



# PROTECT DENVER KIDS AND ADVANCE HEALTH EQUITY

## An Ordinance to End the Sale of Flavored Tobacco Products in Denver

# THE PROBLEM: FLAVORS HOOK KIDS

- In 2023, the [Healthy Kids Colorado Survey](#) found that 6.9% of Denver high school students and 9.2% of high school students in Colorado use tobacco products.
- Flavored tobacco products are addicting a new generation of kids, and according to the [Colorado Department of Public Health](#), young people who vape are 4 times more likely to smoke cigarettes a year later.
- Even scarier, Tobacco is the number 1 cause of preventable and premature death in Colorado, according to a [2023 Colorado Public Radio investigative series](#).



POLITICS MONEY ARTS JUSTICE ENVIRONMENT NEWSLETTER SUPPORT CPR

**The teens who made Colorado No. 1 in underage vaping 5 years ago are now young adults, and they're still using**



By John Daley · Jan. 16, 2024, 4:00 am

# BILL SPONSORS



**Serena Gonzales-Gutierrez**  
Councilmember | At-Large



**Shontel M. Lewis**  
Councilmember | District 8



**Darrell Watson**  
Councilmember | District 9

# THE TOBACCO INDUSTRY HAS KNOWN FOR DECADES THAT FLAVORS ATTRACT AND NICOTINE ADDICTS KIDS

*"It's a well-known fact that teenagers like sweet products. Honey might be considered."*

-Memo to Brown & Williamson, 1972

*"Make a cigarette which is obviously youth oriented. This could involve cigarette name, blend, flavor and marketing technique...for example, a flavor which would be candy-like but give the satisfaction of a cigarette"*

-R.J. Reynolds Memo, 1974

American Lung Association.  
State of Tobacco Control | 2024

[1962 Flintstones cartoon selling Winston's cigarettes](#)

Saturday morning cartoons have been the staple of children across the U.S. for the past half century, but Big Tobacco has muddied even this innocent memory – placing their products in cartoons, normalizing their appearance to kids.





