention<sup>1</sup>:

- Cigarettes, smokeless tobacco, and other forms of tobacco cause oral cancer, gum disease, and other oral health problems.
- Untreated cavities (tooth decay) are higher in people who smoke cigarettes. Over 40% of adults aged 20 to 64 who currently smoke cigarettes have cavities, compared to only 20% of adults who never smoked.
- Adults aged 65 or older who smoke cigarettes are twice as likely to have untreated cavities as those who never smoked.
- About 43% of adults aged 65 or older who currently smoke cigarettes have lost all of their teeth.
- Smoking or using smokeless tobacco increases the risk for oral cancer and other head and neck cancers.

Prevention is important for maintaining good oral health. Brushing your teeth, seeing the dentist, limiting sugar and avoiding all tobacco products are protective measures that will help prevent serious health problems in the future.

Please move forward with a comprehensive policy to eliminate the sale of all flavored tobacco products including chewing tobacco, oral nicotine pouches, hookah and e-cigarettes. This step will reduce the economic and emotional burden of tobacco-related oral health diseases and build a healthier community for all our residents.

Thank you,

Dr. Kevin Patterson, D.D.S., M.D.  
CDA President

<sup>1</sup> Centers for Disease Control and Prevention, [Tobacco Use and Oral Health Facts](#)



November 14, 2024

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and Members of the Denver City Council:

Denver Health has been treating and healing the people of Denver for more than 160 years. We are proud to be a leader in healthcare education, disease prevention, public health and health equity. We also maintain a special commitment to our younger population. We have been intentional in caring for our youth and provide healthcare access at our 19 School-Based Health Centers (SBHC). It is in our schools where we have observed an alarming increase in the use of tobacco products. We believe that new generations should have every opportunity to be healthy, thrive and live free of addictions.

According to the Colorado Department of Health and Environment “tobacco use remains the most preventable cause of disease, disability, and disease in Colorado, killing more than 5,000 Coloradans each year. Data shows it’s still surprisingly easy for Colorado youth to purchase tobacco products including e-cigarettes, cigarettes, and chew tobacco, from local stores.”

Denver Health strongly urges you to pass the local ordinance to end the sale of all flavored tobacco products in the city Denver. Ending the sale of all flavored tobacco products — including menthol cigarettes, flavored cigars, e-cigarettes, hookah, and smokeless tobacco — will protect our youth from joining this addictive cycle, advance racial and health equity, reduce healthcare costs, and create a healthier future for our community.

### *Flavors hook kids*

The rapidly growing use of nicotine products among our nation’s youth is one of the most critical public health issues currently facing our country. Flavored tobacco products are widely considered “starter” products for youth as they play a key role in convincing young people to try tobacco. Kid-friendly flavors like “cotton candy,” “atomic fireball,” and “sour mango” are marketed to appeal to underage users, and it’s working. In 2023, nine out of ten high school students who use e-cigarettes report using flavored tobacco.<sup>1</sup>

Mint and menthol cigarettes pose unique health risks. Research shows menthol cigarettes are **more** addictive and **harder** to quit. This makes menthols especially dangerous to youth. Young people use menthol and mint tobacco products, including cigarettes and e-cigarettes, at disproportionately high rates, which drives nicotine addiction<sup>1</sup>. Flavored tobacco products are often packaged to look like the candy they emulate. They’re often cheaper than candy, too. For example, Swisher Sweets chocolate cigars can sell for as little as 2 for 99 cents — that makes it cheaper for kids to buy a chocolate cigarillo than a candy bar.

Flavors are hooking kids. Sweet flavors entice them and a strong hit of nicotine addicts them — potentially for life — with many kids using flavored e-cigarettes unaware they are even using nicotine. Nicotine in any form can harm adolescent brain development, which impacts attention, memory, and learning. The younger kids are when they start consuming nicotine, the more likely they will be addicted. Many flavors in e-cigarettes, which remain largely unregulated

by the FDA, have been found to be toxic and can expose users to carcinogenic chemicals such as formaldehyde and lead.

According to data from the most recent Healthy Kids Colorado Survey, for the first time since 2015 e-cigarette use among high school students has decreased (16%, down from 26% in 2019). However, significant concerns remain. The percentage of Colorado students who use vape products because they are flavored increased to 23%. The data also suggest that youth are experimenting with vapor products at a very young age. The percentage of high schoolers who tried vape products before the age of 13 significantly increased, from 13% in 2019 to 22% in 2021. And use among middle school students remains steady.<sup>ii</sup>

### *Flavors exacerbate health disparities*

Progress made in the tobacco prevention movement is uneven and represents a serious social justice and health equity problem. The deadly toll of tobacco disproportionately impacts people of color, LGBT and low-income communities, and people experiencing mental health challenges. None of this is by accident — it is by design. Less than 10% of Black smokers used menthol cigarettes in the 1950's. By 2019, about 85% of Black adults who smoked cigarettes used menthol cigarettes, compared to less than 30% of Whites who smoked.<sup>iii</sup> Menthol cigarettes are a major reason why Black Americans suffer disproportionately from tobacco use.

Because menthol cigarettes are more addictive and harder to quit, they magnify the health burden of tobacco on Black communities. Youth who smoke menthol are more likely to become addicted to nicotine than their peers that smoke non-menthol, and African American menthol smokers have lower odds of successfully quitting.

### *Tobacco use drives up healthcare costs*

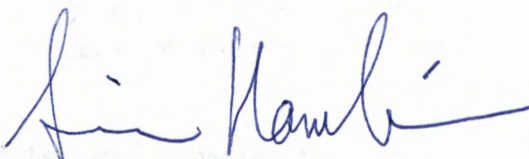
Tobacco use remains the leading cause of disease, disability, and premature death in the U.S. In Colorado, smoking causes over 5,000 premature deaths each year. Tobacco use is one of the largest drivers of healthcare costs. Chronic diseases are the most common and costly of all health problems, and they are also the most preventable. Annual health care costs in Colorado directly caused by smoking amount to \$2.19 billion.<sup>iv</sup>

### *Swift action is needed to protect another generation from a lifetime of nicotine addiction*

Denver Health providers routinely caution patients about the harmful effects of nicotine products. However, a collective approach to prevent the use of tobacco products among our school aged kids would be more effective. To ensure the future health of our communities, we must prevent young people from joining tobacco's addictive cycle. We strongly urge you to support policies prohibiting the sale of all flavored tobacco products in our city.

Denver showed national leadership with its tobacco retail licensing and Tobacco 21 policies. We respectfully request your full support and lead the way in establishing the ordinance to end the sale of all flavored tobacco products in Denver.

Respectfully,



Simon Hambridge, MD, PhD  
Chief of Ambulatory Care Services  
Chief Executive Officer, Denver Community Health Services  
Professor of Pediatrics and Epidemiology, University of Colorado





**DENVER HEALTH™**

est. 1860

**FOR LIFE'S JOURNEY**

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<sup>i</sup> [Youth and Tobacco Use | Smoking and Tobacco Use | CDC](#)

<sup>ii</sup> <https://cdphe.colorado.gov/press-release/latest-healthy-kids-colorado-survey-shows-promising-trends-in-youth-tobacco-use>

<sup>iii</sup> <https://www.cdc.gov/tobacco/health-equity/african-american/unfair-and-unjust.html>

<sup>iv</sup> [The Toll of Tobacco in Colorado - Campaign for Tobacco-Free Kids \(tobaccofreekids.org\)](#)



# DENVER HEALTH™

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FOR LIFE'S JOURNEY

June 20, 2024

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and Members of the Denver City Council:

As healthcare leaders in Colorado, we strongly urge you to pass a local ordinance ending the sale of all flavored tobacco products in Denver. Ending the sale of all flavored tobacco products — including menthol cigarettes, flavored cigars, e-cigarettes, hookah, and smokeless tobacco — will prevent youth initiation, advance racial and health equity, reduce healthcare costs, and create a healthier future for our community.

### *Flavors hook kids*

The rapidly growing use of nicotine products among our nation's youth is one of the most critical public health issues currently facing our country.

Flavored tobacco products are widely considered “starter” products for youth as they play a key role in convincing young people to try tobacco. Kid-friendly flavors like “cotton candy,” “atomic fireball,” and “sour mango” are marketed to appeal to underage users, and it’s working. In 2023, nine out of ten high school students who use e-cigarettes report using flavored tobacco.<sup>1</sup>

Mint and menthol cigarettes pose unique health risks. Research shows menthol cigarettes are **more** addictive and **harder** to quit. This makes menthols especially dangerous to youth. Young people use menthol and mint tobacco products, including cigarettes and e-cigarettes, at disproportionately high rates, which drives nicotine addiction.

Flavored tobacco products are often packaged to look like the candy they emulate. They’re often cheaper than candy, too. For example, Swisher Sweets chocolate cigars can sell for as little as 2 for 99 cents — that makes it cheaper for kids to buy a chocolate cigarillo than a candy bar.

Flavors are hooking kids. Sweet flavors entice them and a strong hit of nicotine addicts them — potentially for life — with many kids using flavored e-cigarettes unaware they are even using nicotine.

Nicotine in any form can harm adolescent brain development, which impacts attention, memory, and learning. The younger kids are when they start consuming nicotine, the more likely they will be addicted.



**DENVER HEALTH™**  
— est. 1860 —  
**FOR LIFE'S JOURNEY**

Many flavors in e-cigarettes, which remain largely unregulated by the FDA, have been found to be toxic and can expose users to carcinogenic chemicals such as formaldehyde and lead.

According to data from the most recent Healthy Kids Colorado Survey, for the first time since 2015 e-cigarette use among high school students has decreased (16%, down from 26% in 2019). However, significant concerns remain. The percentage of Colorado students who use vape products because they are flavored increased to 23%. The data also suggest that youth are experimenting with vapor products at a very young age. The percentage of high schoolers who tried vape products before the age of 13 significantly increased, from 13% in 2019 to 22% in 2021. And use among middle school students remains steady.<sup>ii</sup>

### *Flavors exacerbate health disparities*

Progress made in the tobacco prevention movement is uneven and represents a serious social justice and health equity problem. The deadly toll of tobacco disproportionately impacts people of color, LGBT and low-income communities, and people experiencing mental health challenges.

None of this is by accident — it is by design.

Since the 1950s, the tobacco industry has targeted minority groups, especially Black Americans, with pervasive marketing of menthol cigarettes through sponsorship of community and music events, free sampling, magazine advertising, and retail promotions. This careless pattern of activity persists with expanded marketing strategies like supporting Historically Black Colleges and Universities (HBCUs), providing sponsorship funding for events, supporting various Black leaders with monetary support, and abundant advertising in stores frequented by people of color.

Less than 10% of Black smokers used menthol cigarettes in the 1950's. By 2019, about 85% of Black adults who smoked cigarettes used menthol cigarettes, compared to less than 30% of Whites who smoked.<sup>iii</sup> Menthol cigarettes are a major reason why Black Americans suffer disproportionately from tobacco use.

Because menthol cigarettes are more addictive and harder to quit, they magnify the health burden of tobacco on Black communities. Youth who smoke menthol are more likely to become addicted to nicotine than their peers that smoke non-menthol, and African American menthol smokers have lower odds of successfully quitting.

### *Tobacco use drives up healthcare costs*

Tobacco use remains the leading cause of disease, disability, and premature death in the U.S. In Colorado, smoking causes over 5,000 premature deaths each year. Tobacco use is one of the largest drivers of healthcare costs. Chronic diseases are the most common and costly of all health problems, and they are also the most preventable. Annual health care costs in Colorado directly caused by smoking amount to \$2.19 billion.<sup>iv</sup>



# DENVER HEALTH™

est. 1860

FOR LIFE'S JOURNEY

*Swift action is needed to protect another generation from a lifetime of nicotine addiction*

Health care providers routinely caution patients about the harmful effects of nicotine products. However, we cannot do this work alone. To ensure the future health of our communities, we must help young people avoid becoming hooked on these addictive products. This is why we strongly support policies prohibiting the sale of all flavored tobacco products.

Denver showed national leadership with its tobacco retail licensing and Tobacco 21 policies. We urge you to, once again, lead the way and pass an ordinance ending the sale of all flavored tobacco products in Denver.

Respectfully,

Simon Hambidge, MD, PhD  
Chief of Ambulatory Care Services  
Chief Executive Officer, Denver Community Health Services  
Professor of Pediatrics and Epidemiology, University of Colorado

Sara Carpenter, Chair  
DCHS Board

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<sup>i</sup> [Youth and Tobacco Use | Smoking and Tobacco Use | CDC](#)

<sup>ii</sup> <https://cdphe.colorado.gov/press-release/latest-healthy-kids-colorado-survey-shows-promising-trends-in-youth-tobacco-use>

<sup>iii</sup> <https://www.cdc.gov/tobacco/health-equity/african-american/unfair-and-unjust.html>

<sup>iv</sup> [The Toll of Tobacco in Colorado - Campaign for Tobacco-Free Kids \(tobaccofreekids.org\)](#)





**DENVER HEALTH™**  
— est. 1860 —  
**FOR LIFE'S JOURNEY**

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June 20, 2024

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and Members of the Denver City Council:

Denver Health has been treating and healing the people of Denver for more than 160 years. We are proud to be a leader in healthcare education, disease prevention, public health and health equity. We also maintain a special commitment to our younger population. We have been intentional in caring for our youth and provide healthcare access at our 19 School-Based Health Centers (SBHC). It is in our schools where we have observed an alarming increase in the use of tobacco products. We believe that new generations should have every opportunity to be healthy, thrive and live free of addictions.