# THE FDA FOUND THESE PRODUCTS IN THE MARKETPLACE



E-Cigarette



Cartoon



E-Cigarette

Toy



E-Cigarette



School Marker



E-Liquid



Food Product



E-Liquid



Food Product



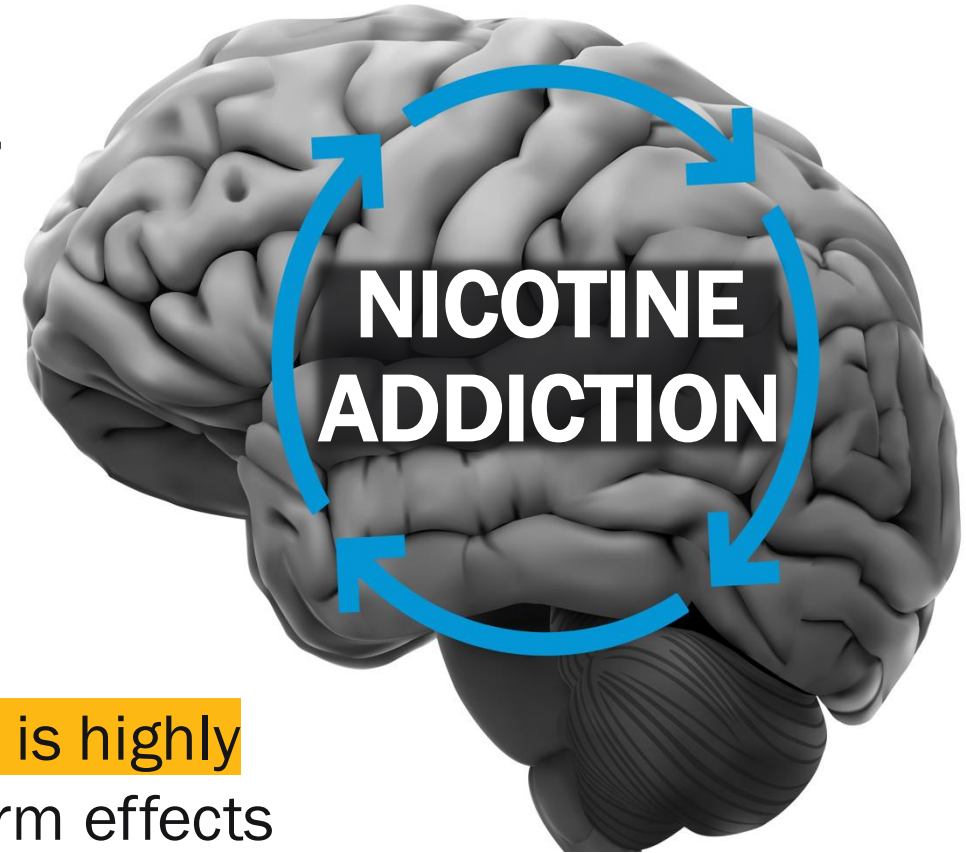
E-Liquid



Food Product

# NICOTINE HARMS KIDS' YOUNG BRAINS

- The [CDC found](#) that **no tobacco products**, including e-cigarettes, **are safe**, especially for children, teens, and young adults.
- The [U.S. Surgeon General concluded](#) that young people using **Nicotine** in any form, including e-cigarettes, is dangerous because Nicotine is highly addictive and **harms brain development**.
- The [American Lung Association states](#) that **nicotine is highly addictive and harms developing brains** with long-term effects on memory, concentration, self-control, and mood.



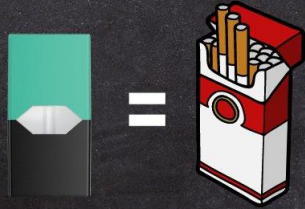


# NATIONAL YOUTH TOBACCO SURVEY

## E-CIGARETTES ARE MORE KID-FRIENDLY AND ADDICTIVE THAN EVER

ONE JUUL POD CONTAINS THE SAME NICOTINE AS:

**1 PACK OF CIGARETTES**



DISPOSABLE E-CIGS TODAY CAN CONTAIN THE SAME NICOTINE AS:

**20+ PACKS OF CIGARETTES**



## YOUTH VAPING: STILL A PUBLIC HEALTH CRISIS



**1.6 MILLION** KIDS USE E-CIGARETTES

**88 PERCENT** USE FLAVORED PRODUCTS

**6000+** ILLEGAL E-CIGARETTES ON THE MARKET



**FDA: PROTECT KIDS AND ELIMINATE ALL ILLEGAL E-CIGARETTES NOW.**

# MENTHOL IS THE ORIGINAL FLAVOR

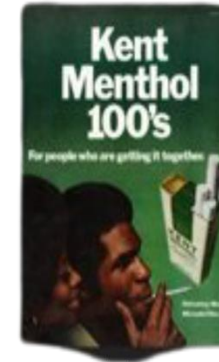
- For decades, the Tobacco Industry used Menthol and predatory marketing to addict young people, Black Americans, Latinos, LGBTQ+ folks, and women, [according to the Colorado Department of Health and Environment](#).
- The [American Lung Association](#) found Menthol cigarettes increase the likelihood of becoming addicted and the severity of addiction.
- The [NAACP](#) highlights research that shows ending menthol cigarette sales would save the lives of 654,000 Americans, including 255,000 Black Americans, over 40 years.





# SMOKING MENTHOL IS A TOP KILLER OF BLACK AMERICANS

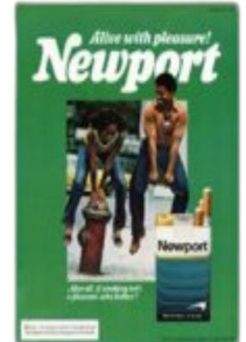
- According to the [University of Michigan School of Public Health](#), between 1980 and 2018, menthol cigarettes were responsible for:
  - 10.1 million additional new smokers.
  - 378,000 premature deaths by Black Americans.
  - Nearly 3 million life years were lost by Black Americans.
- Black Americans represented 41% of excess premature deaths but only 12% of the population.