According to the Colorado Department of Health and Environment “tobacco use remains the most preventable cause of disease, disability, and disease in Colorado, killing more than 5,000 Coloradans each year. Data shows it’s still surprisingly easy for Colorado youth to purchase tobacco products including e-cigarettes, cigarettes, and chew tobacco, from local stores.”

Denver Health strongly urges you to pass the local ordinance to end the sale of all flavored tobacco products in the city Denver. Ending the sale of all flavored tobacco products — including menthol cigarettes, flavored cigars, e-cigarettes, hookah, and smokeless tobacco — will protect our youth from joining this addictive cycle, advance racial and health equity, reduce healthcare costs, and create a healthier future for our community.

### **Flavors hook kids**

The rapidly growing use of nicotine products among our nation’s youth is one of the most critical public health issues currently facing our country. Flavored tobacco products are widely considered “starter” products for youth as they play a key role in convincing young people to try tobacco. Kid-friendly flavors like “cotton candy,” “atomic fireball,” and “sour mango” are marketed to appeal to underage users, and it’s working. In 2023, nine out of ten high school students who use e-cigarettes report using flavored tobacco.<sup>1</sup>

Mint and menthol cigarettes pose unique health risks. Research shows menthol cigarettes are **more** addictive and **harder** to quit. This makes menthols especially dangerous to youth. Young people use menthol and mint tobacco products, including cigarettes and e-cigarettes, at disproportionally high rates, which drives nicotine addiction. Flavored tobacco products are often packaged to look like the candy they emulate. They’re often cheaper than candy, too. For example, Swisher Sweets chocolate cigars can sell for as little as 2 for 99 cents — that makes it cheaper for kids to buy a chocolate cigarillo than a candy bar.

Flavors are hooking kids. Sweet flavors entice them and a strong hit of nicotine addicts them — potentially for life — with many kids using flavored e-cigarettes unaware they are even using nicotine. Nicotine in any form can harm adolescent brain development, which impacts attention, memory, and learning. The younger kids are when they start consuming nicotine, the more likely they will be addicted. Many flavors in e-cigarettes, which remain largely unregulated

OFFICE OF THE CHIEF EXECUTIVE OFFICER

777 Bannock Street

Mail Code 0278

Denver, Colorado 80204-4507

Phone 303-602-4920

[Donna.Lynne@dhha.org](mailto:Donna.Lynne@dhha.org)



**DENVER HEALTH™**

est. 1860

**FOR LIFE'S JOURNEY**

2

by the FDA, have been found to be toxic and can expose users to carcinogenic chemicals such as formaldehyde and lead.

According to data from the most recent Healthy Kids Colorado Survey, for the first time since 2015 e-cigarette use among high school students has decreased (16%, down from 26% in 2019). However, significant concerns remain. The percentage of Colorado students who use vape products because they are flavored increased to 23%. The data also suggest that youth are experimenting with vapor products at a very young age. The percentage of high schoolers who tried vape products before the age of 13 significantly increased, from 13% in 2019 to 22% in 2021. And use among middle school students remains steady.<sup>ii</sup>

### *Flavors exacerbate health disparities*

Progress made in the tobacco prevention movement is uneven and represents a serious social justice and health equity problem. The deadly toll of tobacco disproportionately impacts people of color, LGBT and low-income communities, and people experiencing mental health challenges. None of this is by accident — it is by design. Less than 10% of Black smokers used menthol cigarettes in the 1950's. By 2019, about 85% of Black adults who smoked cigarettes used menthol cigarettes, compared to less than 30% of Whites who smoked.<sup>iii</sup> Menthol cigarettes are a major reason why Black Americans suffer disproportionately from tobacco use.

Because menthol cigarettes are more addictive and harder to quit, they magnify the health burden of tobacco on Black communities. Youth who smoke menthol are more likely to become addicted to nicotine than their peers that smoke non-menthol, and African American menthol smokers have lower odds of successfully quitting.

### *Tobacco use drives up healthcare costs*

Tobacco use remains the leading cause of disease, disability, and premature death in the U.S. In Colorado, smoking causes over 5,000 premature deaths each year. Tobacco use is one of the largest drivers of healthcare costs. Chronic diseases are the most common and costly of all health problems, and they are also the most preventable. Annual health care costs in Colorado directly caused by smoking amount to \$2.19 billion.<sup>iv</sup>

### *Swift action is needed to protect another generation from a lifetime of nicotine addiction*

Denver Health providers routinely caution patients about the harmful effects of nicotine products. However, a collective approach to prevent the use of tobacco products among our school aged kids would be more effective. To ensure the future health of our communities, we must prevent young people from joining tobacco's addictive cycle. We strongly urge you to support policies prohibiting the sale of all flavored tobacco products in our city.

Denver showed national leadership with its tobacco retail licensing and Tobacco 21 policies. We respectfully request your full support and lead the way in establishing the ordinance to end the sale of all flavored tobacco products in Denver.

Respectfully,

Donna Lynne, DrPH  
Chief Executive Officer  
Denver Health and Hospital Authority

OFFICE OF THE CHIEF EXECUTIVE OFFICER

777 Bannock Street

Mail Code 0278

Denver, Colorado 80204-4507

Phone 303-602-4920

[Donna.Lynne@dhha.org](mailto:Donna.Lynne@dhha.org)



**DENVER HEALTH™**

— est. 1860 —

**FOR LIFE'S JOURNEY**

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<sup>i</sup> [Youth and Tobacco Use | Smoking and Tobacco Use | CDC](#)

<sup>ii</sup> <https://cdphe.colorado.gov/press-release/latest-healthy-kids-colorado-survey-shows-promising-trends-in-youth-tobacco-use>

<sup>iii</sup> <https://www.cdc.gov/tobacco/health-equity/african-american/unfair-and-unjust.html>

<sup>iv</sup> [The Toll of Tobacco in Colorado - Campaign for Tobacco-Free Kids \(tobaccofreekids.org\)](#)





November 12, 2024

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and Members of the Denver City Council:

Denver Health has been treating and healing the people of Denver for more than 160 years. We are proud to be a leader in healthcare education, disease prevention, public health and health equity. We also maintain a special commitment to our younger population. We have been intentional in caring for our youth and provide healthcare access at our 19 School-Based Health Centers (SBHC). It is in our schools where we have observed an alarming increase in the use of tobacco products. We believe that new generations should have every opportunity to be healthy, thrive and live free of addictions.

According to the Colorado Department of Health and Environment “tobacco use remains the most preventable cause of disease, disability, and disease in Colorado, killing more than 5,000 Coloradans each year. Data shows it’s still surprisingly easy for Colorado youth to purchase tobacco products including e-cigarettes, cigarettes, and chew tobacco, from local stores.”

Denver Health strongly urges you to pass the local ordinance to end the sale of all flavored tobacco products in the city Denver. Ending the sale of all flavored tobacco products — including menthol cigarettes, flavored cigars, e-cigarettes, hookah, and smokeless tobacco — will protect our youth from joining this addictive cycle, advance racial and health equity, reduce healthcare costs, and create a healthier future for our community.

### *Flavors hook kids*

The rapidly growing use of nicotine products among our nation’s youth is one of the most critical public health issues currently facing our country. Flavored tobacco products are widely considered “starter” products for youth as they play a key role in convincing young people to try tobacco. Kid-friendly flavors like “cotton candy,” “atomic fireball,” and “sour mango” are marketed to appeal to underage users, and it’s working. In 2023, nine out of ten high school students who use e-cigarettes report using flavored tobacco.<sup>i</sup>



Mint and menthol cigarettes pose unique health risks. Research shows menthol cigarettes are **more** addictive and **harder** to quit. This makes menthols especially dangerous to youth. Young people use menthol and mint tobacco products, including cigarettes and e-cigarettes, at disproportionately high rates, which drives nicotine addiction. Flavored tobacco products are often packaged to look like the candy they emulate. They're often cheaper than candy, too. For example, Swisher Sweets chocolate cigars can sell for as little as 2 for 99 cents — that makes it cheaper for kids to buy a chocolate cigarillo than a candy bar.

Flavors are hooking kids. Sweet flavors entice them and a strong hit of nicotine addicts them — potentially for life — with many kids using flavored e-cigarettes unaware they are even using nicotine. Nicotine in any form can harm adolescent brain development, which impacts attention, memory, and learning. The younger kids are when they start consuming nicotine, the more likely they will be addicted. Many flavors in e-cigarettes, which remain largely unregulated by the FDA, have been found to be toxic and can expose users to carcinogenic chemicals such as formaldehyde and lead.

According to data from the most recent Healthy Kids Colorado Survey, for the first time since 2015 e-cigarette use among high school students has decreased (16%, down from 26% in 2019). However, significant concerns remain. The percentage of Colorado students who use vape products because they are flavored increased to 23%. The data also suggest that youth are experimenting with vapor products at a very young age. The percentage of high schoolers who tried vape products before the age of 13 significantly increased, from 13% in 2019 to 22% in 2021. And use among middle school students remains steady.<sup>ii</sup>

### *Flavors exacerbate health disparities*

Progress made in the tobacco prevention movement is uneven and represents a serious social justice and health equity problem. The deadly toll of tobacco disproportionately impacts people of color, LGBT and low-income communities, and people experiencing mental health challenges. None of this is by accident — it is by design. Less than 10% of Black smokers used menthol cigarettes in the 1950's. By 2019, about 85% of Black adults who smoked cigarettes used menthol cigarettes, compared to less than 30% of Whites who smoked.<sup>iii</sup> Menthol cigarettes are a major reason why Black Americans suffer disproportionately from tobacco use.

Because menthol cigarettes are more addictive and harder to quit, they magnify the health burden of tobacco on Black communities. Youth who smoke menthol are more likely to become addicted to nicotine than their peers that smoke non-menthol, and African American menthol smokers have lower odds of successfully quitting.

### *Tobacco use drives up healthcare costs*

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diseases are the most common and costly of all health problems, and they are also the most preventable. Annual health care costs in Colorado directly caused by smoking amount to \$2.19 billion.<sup>iv</sup>

***Swift action is needed to protect another generation from a lifetime of nicotine addiction***

Denver Health providers routinely caution patients about the harmful effects of nicotine products. However, a collective approach to prevent the use of tobacco products among our school aged kids would be more effective. To ensure the future health of our communities, we must prevent young people from joining tobacco's addictive cycle. We strongly urge you to support policies prohibiting the sale of all flavored tobacco products in our city.

Denver showed national leadership with its tobacco retail licensing and Tobacco 21 policies. We respectfully request your full support and lead the way in establishing the ordinance to end the sale of all flavored tobacco products in Denver.

Respectfully,

  
[Greg McCarthy \(Nov 19, 2024 08:11 MST\)](#)  
Greg McCarthy  
Chief Executive Officer  
Denver Health Medical Plan

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<sup>i</sup> [Youth and Tobacco Use | Smoking and Tobacco Use | CDC](#)

<sup>ii</sup> <https://cdphe.colorado.gov/press-release/latest-healthy-kids-colorado-survey-shows-promising-trends-in-youth-tobacco-use>

<sup>iii</sup> <https://www.cdc.gov/tobacco/health-equity/african-american/unfair-and-unjust.html>

<sup>iv</sup> [The Toll of Tobacco in Colorado - Campaign for Tobacco-Free Kids \(tobaccofreekids.org\)](#)

### **Flavors Hook Kids Denver**

Honorable Mayor Mike Johnston	Denver City Council
City & County of Denver	City & County of Denver
1437 Bannock Street	1437 Bannock Street
Room 350	Room 451
Denver, CO 80202	Denver, CO 80202

Dear Mayor Johnston and City Council Members:

The Five Points Business Improvement District strongly supports ending the sale of all flavored tobacco products. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis.

Nationally, more than 2.1 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Denver, 6.5% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product.

There's no doubt that flavors like cotton candy, pink lemonade and mango are driving these numbers. Researchers have identified more than 15,500 unique e-cigarette flavors available online.

While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as three for 99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant also prefer menthol cigarettes.


Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control.

Please protect our kids and our communities from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

DocuSigned by:

  
Norman Harris,

Executive Director

Five Points Business Improvement District



## HIGHER LEVEL, LLC

P.O. Box 2938  
Denver, CO 80201-2938  
higherlevel2020@yahoo.com

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

November 26, 2024

Dear Mayor Johnston and City Council Members:

Higher Level, LLC strongly supports ending the sale of all flavored tobacco products in Denver. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis and a prohibition on their sale, without exemptions or loopholes, is the solution we need.

Nationally, more than 1.6 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Colorado, 9.2% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product.

There's no doubt that flavors like cotton candy, pink lemonade and mango are driving these numbers. While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as three for 99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is also disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant prefer menthol cigarettes as well.

Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control. That is why it is critical that the policy includes all products, all flavors, in all locations.