1961



1970



1980



1997



2004



2013

# TOBACCO USE HARMS COLORADO LATINOS AND LATINAS

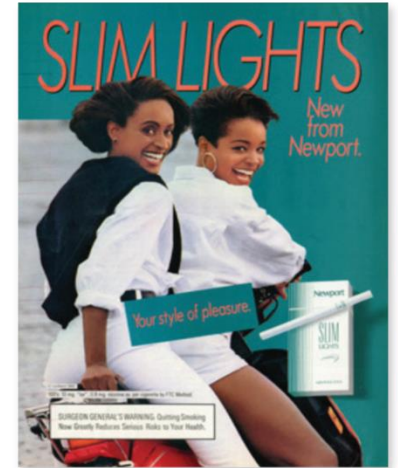
- Lung cancer is the leading cause of cancer death among Latinos and the second leading cause among Latinas, according to [the American Cancer Society](#).
- More than 43,000 Latinos are diagnosed with tobacco-related cancer each year. More than 18,000 die from tobacco-related cancer each year.
- According to a [2024 Denverite article](#), “Over many decades, the tobacco industry targeted Black and Hispanic neighborhoods in Denver with extensive advertising and other efforts to encourage consumption of its products.”

# FLAVORED TOBACCO IS DANGEROUS TO ASIAN AMERICAN, NATIVE HAWAIIAN, AND PACIFIC ISLANDER COMMUNITIES

- The [CDC found](#) that Cancer is the leading cause of death among Asian Americans, and lung cancer is the leading type.
- According to [2018 NSDUH data](#), 47% of Asian American smokers use menthol cigarettes, compared to 29% of White smokers.
- More than 19,000 Asian Americans and Pacific Islanders are diagnosed with tobacco-related cancer annually, and more than 9,000 die from tobacco-related cancer each year.

# THE TOBACCO INDUSTRY TARGETS THE LGBTQ+ COMMUNITY

- LGBTQ+ Coloradans' rates of smoking and vaping are higher than the state average, [according to the Colorado Department of Health and the Environment](#).
- The [CDC linked](#) high rates of tobacco use in the LGBTQ+ community to aggressive marketing by tobacco companies, who were early sponsors of Pride events.
- The [American Lung Association](#) found that **tens of thousands of LGBTQ+ persons die from tobacco** related diseases every year.





# THE SOLUTION: END THE SALE OF ALL FLAVORED TOBACCO PRODUCTS

- Prohibit the sale of all flavored tobacco products, including fruit and candy-flavored e-cigarettes, menthol cigarettes, flavored hookah tobacco, and flavored chew and pouches.
- Provide a comprehensive definition of "flavored tobacco product," covering all flavored items, and expand "tobacco product" to include all forms of nicotine.
- Hold retail tobacco stores accountable for employees' actions, making license holders responsible for violations instead of clerks.
- Strengthen administrative penalties by extending the "lookback period."

# THE SOLUTION: ELIMINATE PUP LAWS

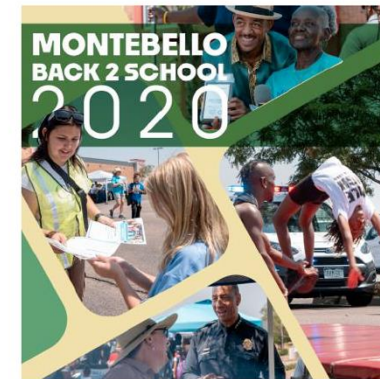
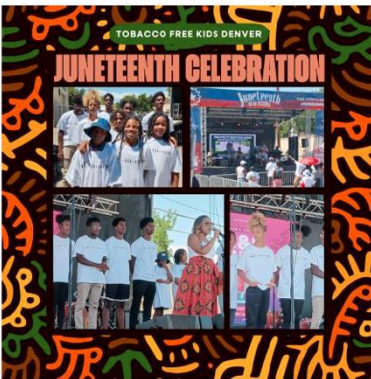
The Ordinance will:

- Eliminate penalties for underage Purchase, Use, or Possession of tobacco products (PUP Laws).
- Recognize the lack of evidence that PUP laws reduce youth tobacco use or addiction.
- Support health equity and social justice by not penalizing targeted youth.