Please protect our kids and our community from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a comprehensive local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

Marilyn J. Lewis  
Principal

December 4, 2024

Denver City Council  
City & County of Denver  
1437 Bannock Street, Room 451  
Denver, CO 80202

Dear Members of the Denver City Council,

As Kaiser Permanente's Chief Health Officer, I lead efforts focused on improving the health of our 12.6 million members and the 68 million people who live in the communities we serve, including more than 500,000 members in Colorado.

**Kaiser Permanente unequivocally supports removing all flavored tobacco products from the market, including menthol cigarettes, hookah, and flavored e-cigarettes.**

Flavored tobacco products are a serious threat to the health of a community. Mint and menthol products are more addictive and harder to quit than other tobacco products. These flavors are aggressively and perniciously marketed to the Black community, too. Use of flavored tobacco is dangerous, addictive, and an epidemic among America's youth. Young people are increasingly showing more signs of addiction, using nicotine first thing in the morning and more frequently throughout the day. Prohibiting the sale of all flavored tobacco products is a huge step toward preventing another generation, especially those in BIPOC communities, from living with a lifetime of addiction.

On a personal level, as a Lebanese American, I would like to address claims you may have been hearing from the handful of hookah retailers in Denver City and County or from lobbyists for the hookah and tobacco industry. It's a standard industry tactic to claim that ending the sale of flavored tobacco will conflict with or is disrespectful of cultural practices, while simultaneously peddling these dangerous products for mass consumption.

Do not be fooled. Hookah is rapidly rising in popularity among youth. In college towns across the country, hookah bars are filled with experimenting youth — not wise elders practicing cultural traditions.

Many misperceptions about hookah exist. According to the CDC, studies have shown that smoking hookah carries toxins that are comparable with (or even exceeds) commercial cigarettes. For example, in a single smoking session, a person using a hookah can be exposed to nearly 9 times more carbon monoxide and 1.7 times more nicotine than from a single cigarette.<sup>1</sup>

Many youths who use hookah erroneously believe hookah is less harmful, despite being exposed to a high level of toxins in a short amount of time.<sup>2, 3</sup>

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<sup>1</sup> Hookahs. (2024, October 17). Smoking and Tobacco Use. <https://www.cdc.gov/tobacco/other-tobacco-products/hookahs.html>

<sup>2</sup> Roberts, M. E., Klein, E. G., Berman, M. L., Berhane, B., & Ferketich, A. K. (2017). Young Adult Perceptions Surrounding Hookah Use. *Health Behavior and Policy Review*, 4(6), 593–600. <https://doi.org/10.14485/hbpr.4.6.9>

<sup>3</sup> Prevent Cancer Foundation. (2024, November 19). Is hookah worse than cigarettes? <https://preventcancer.org/article/hookah-worse-cigarettes>



**KAISER PERMANENTE®**

As the state's largest nonprofit provider of health care and coverage, proudly working to improve the lives and health of Colorado residents for 55 years, Kaiser Permanente offers its staunch support to Denver to take the important step of passing a comprehensive flavored tobacco control ordinance.

Thank you for your leadership.

Sincerely,

Bechara Choucair, MD  
Executive Vice President and Chief Community Health Officer  
Kaiser Permanente

December 10, 2024

Dear Members of the Denver City Council,

The Metro Denver Oncology Nursing Society strongly supports the proposed ordinance to end the sale of all flavored tobacco products in the City of Denver. Please move forward with the proposed ordinance – without any exemptions, loopholes or amendments – to ensure all kids and communities are covered by this policy.

Our mission is to advance excellence in oncology nursing and quality cancer care. Advocacy is part of what we do. We advocate on behalf of people with cancer to ensure their quality of life and access to exemplary care throughout the continuum of life. One of the purposes of oncology nursing is cancer prevention and this proposed ordinance would have an impact on cancer prevention. We advocate on behalf of patients and the profession to ensure respect and recognition, access to education, safe working environments, and fair reimbursement. We also serve as advocates for public health policy.

We take a stand on the healthcare issues that affect oncology nurses. We have position statements on many topics that are spurred by member interest and developed by a diverse, unbiased committee of experts, including the ONS Board of Directors. Our position statements include access to quality care, use of e-cigarettes, and reducing tobacco use and protecting all patients from its harmful effects.

We are proud to champion oncology nurses, amplify their voices, and shape the advancement of cancer care as we continue to elevate the oncology nursing profession. We wanted to let you know that the 50<sup>th</sup> Annual Oncology Nurses Congress is being held this April in Denver. We are excited to hold our signature conference – Celebrating Yesterday Transforming Tomorrow – in a town that prioritizes public health. Please move forward with the flavored tobacco policy without delay.

Respectfully,



Yuki Asakura-Strempek, PhD, APRN, ACNS-BC, ACHPN, OCN  
President  
Metro Denver Oncology Nursing Society  
Email: [ayuki56@gmail.com](mailto:ayuki56@gmail.com)  
Phone: 720-217-9819





10.26.24

Dear Mayor Johnston and City Council Members,

Mile High Medical Society (MHMS) is writing to ask you all to support an ordinance to prohibit the sale of flavored tobacco products in the City of Denver, Colorado. **This includes all flavors in all locations.**

Mile High Medical Society is an organization of Black healthcare professionals, committed to promoting health, wellness and eliminating inequities through advocacy, education, mentoring, and health policy. Several of our members live or work in Denver.

As healthcare professionals, we are in the business of saving as many lives as possible. Unfortunately, we have witnessed the damaging effects of nicotine addiction on a regular basis. Approximately 27% of cancer deaths in Colorado each year are attributed to smoking. Smoking kills more people than alcohol, AIDS, car crashes, illegal drugs, murders, and suicides combined!

For decades, the commercial tobacco industry has fueled addiction in marginalized communities by disproportionately targeting Youth, African Americans, Latinos, and the LGBTQ + community with their menthol products. Menthol tobacco products have been scientifically designed by the tobacco industry to addict these populations.

Tobacco companies are now addicting a whole new generation to nicotine by providing a product that teens have thought to be harmless - flavored e-cigarettes. And they are starting to use these at an even younger age. Youth can easily be attracted to flavors used in e-cigarettes that are named after their favorite cereals (Cap N. Crunch, Fruit Circles), candy (Swedish Fish, Sour Worms) and gum (Grape Ape, Sweet Mint). Why would they think these products are dangerous?

There has also been a rise in the use of flavored cigars and cigarillos that attract kids with flavors like Fruit Punch and Banana Smash. More than half of all youth smokers use menthol cigarettes. These cigarettes are easier to smoke as the menthol cools the throat and takes the harshness away from the smoke.

**The common theme is flavors.** If it were not for the availability of flavors, we believe these addictive products would not be as attractive to kids. The fewer kids who start using tobacco products, the fewer adult deaths we will need to witness in the future. We have watched patients suffer at the hands of Big Tobacco's profits for long enough. We believe a flavor ban will help.

Professor Geoffrey Fong was part of a team that studied the impact of the Canadian menthol ban. The study found that the Canadian ban led to increased quitting among menthol smokers relative to non-menthol smokers. They concluded that this pooled analysis of the Canadian menthol cigarette ban could

provide the foundation for estimating the impact of menthol bans on quitting in other countries Professor Fong presented to our Colorado Legislature in May 2022. He used modeling from the Canadian study to project that if menthol were banned, an additional **10,621 menthol smokers would quit** and 1820 would be Black.

As healthcare providers, our focus is on the health of our community and protecting kids from a lifetime of addiction. Eliminating the sale of flavored tobacco products, including menthol in Denver will do just that. **This is a tremendous opportunity to protect our kids and the health of our community over the profits of commercial tobacco companies who make money addicting our kids and communities of color to nicotine.**

Sincerely,

A handwritten signature in black ink that reads "Johnny E. Johnson MD". The signature is written in a cursive, flowing style.

Johnny E. Johnson, MD, President  
Mile High Medical Society  
[www.milehighmedicalsociety.org](http://www.milehighmedicalsociety.org)

Honorable Mayor Mike Johnston	Denver City Council
City & County of Denver	City & County of Denver
1437 Bannock Street	1437 Bannock Street
Room 350	Room 451
Denver, CO 80202	Denver, CO 80202

Dear Mayor Johnston and City Council Members:

Montbello 2020, RNO strongly supports ending the sale of all flavored tobacco products. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis.

Nationally, more than 1.6 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Colorado, 9.2% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product.

There's no doubt that flavors like cotton candy, pink lemonade and mango are driving these numbers. Researchers have identified more than 15,500 unique e-cigarette flavors available online.

While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as three for 99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant also prefer menthol cigarettes.

Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control.

Please protect our kids and our communities from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

Ms. Ann White, Executive Director

Montbello 2020

Honorable Mayor Mike Johnston	Denver City Council
City & County of Denver	City & County of Denver
1437 Bannock Street	1437 Bannock Street
Room 350	Room 451
Denver, CO 80202	Denver, CO 80202

Dear Mayor Johnston and City Council Members:

The National Council of Jewish Women Colorado Section (NCJW Colorado) strongly supports the passage of a comprehensive ordinance ending the sale of *all* flavored tobacco products in Denver. As an organization that has as its mission bettering the lives of women, children, and families, we encourage the protection of our community, including our youth, from the harm that tobacco use causes.

Tobacco use continues to be the leading cause of preventable death in the United States, accountable for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis and a prohibition on their sale, without exemptions or loopholes, is the solution we need.

Though in 2009, the federal government banned most flavored cigarettes, menthol-flavored cigarettes were excluded from the ban. In addition, non-cigarette flavored tobacco products, such as cigars, hookahs, and e-cigarettes were excluded from the federal ban, though several states have enacted their own bans on all flavored tobacco products, including menthol.

Nationally, more than 1.6 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Colorado, 9.2% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product started with a flavored product.

Flavors such as cotton candy, pink lemonade, and mango undoubtedly are driving these numbers. While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for prices as low as three for 99 cents. Menthol cigarettes, still permitted under federal law, have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

Youth are not the only demographic targeted by flavored tobacco. For decades, the tobacco industry deliberately has targeted the Black community with menthol cigarettes. Menthol use is also disproportionately high among smokers who are Hispanic, identify as LGBTQ, and/or struggle with mental health concerns. Smokers who are pregnant prefer menthol cigarettes as well.

Menthol remains a huge draw to those who smoke cigarettes while other flavors draw youth, as well as adults, to tobacco product use. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

In addition to the addiction and cancer-causing potential of nicotine, the U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development. It particularly can affect the parts

of the brain responsible for attention, learning, mood and impulse control. Accordingly, it is critical that government policies on all levels ban all flavored tobacco products, with no exceptions, in all locations to protect the health and safety of our youth and population as a whole.

NCJW Colorado asks you to help protect the well-being and future of our children and families. We encourage the Denver City Council to pass a comprehensive local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

Michelle Reiff  
President  
NCJW Colorado Section



Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and City Council Members,

On behalf of *Parents Against Vaping*, a national nonprofit with concerned parent volunteers here in Denver, I am writing to express strong support for ending the sale of all flavored tobacco products in this great city. This step is essential to prevent the initiation and addiction to tobacco products among youth and to prioritize our children's health over the profits of the tobacco industry.

Tobacco use, the leading cause of preventable death in the U.S., claims over 480,000 lives annually, with flavored products being a key contributor to this crisis. In Colorado alone, 9.2% of high school students currently use e-cigarettes, according to the latest Healthy Kids Colorado Survey. Nationally, more than 1.6 million youth use e-cigarettes, with nearly 90% of them choosing flavored products. Research confirms that flavors like cotton candy, pink lemonade, and mango are designed to appeal to youth.

Flavored tobacco products play an outsized role in the youth tobacco crisis, exploiting adolescent vulnerability to initiate lifelong nicotine dependence. What's more, research from the U.S. Surgeon General highlights that nicotine can cause lasting damage to the adolescent brain, affecting critical areas responsible for attention, learning, and impulse control.

By supporting the proposal to end the sale of all flavored tobacco products, you will protect Denver's youth from preventable illness, addiction, and death. Denver has the opportunity to join the nearly 390 localities across the country, including seven in Colorado —Aspen, Boulder, Carbondale, Edgewater, Glenwood Springs, Golden, and Snowmass Village—who have already taken similar action to restrict flavored tobacco sales.

We urge you to act swiftly to end the sale of all flavored tobacco products in the City of Denver. By passing this ordinance, you will help prevent a future of tobacco addiction and related health disparities, ensuring that our children can lead healthy, thriving lives.

Sincerely,

Charlie Moses  
Regional Advocacy Manager  
Parents Against Vaping [www.parentsagainstvaping.org](http://www.parentsagainstvaping.org)



Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

Dear Mayor Johnston and City Council Members:

Do we want a future where our children are thriving members of society? If we do, then we must do everything possible to prevent them from becoming enticed into using flavored tobacco products. I am speaking to you on behalf of Parents Against Vaping. We are a national nonprofit with Denver volunteers that prioritizes the health and well-being of youth.

Ending the sale of all flavored tobacco products in Denver is a way to ensure that youth in the community lead healthy, thriving lives. Supporting the proposal means that our kids avoid preventable illnesses, nicotine addiction, early death, and the massive related health care costs to society.

In Colorado, 9.2% of high school students use e-cigarettes, according to the Healthy Kids Colorado Survey. The tobacco industry targets youth with flavored products, knowing most tobacco use starts before the brain fully develops, making addiction easier. Nationally, nearly 90% of kids who start smoking use flavored products like menthol, which masks the harshness of smoking and vaping. Research shows that even *occasional* e-cigarette use increases the risk of addiction and frequent tobacco use among youth. In response, nearly 390 localities, including seven in Colorado (Aspen, Boulder, Carbondale, Edgewater, Glenwood Springs, Golden, and Snowmass Village), have restricted the sale of flavored tobacco products.

We have seen firsthand the harm flavored e-cigarettes cause in our schools and communities. To tackle the youth vaping crisis, we must dramatically reduce accessibility, eliminate the sale of all flavored tobacco products - including menthol, and enforce compliance among retailers. This is crucial to protect future generations from addiction, health disparities, and preventable deaths.

By supporting the proposal to end the sale of all flavored products you will put our kids' health over tobacco industry profits.

Sincerely,

Charlie Moses  
Regional Advocacy Manager  
Parents Against Vaping [www.parentsagainstvaping.org](http://www.parentsagainstvaping.org)





11/15/2024

City & County of Denver - Denver City Council  
1437 Bannock Street, Room 451  
Denver, CO 80202

Dear Honorable Members of the Denver City Council,

Servicios de La Raza strongly supports ending the sale of all flavored tobacco products in Denver. Tobacco use remains the leading cause of preventable death in the United States, causing more than 480,000 deaths each year. Flavored tobacco products are a significant contributor to this public health crisis, and a prohibition on their sale—without exemptions or loopholes—is the solution we need.

Nationally, over 1.6 million youth currently use e-cigarettes, with nearly 9 in 10 choosing flavored products. In Colorado, 9.2% of high school students report current e-cigarette use, according to the latest Healthy Kids Colorado Survey. The tobacco industry intentionally markets flavored tobacco products to appeal to young people and new smokers, with 8 out of 10 youth who have tried a tobacco product starting with a flavored option. Flavors like cotton candy, pink lemonade, and mango are driving these alarming rates of youth usage. Beyond e-cigarettes, other flavored tobacco products, including cigars in flavors like Banana Smash and Iced Donut, are packaged to attract young consumers and are often sold at prices as low as three for 99 cents. Additionally, menthol cigarettes continue to mask the harsh taste of tobacco, making them especially addictive to new users and young people.

For decades, the tobacco industry has targeted the Black community with menthol products. Menthol use is also disproportionately high among Hispanic, LGBTQ, and other vulnerable populations, including those with mental health challenges and individuals who are pregnant. Eliminating menthol and all other flavored tobacco products is essential to reducing health disparities and saving lives.

The U.S. Surgeon General has documented that nicotine exposure can have lasting and damaging effects on adolescent brain development, particularly in areas responsible for attention, learning, mood, and impulse control. This is why it is critical that the proposed policy includes all products, all flavors, and all retail locations across Denver.

Additionally, Servicios de La Raza is currently implementing a youth anti-vaping grant as funded by The Colorado Attorney General's Office after the JUUL settlement. Per the National Institutes of Health – National Cancer Institute, Electronic Nicotine Delivery Systems (ENDS) represent a rapidly changing class of tobacco products known by many different names, including e-cigarettes, e-cigs, vapes, mods, and tank systems. **Since 2014, ENDS have been the most used tobacco product among U.S. youth.** In 2020, about 3.6 million U.S. youth, including about 1 in 5 high school students and 1 in 20 middle school students, reported current (past 30 day) use of ENDS.<sup>i</sup>

 [www.serviciosdelaraza.org](http://www.serviciosdelaraza.org)  
[info@serviciosdelaraza.org](mailto:info@serviciosdelaraza.org)

 303.458.5851

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 **Main Office**  
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200 S. Sheridan Blvd, Denver, CO 80226  
140 Sheridan Blvd, Denver, CO 80226  
805 W. 4th St, Pueblo, CO 81003

**Satellite offices**  
**Adams County Office**  
11860 Pecos St, Westminster, CO 80234  
**Glendale, Mexican Consulate**  
5350 Leetsdale Dr, Glendale, CO 80246



Per more recently published (2023) data from the Centers for Disease Control, 10% of middle and high school students reported current tobacco product use. From 2022 to 2023, current e-cigarette uses among high school students declined from 14% to 10% nationally. E-cigarettes remain the most used tobacco product among youths. Among middle school and high school students who currently use e-cigarettes, 25.2% used e-cigarettes daily, and 89.4% used flavored e-cigarettes.<sup>ii</sup>

The negative impacts caused by ENDS products disproportionately impact Latine youth. Cancer, heart disease, and stroke—all of which can be caused by smoking—are among the five leading causes of death among Latines. Additionally, diabetes is the fifth leading cause of death among Latines. The risk of developing type 2 diabetes is 30% to 40% higher for those who smoke than those who don't smoke, and smoking can worsen complications from diabetes.<sup>iii</sup> A singular Juul pod delivers the same amount of nicotine as a full pack of 20 cigarettes.<sup>iv</sup> Of no surprise, lower-income areas tend to have more tobacco and vape shops compared to higher-income areas. Poorer neighborhoods are often characterized by proximity to freeways, heavier traffic flow and population density, and more retail outlets selling both tobacco products and alcohol.<sup>v</sup>

We urge the Denver City Council to pass a comprehensive ordinance that ends the sale of all flavored tobacco products. This vital step will protect the health and future of our children and strengthen our community.

Sincerely,

Rudolph "Rudy" Gonzales, President & CEO  
Servicios de La Raza  
[rudyg@serviciosdelaraza.org](mailto:rudyg@serviciosdelaraza.org)

<sup>i</sup> <https://cancercontrol.cancer.gov/brp/tcrb/electronic-nicotine-delivery-systems#:~:text=Youth%20ENDS%20use%20raises%20concerns,risk%20of%20initiating%20cigarette%20smoking>.

<sup>ii</sup> <https://www.cdc.gov/mmwr/volumes/72/wr/mm7244a1.htm>

<sup>iii</sup> <https://www.cdc.gov/tobacco/health-equity/hispanic-latino/health-burden.html>

<sup>iv</sup> <https://flavorshookkidscolorado.org/>

<sup>v</sup> [https://journals.lww.com/oncology-times/fulltext/2020/06050/incidence\\_of\\_tobacco\\_vaping\\_in\\_low\\_income.12.aspx](https://journals.lww.com/oncology-times/fulltext/2020/06050/incidence_of_tobacco_vaping_in_low_income.12.aspx)



November 9, 2024

Honorable Mayor Mike Johnston	Denver City Council
City & County of Denver	City & County of
1437 Bannock Street	Denver
Room 350	1437 Bannock Street
Denver, CO 80202	Room 451
	Denver, CO 80202

Dear Mayor Johnston and City Council Members:

Single Mothers of Color, Incorporated strongly supports ending the sale of all flavored tobacco products in Denver. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis and a prohibition on their sale, without exemptions or loopholes, is the solution we need.

Nationally, more than 1.6 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Colorado, 9.2% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product.

There's no doubt that flavors like cotton candy, pink lemonade and mango are driving these numbers. While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as three for 99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is also disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant prefer menthol cigarettes as well.

Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control. That is why it is critical that the policy includes all products, all flavors, in all locations.

Please protect our kids and our community from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a comprehensive local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephanie L. Cross', with a stylized flourish at the end.

Stephanie L. Cross  
Co-Founder/Director

**From:** Hannah Gay Keao <[hgaykeao@edgewaterco.com](mailto:hgaykeao@edgewaterco.com)>

**Sent:** Tuesday, December 3, 2024 1:27 PM

**To:** [chris.hinds@denvergov.org](mailto:chris.hinds@denvergov.org); Parady, Sarah - CC XA1404 Member Denver City Council <[Sarah.Parady@denvergov.org](mailto:Sarah.Parady@denvergov.org)>; [paul.kashmann@denvergov.org](mailto:paul.kashmann@denvergov.org); [Amanda.sawyer@denvergov.org](mailto:Amanda.sawyer@denvergov.org); [stacie.gilmore@denvergov.org](mailto:stacie.gilmore@denvergov.org); [Flor.alvidrez@denvergov.org](mailto:Flor.alvidrez@denvergov.org); [diana.romerocampbell@denvergov.org](mailto:diana.romerocampbell@denvergov.org); [Amanda.sandoval@denvergov.org](mailto:Amanda.sandoval@denvergov.org); [jamie.torres@denvergov.org](mailto:jamie.torres@denvergov.org)

**Cc:** [Serena.gonzales-gutierrez@denvergov.org](mailto:Serena.gonzales-gutierrez@denvergov.org); [Darrell.Watson@denvergov.org](mailto:Darrell.Watson@denvergov.org); [Shontel.Lewis@denvergov.org](mailto:Shontel.Lewis@denvergov.org)

**Subject:** Flavored Tobacco Ban: Edgewater's Experience

Council members on the Denver City Council:

I am writing to you to share the story post-passage of our comprehensive flavored tobacco sales ban that was implemented in our community in 2021. It was one of the first pieces of legislation I voted on as a CM, and I remain proud of that vote to this day, especially as a mother and a leader in a small community that houses the junior/senior high school serving this area.

**TL/DR: Edgewater has not experienced any issues, had any stores close, or seen an impact to sales tax revenue since we implemented the tobacco flavor ban.**

Before the ban was put into effect, there were concerns and uncertainties about its potential impact on our local economy and the city. Given Edgewater's size, tobacco sales have a meaningful impact on our operations which are almost completely reliant on sales tax. We heard arguments from both sides, but we believed that protecting the health and well-being of our residents – especially young people and marginalized populations disproportionately targeted by predatory advertising – was of paramount importance.

I had doubts about how effective a single jurisdiction ban would be. However, regional solutions need to start with early adopters passing bans. We saw this in Garfield County where Glenwood Springs passed the initial ban. Aspen and Carbondale followed shortly after, effectively creating a regional ban. A Denver ban will help our broader community and could be the spark needed (pun intended) to get other local governments on board. Additionally, we can't rely on the state legislature to take this up because of the expected state revenue loss. A regional solution needs to come from local government.

The real story post-passage of the flavored tobacco sales ban in our city is one of success, adaptability, and collective progress. The sky didn't fall, and businesses didn't abandon us or shut down as a result of this ban. I encourage each of you to consider this experience as you deliberate similar legislation in Denver.

Thank you for your consideration, and feel free to reach out with any questions.

Hannah

**Hannah Gay Keao (she/her)**

Edgewater City Council

cell 970.515.3842

**From:** Jonathan Godes <[jonathan.godes@cogs.us](mailto:jonathan.godes@cogs.us)>

**Sent:** Tuesday, December 3, 2024 4:00 PM

**To:** Gilmore, Stacie M. - CC Member District 11 Denver City Council

<[Stacie.Gilmore@denvergov.org](mailto:Stacie.Gilmore@denvergov.org)>; Gonzales-Gutierrez, Serena - CC Member District 12 Denver City Council <[Serena.Gonzales-gutierrez@denvergov.org](mailto:Serena.Gonzales-gutierrez@denvergov.org)>; Watson, Darrell - CC Member District 9 Denver City Council <[Darrell.Watson@denvergov.org](mailto:Darrell.Watson@denvergov.org)>; Shontel.Lewis@devergov.org; Hinds, Chris - CC Member District 10 Denver City Council <[Chris.Hinds@denvergov.org](mailto:Chris.Hinds@denvergov.org)>; Romero Campbell, Diana - CC Member District 4 Denver City Council <[Diana.Romerocampbell@denvergov.org](mailto:Diana.Romerocampbell@denvergov.org)>; Sawyer, Amanda - CC Member District 5 Denver City Council <[Amanda.Sawyer@denvergov.org](mailto:Amanda.Sawyer@denvergov.org)>; Sandoval, Amanda P. - CC President Denver City Council <[Amanda.Sandoval@denvergov.org](mailto:Amanda.Sandoval@denvergov.org)>; Torres, Jamie C. - CC Member District 3 Denver City Council <[Jamie.Torres@denvergov.org](mailto:Jamie.Torres@denvergov.org)>; Alvidrez, Flor C. - CC Member District 7 Denver City Council <[Flor.Alvidrez@denvergov.org](mailto:Flor.Alvidrez@denvergov.org)>; Kashmann, Paul J. - CC Member District 6 Denver City Council <[Paul.Kashmann@denvergov.org](mailto:Paul.Kashmann@denvergov.org)>; Parady, Sarah - CC Member District 13 Denver City Council <[Sarah.Parady@denvergov.org](mailto:Sarah.Parady@denvergov.org)>; Mayorsoffice <[mayorsoffice@denvergov.org](mailto:mayorsoffice@denvergov.org)>

**Subject:** [EXTERNAL] Glenwood Springs flavor ban perspective

Mayor Johnston and members of the Denver City Council, As a current City Councilor and former Mayor of Glenwood Springs, I am writing to you to share the story post-passage of our comprehensive flavored tobacco sales ban that was implemented

Mayor Johnston and members of the Denver City Council,

As a current City Councilor and former Mayor of Glenwood Springs, I am writing to you to share the story post-passage of our comprehensive flavored tobacco sales ban that was implemented in our community in 2019 when I served as mayor. I also serve as President of CAST (Colorado Association of Ski Towns) representing 35 Colorado municipal members and can assure you that Glenwood's experience is not unique.