# STRONG COMMUNITY OUTREACH

Advocates and Stakeholders have participated in over 27 Local Community Events to Support End the Sale of Flavored Tobacco Products





# THE DENVER BOARD OF EDUCATION SUPPORTS ENDING FLAVORED TOBACCO SALES



DENVER  
PUBLIC  
SCHOOLS

Board of Education

**NOW, THEREFORE, BE IT PROCLAIMED**, that we call on the Denver City Council to end the sale of all flavored tobacco products to protect students and communities from nicotine addiction, reduce the health and academic harms of tobacco use, and advance health equity.





# STRONG COMMUNITY SUPPORT

2 out of 3 Denver Voters and Over 50 Local Colorado and Denver Organizations Support End the Sale of Flavored Tobacco Products



Colorado Chapter

American Academy of Pediatrics  
DEDICATED TO THE HEALTH OF ALL CHILDREN®



Colorado Black Round Table  
"Strengthening the Black Community"



LATINO EDUCATION COALITION



PREVENTING TOBACCO ADDICTION FOUNDATION



# Questions and Discussion

# APPENDIX

## CITATIONS

- U.S. Surgeon General, E-Cigarette Use Among Youth and Young Adults, 2016. ([https://www.cdc.gov/tobacco/data\\_statistics/sgr/e-cigarettes/pdfs/2016\\_sgr\\_entire\\_report\\_508.pdf](https://www.cdc.gov/tobacco/data_statistics/sgr/e-cigarettes/pdfs/2016_sgr_entire_report_508.pdf))
- 6.9% of Denver high school students, 9.2% of high school students in Colorado use tobacco products: 2023 Healthy Kids Colorado Survey
- *Tobacco Control*, 2021. Mendez, D and Le, TT, “Consequences of a match made in hell: the harm caused by menthol smoking to the African American population over 1980-2018,” *Tobacco Control*, published online September 16, 2021. (<https://tobaccocontrol.bmj.com/content/31/4/569>)
- Save 255,000 Black Americans: *Tobacco Control*, “Public health impact of a US menthol cigarette ban on the non-Hispanic black population: a simulation study” 2022, published online December 13, 2023. (<https://tobaccocontrol.bmj.com/content/33/1/126>)
- Tobacco industry: Campaign for Tobacco-Free Kids (<https://assets.tobaccofreekids.org/factsheets/0134.pdf>) and American Journal of Public Health, Acevedo-Garcia, D., et al., “Undoing an Epidemiological Paradox: The Tobacco Industry’s Targeting of US Immigrants,” 2004 (<https://pmc.ncbi.nlm.nih.gov/articles/PMC1448610/>)
- More than 43,000 Latinos diagnosed: CDC, “Vital Signs: Disparities in Tobacco-Related Cancer Incidence and Mortality—United States, 2004-2013,” *Morbidity & Mortality Weekly Report*, 65(44): 1212-1218, <http://www.cdc.gov/mmwr/volumes/65/wr/mm6544a3.htm>.
- Lung cancer: American Cancer Society, “Cancer Facts & Figures for Hispanics/Latinos 2021-2023,” 2021. <https://www.cancer.org/research/cancer-facts-statistics/hispanics-latinos-facts-figures.html>
- 47% of Asian American smokers: 2018 National Survey of Drug Use and Health (NSDUH) (<https://pmc.ncbi.nlm.nih.gov/articles/PMC7542641/>)
- Cancer the leading cause of death: Campaign for Tobacco-Free Kids; see Curtin SC, Tejada-Vera B, Bastian BA. Deaths: Leading causes for 2020. *National Vital Statistics Reports*; vol 72 no 13. Hyattsville, MD: National Center for Health Statistics. 2023. DOI: <https://dx.doi.org/10.15620/cdc:133059>. See Table D. Deaths and percentage of total deaths for the 10 leading causes of death, by race and Hispanic origin: United States, 2020 and CDC, “Vital Signs: Disparities in Tobacco-Related Cancer Incidence and Mortality—United States, 2004-2013,” *Morbidity & Mortality Weekly Report*, 65(44): 1212-1218, <http://www.cdc.gov/mmwr/volumes/65/wr/mm6544a3.htm>.
- CDC, <https://www.cdc.gov/tobacco-health-equity/collection/lgbtq-unfair-and-unjust.html>