Glenwood Springs began considering tobacco-related ordinances after a group of pediatricians, school principals, public health officials, and local parents approached us with this issue. They referred to it as a crisis and told stories of addiction and middle schoolers reluctant to use the bathroom at school because it was such a high-pressure vaping environment. We engaged in a process using data from Kids Count, information from our public health department, and real-world testimony from educators and health professionals. The positive outcomes we are witnessing today validate the importance of evidence-based policymaking and the results as demonstrated in the following chart.

Healthy Kids Survey, GSHS	2019	2021	2023	Difference from '19 to '23
Smoked in the last 30 days	7.1	3.2	5.2	27% drop

Easy to get e-cigarettes	69	58.8	53	23% drop
Vaped in last 30 days	28.4	17.6	12.4	56% drop
Tried to quit	59.5	56.7	58.3	2% increase
Of those minors trying to purchase tobacco products, % <b>not</b> refused			78.4	Revisit - Retailer compliance checks for underage buyers

This data demonstrates the effectiveness of a flavor ban and refutes the [hypothetical argument](#) that "it won't have any impact, the kids will just get it somewhere else" or that a scary black market has will inevitably emerge. This shows significant and steady progress, even when our neighboring communities in the western part of the county (New Castle, Silt, Rifle and Parachute) have no such restrictions.

During our public council meetings, there were concerns expressed by several business owners about the impact to the local economy and sales tax receipts. As a home-rule municipality that relies 100% on sales tax for our general fund, this was a significant issue. Before the ban even went into effect we saw two businesses that were vape-only establishments choose preemptively to relocate. However, the remaining retailers that sold vape and tobacco products as part of a varied retail offering showed an actual INCREASE in their taxable sales the year following the ban. Not one gas station, convenience store, or small retailer went out of business or experienced a significant decline in revenue according to their own sales tax reporting. Even Smoker Friendly is still in business and going strong in Glenwood in spite of a flavor ban and a 40% sales tax on all other tobacco products. In short, the sky did not fall.

When we were debating a suite of options (flavor ban, 40% tax on tobacco products, raising the age of sale, and retailer licensing) the tobacco lobby was relentless. They coordinated hundreds of emails from retailers from across the country and bussed in dozens of vape shop owners from the Front Range to protest outside our town hall and take our meeting over with hours of public comment. They claimed that it would destroy our retail economy and wreck minority owned businesses. Fortunately our council had the fortitude to see through the efforts of big tobacco and unanimously approve the restrictions.

A regional solution needs to come from local government. One of the keys to our success was that Glenwood Springs undertook reforms at the same time that other communities in the Roaring Fork Valley did. The effect is that Eagle, Pitkin and Eastern Garfield County have created a semi-regional ban, and it started with one municipality demonstrating moral and political courage. Governor Polis threatened a veto on a statewide flavor ban several years ago, as that would have [severely impacted](#)



[the main funding for his landmark pre-k initiative](#), so it is up to local jurisdictions to demonstrate leadership and prioritize our children's and community's health.

As we have seen over and over, as Denver goes, so goes the rest of the state. It is one thing for a collection of mountain communities and several front-range towns to ban vaping flavors, and quite another for the largest municipality in Colorado to do so. If Denver passes a flavor ban, it will embolden neighboring communities to enact their own ban since the cry of "they will just go across the street to Denver" will ring less and less true. There will always some sort of "across the street" argument until there is a state-wide ban that puts every community on equal footing. Please do not let these specious arguments prevent you from protecting your children's health and supporting DPS and their teachers.

Thank you for your consideration, and please reach out to me personally if you would like to hear more of Glenwood Springs experiences from five years ago.

Jonathan Godes

Glenwood Springs City Council

970-379-4248



**City of  
Golden**

November 28, 2024

Members of the Denver Community,

Thank you for the opportunity to share Golden's experience in supporting our youth.

A year ago, the Golden City Council took a courageous stand for the health of our youth by enacting a comprehensive ban on the sale of flavored tobacco products, including menthol, without exemptions. This decision, grounded in overwhelming scientific evidence, recognized the undeniable link between flavored products and increased addiction rates, particularly among young people.

The tobacco industry's deceptive marketing of flavored vaping as "harm reduction" is a dangerous myth. The reality is that these enticing flavors are specifically designed to lure young people into a lifetime of addiction. We are already witnessing the devastating consequences of this epidemic.

Contrary to industry claims, Golden is not only thriving but also setting a new standard for community health and economic vitality. Our 2024 sales tax revenues are reaching record highs, and our businesses are resilient – not a single convenience store has closed due to the flavored tobacco ban.

Numerous studies have consistently shown that restrictions on flavored tobacco products have no negative impact on businesses or the economy. In fact, Golden's commitment to public health has both protected our youth and is attracting new businesses and sustainable tourism for a stronger, more vibrant community.

The tobacco industry's playbook hasn't changed in 50 years: delay, distract and deceive because they know that more delays = more addiction = more profits. But the facts speak for themselves. By prioritizing the health of our children over corporate greed, Golden is creating an environment where hundreds of small businesses can flourish without being forced to sell harmful products.

I urge you to continue championing the health and well-being of our youth. Golden's success story can inspire other communities to follow suit and build a healthier future for generations to come. Let's end the tobacco industry's reign of addiction and create a world where our children can thrive.

**Bill Fisher**

City Councilmember, Ward 4  
City of Golden | Pronouns he/him/his  
911 10th Street, Golden, CO 80401  
[bfisher@cityofgolden.net](mailto:bfisher@cityofgolden.net)

*Bill Fisher was a sponsor of City of Golden Ordinance 2216 concerning prohibiting the sale of flavored nicotine products.*

**From:** Jenna Carter <[jenna.carter1@outlook.com](mailto:jenna.carter1@outlook.com)>

**Sent:** Thursday, December 5, 2024 4:48 PM

**To:** [Amanda.Sawyer@denvergov.org](mailto:Amanda.Sawyer@denvergov.org) <[Amanda.Sawyer@denvergov.org](mailto:Amanda.Sawyer@denvergov.org)>; [flor.alvidrez@denvergov.org](mailto:flor.alvidrez@denvergov.org) <[flor.alvidrez@denvergov.org](mailto:flor.alvidrez@denvergov.org)>; [Chris.Hinds@denvergov.org](mailto:Chris.Hinds@denvergov.org) <[Chris.Hinds@denvergov.org](mailto:Chris.Hinds@denvergov.org)>; [Jamie.Torres@denvergov.org](mailto:Jamie.Torres@denvergov.org) <[Jamie.Torres@denvergov.org](mailto:Jamie.Torres@denvergov.org)>; [kevin.flynn@denvergov.org](mailto:kevin.flynn@denvergov.org) <[kevin.flynn@denvergov.org](mailto:kevin.flynn@denvergov.org)>; [Sarah.Parady@denvergov.org](mailto:Sarah.Parady@denvergov.org) <[Sarah.Parady@denvergov.org](mailto:Sarah.Parady@denvergov.org)>; [paul.kashmann@denvergov.org](mailto:paul.kashmann@denvergov.org) <[paul.kashmann@denvergov.org](mailto:paul.kashmann@denvergov.org)>; [stacie.gilmore@denvergov.org](mailto:stacie.gilmore@denvergov.org) <[stacie.gilmore@denvergov.org](mailto:stacie.gilmore@denvergov.org)>; [diana.romerocampbell@denvergov.org](mailto:diana.romerocampbell@denvergov.org) <[diana.romerocampbell@denvergov.org](mailto:diana.romerocampbell@denvergov.org)>; [darrell.watson@denvergov.org](mailto:darrell.watson@denvergov.org) <[darrell.watson@denvergov.org](mailto:darrell.watson@denvergov.org)>; [Serena.gonzales-gutierrez@denvergov.org](mailto:Serena.gonzales-gutierrez@denvergov.org) <[Serena.gonzales-gutierrez@denvergov.org](mailto:Serena.gonzales-gutierrez@denvergov.org)>; [shontel.lewis@denvergov.org](mailto:shontel.lewis@denvergov.org) <[shontel.lewis@denvergov.org](mailto:shontel.lewis@denvergov.org)>; [Amanda.Sandoval@denvergov.org](mailto:Amanda.Sandoval@denvergov.org) <[Amanda.Sandoval@denvergov.org](mailto:Amanda.Sandoval@denvergov.org)>

**Subject:** Bloomington's Experience with Flavored Tobacco Policy

Dear Denver City Council Members,

My name is Jenna Carter, and I am an At Large member of the Bloomington City Council. Bloomington is the fourth largest city in Minnesota and is located on the north bank of the Minnesota River. Bloomington is home to the Mall of America and the Minnesota Valley National Wildlife Refuge.

Bloomington has always been a leader in passing strong policies and programs to protect youth against the harms of commercial tobacco products. In 2004 we were the first city in the Twin Cities Metro to prohibit smoking in public spaces including bars and restaurants. In 2017, we were the third city in Minnesota to pass Tobacco 21 which raised the legal purchase age of tobacco products from 18 to 21.

In 2021, the City Council continued its leadership of protecting youth and communities targeted by the tobacco industry by prohibiting the sale of all menthol and all flavored tobacco products. At this time, we also set a total cap on tobacco licenses in the city. When a license is not renewed, such as if a retailer closes or chooses to stop selling tobacco products, the license is permanently retired. This “zero cap” effectively reduces the overall number of licenses over time and aligns with the vision presented last month by the U.S. Surgeon General Dr. Vivek Murthy when he released a new report on tobacco-related health disparities.

“The vision is to advance commercial tobacco-related health equity by creating and promoting fair and just opportunities and conditions for all people to live a healthy life that is free from commercial tobacco use and tobacco-related disease, disability, and death.”

I was proud to lead this latest effort in partnership with a committed community coalition. I can tell you that we have not had negative economic impacts from the flavored tobacco policy or the other tobacco prevention measures we have implemented over the past 20

years. The opportunity to protect kids, reduce tobacco-related healthcare costs and advance health equity in our community is our highest priority.

**Now it is your turn. I encourage you to move forward with a comprehensive flavored tobacco policy that does not carve out any products like menthol cigarettes or flavored hookah tobacco. A comprehensive policy is critical for equitable enforcement and equitable protection.**

If you have any questions about our policies or our experience, do not hesitate to reach out.

Thank you,

Jenna Carter

Councilmember At Large

City of Bloomington, Minnesota

**Heather M Edelson** <Heather.Edelson@hennepin.us>

Mon, Dec 2, 2024 at  
5:12 PM

To: "Amanda.Sandoval@denvergov.org" <Amanda.Sandoval@denvergov.org>,  
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gutierrez@denvergov.org>, "shontel.lewis@denvergov.org" <shontel.lewis@denvergov.org>

Dear Denver City Council,

Greetings from Edina, Minnesota. My name is Heather Edelson, and I served in the Minnesota House for six years as of this past Summer.

Before I was elected to the Minnesota House, I helped pass the first local Tobacco 21 policy in the state. After Edina passed Tobacco 21 in 2017, over 50 cities across Minnesota followed. Once in the House, I championed the statewide Tobacco 21 bill which also included provisions decriminalizing tobacco purchase, use and possession. I am very proud of that bipartisan effort (we passed the bill with a Republican Senate and a Democrat Majority House) and Minnesota's support for proven tobacco prevention policies.

In 2020, Edina also passed one of the first comprehensive flavored tobacco policies in the state. Again, we were proud to lead the way.

During my time in the House, I co-authored a statewide bill to end the sale of all flavored tobacco products in Minnesota. Unfortunately, like Colorado, we have not been able to pass a statewide policy. Today, it is more important than ever that cities in Minnesota, Colorado and across the country pass strong, local policies without loopholes to protect kids' health and pave the way for statewide action.

I now serve on the Hennepin County Board of Commissioners. Hennepin County implemented a flavored tobacco policy in 2019. As far as I know, we have not experienced negative economic impacts, and we are proud of our leadership in our shared responsibility to protect kids.

I encourage you to move forward with a comprehensive flavored tobacco policy that includes all commercial tobacco products such as menthol cigarettes, flavored vapes, hookah, chew and pouches. Believe me, the tobacco industry will take advantage of any exemption to keep their products on the shelves and lure new, young customers.

I am looking forward to visiting your great city again with my boys and seeing firsthand your great work to protect all kids and communities from the harms of flavored tobacco.

In partnership,

Heather Edelson

Hennepin County Commissioner - District 6

**Disclaimer:** If you are not the intended recipient of this message, please immediately notify the sender of the transmission error and then promptly permanently delete this message from your computer system.

**Vetaw, LaTrisha** <latrisha.vetaw@minneapolismn.gov>

Mon, Dec 2, 2024 at  
11:07 AM

To: "Amanda.Sandoval@denvergov.org" <Amanda.Sandoval@denvergov.org>,  
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Dear Members of the Denver City Council,

As a member of the Minneapolis City Council and the Chair of the Public Health and Safety Committee, I am writing to encourage you to move forward with a comprehensive ordinance prohibiting the sale of all flavored tobacco products.

I am proud that Minneapolis was one of the first communities in the country to take this step years ago. In addition to protecting our kids and neighborhoods from flavored tobacco, we also wanted to demonstrate to other communities and the state that it could be done. Despite industry claims of economic harm, Minneapolis has not experienced any issues. Today, over 30 communities in Minnesota have local policies restricting the sale of flavored tobacco products, and I sincerely hope we see a statewide policy soon.

Before I was a member of the Minneapolis City Council, I led the coalition that advocated for the policy change in our city. At the time, I worked at NorthPoint Health and Wellness, a medical center in the city's North Side neighborhoods. I saw firsthand the economic and emotional toll of tobacco-related health disparities in our neighborhoods and clinics.

I also experienced the toll personally. Three generations of my own family smoked menthol cigarettes. For decades, the tobacco industry targeted their marketing at my community, attempting to make menthols part of Black culture. This was our past. It does not need to be our future for our kids.

Now, as a member of the Council, I am still working to reduce the economic and emotional toll of tobacco for all our residents across all communities and cultures. Earlier this year, I championed an ordinance that sets the minimum per-pack price of cigarettes to \$15 and prohibits price discounts and coupons for tobacco products.

Public health and economic growth are top priorities for me and the Minneapolis City Council. Reducing youth tobacco use helps us accomplish both. If you have questions about our tobacco prevention policies, please let me know. Thank you for your consideration.

Sincerely,

LaTrisha

**LaTrisha Vetaw**

**Council Member**

Pronouns\*: she/her/hers

**City of Minneapolis – Ward 4**

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[\\*Why this matters](#)





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## flavored hookah: flavored tobacco ban proposal in Denver

1 message

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**Mary Rezk-Hanna** <mrezk@ucla.edu>  
To: shontel.lewis@denvergov.org

Sun, Nov 10, 2024 at 10:13 AM

Dear Councilwoman Lewis,

I am Dr. Mary Rezk-Hanna, born and raised in Egypt, and I am currently serving as an Assistant Professor at UCLA. My primary area of research is focused on studying the health impact of flavored tobacco smoking, particularly flavored hookah tobacco smoking. Importantly, I have published on the influence and interference of the hookah tobacco industry's lobbying efforts to block public health policy gains. I am reaching out regarding the proposed ordinance recently introduced to end the sale of all flavored tobacco products in the City of Denver.

I strongly support maintaining this ordinance as a comprehensive measure without exemptions for flavored hookah tobacco products. This approach best serves public health and helps protect our youth and young adults from tobacco initiation and lifelong addiction and harm.

This advocacy is grounded in objective scientific evidence showing that flavored hookah tobacco smoking is **not** a safe tobacco alternative. I have attached scientific publications that counter the industry's safety claims and provide evidence refuting assertions that have previously led to policy exemptions for flavored hookah tobacco products, including cultural and religious importance and flavored hookah being unappealing to youth and young adults.

It is important to note that hookah is the only form of tobacco product that uses burning charcoal briquettes—placed atop the fruit-flavored tobacco—to maintain a continuous heat source throughout the lengthy smoking session, which can last for hours. Consequently, in addition to tobacco combustion products, smokers and surrounding non-smokers who are exposed to this secondhand smoke, are exposed to significant levels of charcoal combustion products, which have been shown to adversely affect human health. Numerous studies highlight the increasing prevalence of carbon monoxide poisoning cases related to hookah smoking, particular among young adults.

Please feel free to reach out if you have any questions or need additional information to support this effort.

Thank you for your leadership on this important issue.

I look forward to seeing the positive impact of this ordinance.

Regards,

Mary

**Mary Rezk-Hanna, PhD, NP, FPCNA, FAHA, FAAN**

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## 6 attachments



**Retzky. J Med Toxicol. 2017.pdf**

219K



**Bhatnagar et al., Circulation. 2019.pdf**

666K



**Rezk-Hanna et al. AJC. 2018.pdf**

175K



**Rezk-Hanna et al. Circulation. 2019.pdf**

340K



**Rezk-Hanna et al. Nicotine Tob Res. 2024.pdf**

721K



**Abdul-Nabi et al. A J Emergency Med. 2024.pdf**

252K

# Unsubstantiated Claims by the Hookah Tobacco Industry to Exempt Flavored Hookah Tobacco Products From Flavor Bans

Mary Rezk-Hanna, PhD<sup>1</sup>, Wasim Maziak, MD, PhD<sup>2</sup>

<sup>1</sup>School of Nursing, University of California, Los Angeles, Los Angeles, CA, USA

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Epidemiologic evidence shows that flavor is a main attractant for using tobacco products, including hookah (i.e., waterpipe), among adolescents and young adults.<sup>1</sup> As states move forward to end the sale of flavored tobacco, coordinated actions by a newly established National Hookah Community Association, that includes a range of players (e.g., manufacturers, distributors, retailers, and hookah lounge owners) has attempted to manipulate policy officials and public opinion with unsubstantiated claims, including cultural and religious significance to hookah tobacco smoking.<sup>2–4</sup> In this commentary, we wish to address the claims made by the hookah tobacco industry that have resulted in policy exemptions for flavored hookah tobacco products.

## The Emergence of Hookah Tobacco Advocacy in the United States

In 2019, the National Hookah Community Association was created to “represent the hookah/shisha industry at the Federal, State and Local government levels,” with the goal of “protecting and preserving hookah culture and businesses across the country.”<sup>5</sup> The declared mission of the National Hookah Community Association, which currently represents more than 380 businesses, is to “promote understanding of the culture, community and business of hookah to society and politicians; protect hookah from regulation that threatens the hookah economic and social community; and working with lawmakers to support regulation that supports good practices and high standards in our sector.”<sup>5,6</sup> While the hookah tobacco industry is slowly growing,<sup>7</sup> the global market size is expected to reach a value of 3620.5 million by 2031.<sup>8</sup>

To ensure effective protection for the most vulnerable population affected by tobacco, many states and localities have now adopted policies that restrict the sale of flavored tobacco products, particularly to youth and young adults. On November 8, 2022, California Senate Bill 793 passed, which prohibits tobacco retailers from selling flavored tobacco products, including flavored e-cigarettes, menthol cigarettes,

and tobacco product flavor enhancers.<sup>9</sup> This law, however, does not apply to flavored hookah tobacco. The exemption, in the state of California, as well as other states, was granted in response to strong opposition from members of the National Hookah Community Association who testified to state officials citing the following reasons as means to exempt flavored hookah tobacco products from flavor bans: (a) cultural (Middle Eastern culture) and religious (Islam religion) importance; (b) unappealing and unlikely to be smoked by youth and young adults; and (c) a ban on flavored tobacco would result in the ban of all hookah products. The section below addresses each of these points and provides relevant literature refuting these claims.

## Cultural (Middle Eastern Culture) and Religious (Islam) Importance

A key argument raised by members of the National Hookah Community Association states that prohibiting flavors will take away their centuries-old cultural tradition, as well as their religious freedom.<sup>10</sup> Specifically, the testimonies state that, “hookah is a very important cultural practice” and that “eliminating this cultural practice would make many feel as though they are misunderstood and targeted as an outsider by lawmakers and regulators.”<sup>2,4</sup>

From its inception, the National Hookah Community Association did not represent cultural or community-driven organizations. Instead, the National Hookah Community Association represented primarily commercial entities, including hookah manufacturers, importers, distributors, lounges, and retail stores, all of which profit from hookah-based businesses. Unlike the use of traditional tobacco, which has played a role in spiritual and religious ceremonies among the American Indian communities,<sup>11</sup> traditional hookah tobacco did not play any role in the spiritual or religious culture of Middle Eastern societies. In fact, hookah use was declining throughout the Middle East during most of the 20th century, where it was increasingly limited to older men.<sup>12</sup> This changed

Received: September 5, 2023. Revised: April 10, 2024. Accepted: April 30 2024.

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dramatically in the early 1990s when hookah smoking became a fashionable widespread trend among young men and women in the Middle East and soon after globally.<sup>13</sup> While many factors play a role in this epidemiological shift, a key factor was the introduction of flavored and sweetened hookah tobacco called Maassel.<sup>13</sup>

With respect to religious freedom, it is notable that smoking is prohibited by Muslim scholars, including a specific reference to hookah tobacco smoking.<sup>14</sup> According to the World Health Organization's Islamic ruling on smoking, eminent Muslim scholars unanimously stated that smoking is haram (Arabic for forbidden) and that Islam prohibits smoking and the sale of tobacco.<sup>15</sup> The case depicting the Canadian court's decision on the lack of connection between flavored hookah use and religion, when hookah bars challenged the law that prohibits indoor smoking or burning of any substances in commercial establishments, may be useful in setting a precedent for future court decisions in other countries, concerning this argument.<sup>3</sup> Regarding the claimed religious connotation of hookah smoking, the court ruled that "hookah owners and their patrons were unable to show that hookah smoking was religious or that operating a hookah cafe for profit was a function of spiritual faith."<sup>3</sup>

### Hookah Is Unappealing and Unlikely to Be Smoked by Youth and Young Adults

Testimonies by members from the National Hookah Community Association state that the "National Hookah Community Association fully supports efforts to eliminate youth access and usage of tobacco products, including hookah" and that "hookah remains unappealing to youth and is unlikely to be smoked by them."<sup>2,4</sup> The first claim is a known tactic previously used by big tobacco to protect the industry and preserve their access to youth.<sup>16</sup> The latter claim is not supported by scientific data.

There is overwhelming epidemiological evidence that flavored hookah tobacco is appealing and prevalent among youth and young adults, as compared to older adults.<sup>17,18</sup> A recent systemic review that was done to evaluate the existing literature on the prevalence and trends of hookah smoking shows a significantly high prevalence among youth and young adults (10–24 years of age), where the prevalence of ever-hookah smoking in the United States was 19.88%, and current (past 30 days) smoking was 7%.<sup>17</sup> Nationally representative data show that leading reasons reported for smoking hookah among youth were enjoyment of socializing while smoking, appealing flavors, and the belief that hookah is a less harmful tobacco alternative.<sup>19</sup> Furthermore, the availability of hookah tobacco flavors was associated with a lower likelihood of cessation and a higher likelihood of transitioning to or maintaining frequent smoking.<sup>19</sup>

### A Ban on Flavored Tobacco Would Result in the Ban of All Hookah

Testimonies from members of the National Hookah Community Association claim that "restricting flavored hookah sales would result in elimination of the entire product class itself" and that "a ban on all flavored tobacco would ban all hookah."<sup>2,4</sup>

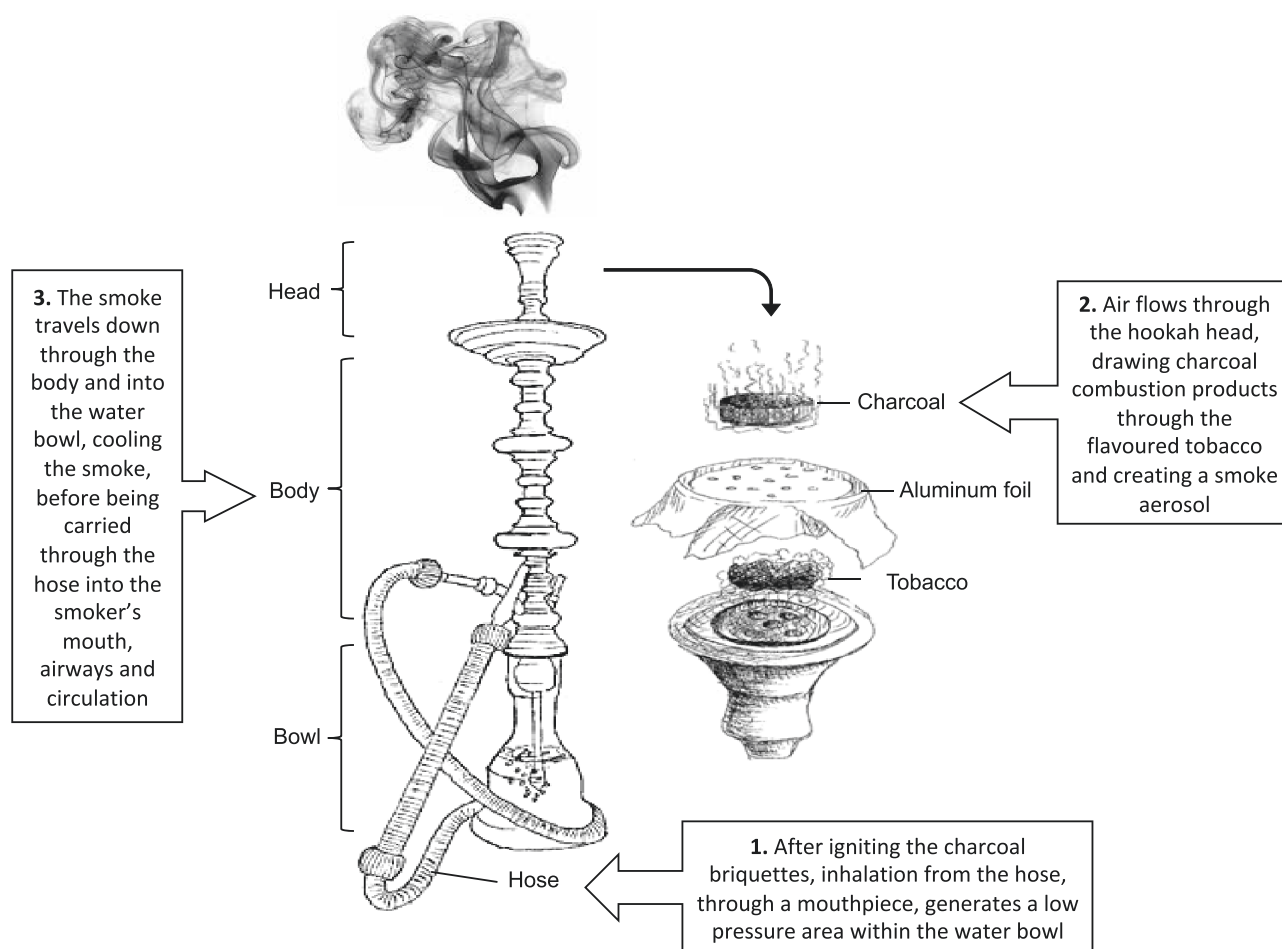
While the majority of the marketed hookah tobacco products are flavored, unflavored hookah tobacco is accessible in the hookah tobacco market.<sup>20,21</sup> Lab studies testing unflavored and unsweetened hookah tobacco suggest that these products are available in the market,<sup>22,23</sup> and that a ban on flavored hookah would not result in a ban on all hookah tobacco products. Remarkably, studies show that flavored hookah tobacco smoke is more toxic than unflavored hookah tobacco smoke, resulting in higher levels of oxidative stress,<sup>24</sup> presumably related to the greater amounts of humectants and flavorings found in flavored hookah tobacco.<sup>25</sup> Epidemiologic evidence, moreover, shows that flavored tobacco products are more likely to be used by youth (aged 12–17 years) and young adults (aged 18–24 years), as compared to older adults (aged ≥25 years).<sup>1</sup> Thus, a ban on flavored hookah tobacco products will restrict the availability of these products that are heavily targeting youth and young adults.

### Conclusions

Because flavors play a critical role in the initiation and continued use of tobacco and nicotine products among youth and young adults,<sup>1</sup> limiting flavored tobacco products became a priority for the U.S. Food and Drug Administration efforts to reduce tobacco use among these populations. In their article in *Nicotine and Tobacco Research*, and through a systematic search and qualitative scoping review, Rogers and colleagues examined the quality of evidence on the effectiveness of US law restrictions on the sale of flavored tobacco products.<sup>26</sup> Findings revealed moderate-to-high quality of evidence associating flavored tobacco product sale restrictions with reduced product availability and decreased use among youth and adults. Notably, findings also revealed that policy exemptions undermined the policies intended effects. These data suggest that for policy restrictions on flavored tobacco to be effective, they need to be comprehensive, to include all tobacco and nicotine products.

Studies have documented numerous adverse short- and long-term health effects of hookah smoking.<sup>27</sup> As compared to all other tobacco products and nicotine delivery systems, hookah smoking involves the use of burning charcoal to heat the flavored tobacco, producing smoke that passes through a water-filled basin before being inhaled by the smoker (Figure 1).<sup>27</sup> Thus, in addition to tobacco combustion products, the use of charcoal briquettes yields significant amounts of charcoal combustion products, posing a unique added risk from this tobacco use method.<sup>27</sup> In contrast to the aggressive hookah tobacco industry marketing claims of harm reduction,<sup>28</sup> the presence of water has no significant role in filtering out smoke toxicants, and studies show that the health effects profile of hookah smoking is similar to that of cigarettes.<sup>29</sup>

In conclusion, there is neither cultural nor religious significance to flavored hookah tobacco smoking. The unsubstantiated claims, discussed above, by the hookah tobacco industry are another tobacco industry smokescreen used to justify their profitable marketing of an addictive and harmful product that targets youth. Because flavors are a primary reason for initiating hookah, among US youth and young adults,<sup>1</sup> to protect these vulnerable populations from tobacco initiation and lifelong addiction and harm, flavor bans should comprehensively include all tobacco and nicotine products, including hookah flavored tobacco products.



**Figure 1.** A schematic showing the major components of a hookah pipe.<sup>27</sup>

## Funding

MRH was supported by the National Institute of Health, National Heart, Lung, and Blood Institute (1R01HL152435-01A1). WM was supported by 20k10 James and Esther King biomedical research program, Florida Department of Health. The sponsors had no role in the design and conduct of the paper.

## Declaration of Interests

None declared.

## Author Contributions

Mary Rezk-Hanna (Conceptualization [lead], Funding acquisition [equal], Investigation [equal], Project administration [equal], Visualization [equal], Writing—original draft [lead], Writing—review & editing [equal]), and Wasim Maziak (Conceptualization [supporting], Funding acquisition [equal], Investigation [equal], Project administration [equal], Visualization [equal], Writing—original draft [supporting], Writing—review & editing [equal])

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  29. El-Zaatari ZM, Chami HA, Zaatari GS. Health effects associated with waterpipe smoking. *Tob Control*. 2015;24(Suppl 1):i31–i43. doi:10.1136/tobaccocontrol-2014-051908





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## Flavored Tobacco Effort in Denver

1 message

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**Farid Shamo** <faridshamo@yahoo.com>

Tue, Nov 12, 2024 at 2:20 PM

To: Amanda.Sandoval@denvergov.org, Amanda.Sawyer@denvergov.org, flor.alvidrez@denvergov.org, Chris.Hinds@denvergov.org, Jamie.Torres@denvergov.org, kevin.flynn@denvergov.org, Sarah.Parady@denvergov.org, paul.kashmann@denvergov.org, stacie.gilmore@denvergov.org, diana.romerocampbell@denvergov.org  
Cc: darrell.watson@denvergov.org, Serena.gonzales-gutierrez@denvergov.org, shontel.lewis@denvergov.org

Subject: Addressing Use of Hookah Through Evidence-Based Interventions

Dear Denver Council Members:

My name is Farid Shamo, and I am an epidemiologist and public health professional. One area of research that is particularly important to me is the science of tobacco use and hookah smoking in particular.

As you consider a policy aimed at ending the sale of flavored tobacco in Denver, I encourage you to review the evidence base.

Please take time to review the Centers for Disease Control website on the health effects of using hookah and what communities can do to address youth use.

[Hookahs | Smoking and Tobacco Use | CDC](#)

<https://www.cdc.gov/tobacco/other-tobacco-products/hookahs.html>

Here is an excerpt:

“States, communities, tribes, and territories can fairly and equitably implement evidence-based, population-level strategies that address the use of all forms of tobacco products, including hookah.

These strategies include: **Prohibiting sales of flavored hookah and other tobacco products. Studies of local U.S. policies show that restricting the sale of flavored tobacco products reduces tobacco use** (*sources below*).

Please let me know if you have any questions or would like additional information.

Thank you for your commitment to protecting all kids and communities from the dangers of flavored tobacco including flavored hookah tobacco.

Best,

Farid Shamo, MB ChB, MSc, MPH

Epidemiologist & Public Health Professional

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Rogers T, Brown EM, Siegel-Reamer L, et al. [A Comprehensive Qualitative Review of Studies Evaluating the Impact of Local US Laws Restricting the Sale of Flavored and Menthol Tobacco Products](#). *Nicotine Tob Res.* 2022;24(4):433–443.

U.S. Food and Drug Administration. *Scientific Assessment of the Impact of Flavors in Cigar Products*. U.S. Dept of Health and Human Services, U.S. Food and Drug Administration, Center for Tobacco Products, 2022. Accessed March 18, 2021. <https://www.fda.gov/media/157595/download>



**November 23, 2024**

Denver City Council Members  
Denver, Colorado  
1437 Bannock Street, Room 451  
Denver, CO 80202

**Dear Denver City Council Members,**

By happenstance, I am sending this letter out on my dad's date of birth. He passed away two years ago. He shared stories of free cigarette packs being forced under his college dorm room door at his historically Black college. He did not smoke at that time because he was an athlete. However, after college, advertising and social pressures led him to pick up the habit. My five siblings and I were surprised how addicted he was despite low levels of smoking. As I started my career, I learned about the money, marketing, and manipulation that made this possible.

At any rate, I am writing to ask you to support a compressive ban on all flavored tobacco-nicotine products - **cigarettes, cigars, cigarillos, e-cigarettes/vapes, and commercial hookah**, in all locations, no exemptions. It is the right thing to do for the health of our youth and other groups that have been the target of these products.

I am pleased to see that this request is in alignment with the Surgeon General's report by Dr. Vivek H. Murthy, that was released November 19, 2024. The full report was 806 pages. I share just a few of the highlights from the extensive document. The report emphasized that tobacco remains the number one cause of preventable death in the United States. While strides have been made, there are still large disparities in tobacco use, and tobacco-related health disparities are a **social injustice**.

Page 225 of the report notes that: "Intentionally designed and flavored tobacco products that deliver multisensory experiences, combined with decades of targeted marketing to certain minoritized racial and ethnic groups, sexual orientation and gender identity groups, age groups, and lower socioeconomic status (SES) groups, contribute to disparities across the tobacco use continuum".

The report also states that, "local laws restricting the sale of flavored tobacco products are associated with a **decrease in tobacco product sales and in the prevalence of tobacco use among youth.**"

This Surgeon General's report is not just an accounting of facts, it is also a call to action. He is calling on efforts across the nation to reduce harm and the loss of lives.

**DENVER**, I believe we can and should be leaders in the quest to improve and preserve the health of our community. By supporting the ban on ALL flavored tobacco-nicotine products - **cigarettes, cigars, cigarillos, e-cigarettes/vapes, and commercial hookah**, Denver can help increase health equity across all races and age groups, decrease healthcare costs, lessen harms from fires due to tobacco product use, and reduce environmental hazards.

With the benefits being so great, I **respectfully request your support of the proposed comprehensive policy to end the sale of ALL flavored tobacco-nicotine products with no loopholes or exemptions!**

Support the health and equity of all people in Denver, Colorado.

**"The time is always right, to do what is right." (MLK)**

Sincerely,

A handwritten signature in black ink that reads "Terri Richardson MD". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Terri Richardson, MD

Just for the health of it!

Honorable Mayor Mike  
Johnston  
City & County of Denver  
1437 Bannock Street,  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of  
Denver  
1437 Bannock Street,  
Room 451  
Denver, CO 80202

**11.24.24**

Greetings Mayor Johnston and City Council Members,

My name is Leisa Boykins Willson. I have lived at 27<sup>th</sup> and York for many years. As a physician assistant, I have dedicated my life to serve the community in my professional role as well as in the community at large. I have worked in a diversity of practice settings. I have seen the impact of smoking, among our youth as well as those who started when they were young.

I am reaching out to strongly urge the Denver City Council **to support an ordinance to prohibit the sale of flavored tobacco products in the city of Denver**. This includes **ALL** flavored tobacco products in all locations.

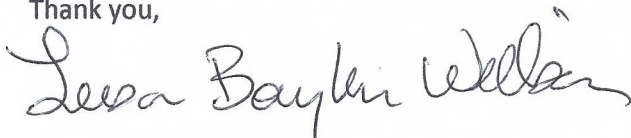
The commercial tobacco industry has been relentless in targeting youth, African Americans, LGBTQ + , and Hispanics, with their flavored products. Talking with teens, they think that flavored vape products are harmless. They talk about the vast array of fruity, sweet flavors on the market. Addiction is the least of their concerns.

The U.S. Surgeon General states that nicotine can have a lasting, damaging effect on teen brain development, especially the areas of the brain dealing with attention, learning, mood, and impulse control. For this reason, it is critical that the policy includes all products such as cigarettes, cigars, cigarillos, e-cigarettes, and hookah, in all locations.

At work I do my best to educate people about the hazards of these products for youth. I am also concerned about my young grandchildren being targeted with these products that could reduce their chances of a healthy life.

This local ordinance provides a tremendous opportunity to protect our kids and the health of our community. I encourage the Denver City Council to pass a comprehensive ordinance that ends the sale of **ALL** flavored tobacco products.

Thank you,

A handwritten signature in black ink that reads "Leisa Boykin Willson". The signature is fluid and cursive, with the first name "Leisa" being the most prominent.

Leisa Boykin Willson



11.23.24

**Mayor Johnston and ALL Denver City Council Members,**

I am writing to talk about this issue of flavored tobacco products. As a young Black man, I am strongly in favor of getting rid of these flavored tobacco-nicotine products in Denver, Colorado. I was born and raised in Denver and have always viewed it as a healthy and helpful place to live. Growing up I saw it as a place where you could bank on people taking the high road to health.

I attended CSU and learned a lot about the brain and other things. From this formal study and my recent reviews of the impact of nicotine on the youth brain, I know the explosion of flavored - cigars, cigarillos, hookah, as well as vape products is really bad for the developing brain. Addiction to flavored tobacco-nicotine products is an outcome that we can anticipate. The key attraction to these products is the flavors that make it seem like candy or harmless sweets. I am surprised to read that everyone doesn't want to get rid of the flavored tobacco products that deny young people a healthy life.

I want to continue to be proud of Denver, a city where I was educated, played basketball, made friends, and saw a model of how to do things right. It is not always easy to do difficult things. I think the only thing that makes this a difficult decision is that selfish individuals or companies are more interested in how much profit they can make versus how many lives can be productive or saved by getting rid of flavored tobacco-nicotine products.

I am not fearful that I will be stopped more by police if these products are banned. I am afraid that our talent will be drained because many of our youth and other marginalized groups will be addicted to these poisonous products.

I am not an expert on any of this, but I do enjoy reading and analyzing what is happening in our city. I think this is a great opportunity to get rid of these flavored tobacco products, in all locations.

**Let's do this Denver! Protect our kids and other groups that need our support.** I want to continue to be proud of a place that is not afraid to put people before Big Money.

With Pride,

A handwritten signature in black ink, appearing to read 'Randall Brown', with a long horizontal flourish extending to the right.

**Randall Brown**  
**9920 E. Ohio Avenue**  
**Denver, CO 80247**

November 26<sup>th</sup>, 2024  
Honorable Denver City Council  
Denver, Colorado  
1437 Bannock St rm 451  
Denver, CO 80202

Dear Denver City Council Member,

My name is Tracy Gilford. I am the grandparent of two beautiful grandchildren – Liliana who is now 7-years old and Charles IV who is now 4-years old. I am writing to you as a genuinely concerned grandparent and member of the Community. Looking at the current landscape and how e-cigarette use/vaping has quickly infiltrated our schools and the spaces & places where our children play, live and flow. It is currently becoming unavoidable for young people to flow in tobacco-free / vape-free environments.

There has been much talk about individual/personal choice when it comes to flavored tobacco-nicotine use. However, children, including my own grandchildren, as they continue to grow and start their elementary, middle, and high school years, are not being given the/a choice to be in tobacco-free / vape-free environments. They are being thrust into this toxic world under the orchestration of the Commercial Tobacco Industry, who see them as their next life-long customers. This can no longer be the inevitable case. To this I say there must be major disruption(s), which is why I am asking you to vote to BAN ALL Flavored (including Menthol) tobacco-nicotine products in the City of Denver with NO exceptions. Evidence shows how Tobacco companies deliberately use flavors and colors to lure and hook our children to initiate using its deadly products.

I recently learned about the 2024 U.S. Surgeon General's Report on Tobacco-Related Disease and Death, which addresses the importance of taking action at all levels of government to help drive down tobacco-nicotine use and eliminate tobacco-nicotine-related disparities for not just our youth, but other marginalized communities. By voting to BAN ALL Flavored (including Menthol) Tobacco-Nicotine products in the City of Denver, you will be aligning with the following vision statement included in the Report.

*“To advance commercial tobacco-related health equity by creating and promoting fair and just opportunities and conditions for ALL people to live a health life that is free from commercial tobacco use and tobacco-related disease, disability and death.”*

My grandchildren, as well as all children in the City of Denver deserve to live a healthy life that is free from commercial tobacco use and tobacco-related disease, disability, and death. I am asking that you vote to Ban the Sale of ALL Flavored (including Menthol) Tobacco-Nicotine products with NO Exceptions in the City of Denver.

Sincerely,

A handwritten signature in cursive script that reads "Tracy Gilford". The ink is dark and the signature is fluid, with a large 'T' and a long, sweeping 'y'.

**November 26, 2024**

Dear City Council Members:

Theresa Wideman with the Colorado Black Health Collaborative strongly supports ending the sale of all flavored tobacco products. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis.

Nationally, more than 1.6 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Colorado, 9.2% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product.

There's no doubt that flavors like cotton candy, pink lemonade and mango are driving these numbers. Researchers have identified more than 15,500 unique e-cigarette flavors available online.

While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as three for 99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant also prefer menthol cigarettes.

Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control.

Please protect our kids and our communities from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

**Theresa Wideman, Executive Assistant**  
**Colorado Black Health Collaborative**  
3025 S. Parker Road Ste #737  
Aurora, CO 80014  
C: (720) 579-2126

11.26.2024

Re: City of Denver Flavors Ban

Dear City Council Members:

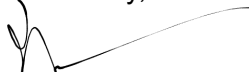
I am writing to you as a resident of Denver and concerned mother of two minor children who finds it overwhelming the number of concerns parents of today must grapple with. Long gone are the days when mothers and fathers could simply send our children to school and have them return absent any fear. Conscientious parenting in 2024 has almost become an insurmountable task, keeping our young ones guarded from harm.

According to a report published this month from the CDC the **number of e-cigarettes with “kid friendly flavors” has increased by 47% from 2019-2023**. As a mother I find this information horrifying. But even more frightening, is a missed opportunity to act to combat this.

I implore each of you to prioritize the health and safety of our children—our most vulnerable members of society. Vote **Yes** to ban **ALL** flavored tobacco-nicotine products, please. The future and the present of our youth is in your hands.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Niara Scott', with a long, sweeping horizontal stroke extending to the right.

Niara Scott  
3299 Brighton Blvd  
Denver, CO 80216



Honorable Mayor Mike Johnston	Denver City Council
City & County of Denver	City & County of Denver
1437 Bannock Street	1437 Bannock Street
Room 350	Room 451
Denver, CO 80202	Denver, CO 80202

Dear Mayor Johnston and City Council Members:

I am a volunteer with the Colorado Black Health Collaborative and I have seen the negative impact flavored tobacco products have on health. I strongly support ending the sale of all flavored tobacco products in Denver. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis and a prohibition on their sale, without exemptions or loopholes, is the solution we need.

Nationally, more than 1.6 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Colorado, 9.2% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product.

There's no doubt that flavors like cotton candy, pink lemonade and mango are driving these numbers. While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Flavored cigars are marketed in appealing flavors and are often cheaper than a bottle of water. In addition, menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor while being marketed strategically to the Black community.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is also disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant prefer menthol cigarettes as well.

Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control. That is why it is critical that the policy includes all products, all flavors, in all locations.

Please protect our kids and our community from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a comprehensive local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

Johnny Williams, MPH



**City of  
Golden**

November 28, 2024

Members of the Denver Community,

Thank you for the opportunity to share Golden's experience in supporting our youth.

A year ago, the Golden City Council took a courageous stand for the health of our youth by enacting a comprehensive ban on the sale of flavored tobacco products, including menthol, without exemptions. This decision, grounded in overwhelming scientific evidence, recognized the undeniable link between flavored products and increased addiction rates, particularly among young people.

The tobacco industry's deceptive marketing of flavored vaping as "harm reduction" is a dangerous myth. The reality is that these enticing flavors are specifically designed to lure young people into a lifetime of addiction. We are already witnessing the devastating consequences of this epidemic.

Contrary to industry claims, Golden is not only thriving but also setting a new standard for community health and economic vitality. Our 2024 sales tax revenues are reaching record highs, and our businesses are resilient – not a single convenience store has closed due to the flavored tobacco ban.

Numerous studies have consistently shown that restrictions on flavored tobacco products have no negative impact on businesses or the economy. In fact, Golden's commitment to public health has both protected our youth and is attracting new businesses and sustainable tourism for a stronger, more vibrant community.

The tobacco industry's playbook hasn't changed in 50 years: delay, distract and deceive because they know that more delays = more addiction = more profits. But the facts speak for themselves. By prioritizing the health of our children over corporate greed, Golden is creating an environment where hundreds of small businesses can flourish without being forced to sell harmful products.

I urge you to continue championing the health and well-being of our youth. Golden's success story can inspire other communities to follow suit and build a healthier future for generations to come. Let's end the tobacco industry's reign of addiction and create a world where our children can thrive.

**Bill Fisher**

City Councilmember, Ward 4  
City of Golden | Pronouns he/him/his  
911 10th Street, Golden, CO 80401  
[bfisher@cityofgolden.net](mailto:bfisher@cityofgolden.net)

*Bill Fisher was a sponsor of City of Golden Ordinance 2216 concerning prohibiting the sale of flavored nicotine products.*



## HIGHER LEVEL, LLC

P.O. Box 2938  
Denver, CO 80201-2938  
higherlevel2020@yahoo.com

Honorable Mayor Mike Johnston  
City & County of Denver  
1437 Bannock Street  
Room 350  
Denver, CO 80202

Denver City Council  
City & County of Denver  
1437 Bannock Street  
Room 451  
Denver, CO 80202

November 26, 2024

Dear Mayor Johnston and City Council Members:

Higher Level, LLC strongly supports ending the sale of all flavored tobacco products in Denver. Tobacco use continues to be the leading cause of preventable death in the United States, responsible for more than 480,000 deaths each year. Flavored tobacco products are fueling this public health crisis and a prohibition on their sale, without exemptions or loopholes, is the solution we need.

Nationally, more than 1.6 million youth currently use e-cigarettes and nearly 9 in 10 use flavored products. In Colorado, 9.2% of high school students are current e-cigarette users, according to the latest data from the Healthy Kids Colorado Survey. The tobacco industry knows that flavored tobacco products appeal primarily to youth and new smokers, with 8 out of 10 kids who have used a tobacco product starting with a flavored product.

There's no doubt that flavors like cotton candy, pink lemonade and mango are driving these numbers. While e-cigarettes are popular and heavily marketed to young people, other flavored tobacco products are clearly designed to specifically appeal to youth as well. Cigars are marketed in flavors like Banana Smash and Iced Donut and are sold in colorful packaging for as cheap as three for 99 cents. Menthol cigarettes have addicted generations of youth by masking the harsh taste of tobacco with their cool, minty flavor.

For decades, the tobacco industry has deliberately targeted the Black community with menthol cigarettes. Menthol use is also disproportionately high among smokers who are Hispanic and smokers who identify as LGBTQ. Smokers who struggle with mental health concerns and smokers who are pregnant prefer menthol cigarettes as well.

Menthol cigarettes are the only flavored cigarette remaining on the market; all other flavored cigarettes were banned years ago. Eliminating all flavored tobacco products, including menthol cigarettes, will save lives and reduce health disparities.

The U.S. Surgeon General reports that nicotine can have lasting, damaging effects on adolescent brain development, particularly the parts of the brain responsible for attention, learning, mood and impulse control. That is why it is critical that the policy includes all products, all flavors, in all locations.

Please protect our kids and our community from vaping, tobacco use and nicotine addiction. We encourage the Denver City Council to pass a comprehensive local ordinance ending the sale of all flavored tobacco products without delay.

Sincerely,

Marilyn J. Lewis  
Principal



Bryan Meyer  
Veterans Community Project  
8900 Troost Ave.  
Kansas City, MO  
bryan@vcp.org  
816-682-0169  
December 3<sup>rd</sup>, 2024

Denver City Council  
1437 Bannock St.  
Room 451  
Denver, CO 80202

Dear Members of the Denver City Council,

I am writing to you as CEO and Co-Founder of the Veterans Community Project (VCP), a charitable organization that provides transitional housing for homeless Veterans. We established one of our first VCP Villages of tiny homes in Longmont, CO. VCP Village provides sanctuary, and the emotional space needed for the Veteran and VCP's Veteran Support Services team to thoroughly address the underlying causes of his or her homelessness.

Our organization is deeply concerned about the proposed ban on flavors in smoke-free products that do not burn tobacco. While we understand the intent behind this proposal, we believe it could have unintended consequences for our residents and the broader community.

Many of our resident Veterans smoke combustible cigarettes. We have a strict no-smoking policy inside our tiny homes to prevent damage to the structures and the heating and cooling systems. However, despite our best efforts, we face challenges with tenants smoking indoors, which ultimately degrades the quality of the homes. Our solution to this lingering issue is the use of smoke-free products, including those with flavors, can provide a crucial alternative for these Veterans, allowing them to avoid smoking inside and reducing the risk of damage to their living spaces.

The proposed flavor ban would remove many of these smoke-free products from the market, including menthol flavors that many adult smokers prefer. This would limit the options available to our Veterans and make it more difficult for them to transition away from traditional cigarettes.

We are particularly concerned that Denver's decision could set a precedent for surrounding communities, including Longmont. The convenience and availability of better alternatives for the Veterans we serve is paramount to successfully finding alternatives to smoking. We urge the Denver City Council to consider the broader implications of this ban and to explore other ways to achieve the desired public health outcomes without removing valuable options for adult smokers who are Veterans.

Thank you for your attention to this important matter. We hope you will take our concerns into account as you deliberate on this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan Meyer", written in a cursive style.

Bryan Meyer  
Chief Executive Officer & Co-Founder  
Veterans Community Project



Office of the Mayor  
2100 Ridge Avenue  
Evanston, IL, 60201  
847.448.4311  
[www.cityofevanston.org](http://www.cityofevanston.org)

December 16, 2024

Denver City Council  
1437 Bannock St  
Denver, CO 80202

Subject: Evanston's Experience with Flavored Tobacco Policy

Dear Denver City Council,

Greetings from Evanston, Illinois.

I understand that you are considering an ordinance that would prohibit the sale of flavored tobacco products in Denver. Evanston recently passed a similar policy, joining the nearly 400 localities around the country ending the sale of flavored tobacco to prioritize health and protect kids.

I am happy to report that the sky is not falling. Notwithstanding claims from companies that profit from flavored tobacco product sales, our economic recovery is continuing. We have received essentially no constituent communication expressing disagreement with the policy.

Our decision shows Evanston kids that they are valued and that we are invested in helping create a healthier future for them, and continues in our tradition of taking public health seriously and listening to the data.

I hope you'll consider joining us and all the other localities across the country who are taking a stand and helping to give our young people the quality of life they deserve.

Please feel free to reach out if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Biss".

Mayor Daniel Biss  
City of Evanston