

**From:** [Heintz, Polly \(CI-StPaul\)](#) on behalf of [Prince, Jane \(CI-StPaul\)](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Council Bill No. 21-1182  
**Date:** Tuesday, October 26, 2021 9:04:08 AM  
**Attachments:** [image001.png](#)  
[Letter to Denver City Council - Menthol Tobacco.pdf](#)

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Please see the attached letter regarding the ordinance amending article XI of chapter 24, D.R.M.C, to ban the sale of flavored tobacco products and accessories.



**Jane L. Prince**

Ward 7 Councilmember  
Pronouns: she/her  
Saint Paul City Council  
320 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, MN 55102  
P 651-266-8670  
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[www.StPaul.gov](http://www.StPaul.gov)

**From:** [Rusty's Vape](#)  
**To:** [City Council District 5](#); [Deborah Ortega - Councilwoman At Large](#); [Hinds, Chris - CC Member District 10 Denver City Council](#); [Herndon, Christopher J. - CC Member District 8 Denver City Coun](#); [Torres, Jamie C. - CC Member District 3 Denver City Council](#); [Clark, Jolon M. - CC Member District 7 Denver City Council](#); [Flynn, Kevin J. - CC Member District 2 Denver City Council](#); [Kashmann, Paul J. - CC Member District 6 Denver City Council](#); [Gilmore, Stacie M. - CC XA1405 President Denver City Council](#); [dencc - City Council](#); [District 9](#); [District 1 Comments](#); [kniechatlarge](#); [Black, Kendra A. - CC Member District 4 Denver City Council](#)  
**Cc:** [Joe Miklosi](#)  
**Subject:** [EXTERNAL] Denver Flavor Ban - Questions/Concerns from 10/6 Meeting  
**Date:** Wednesday, October 20, 2021 4:50:48 PM

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Dear City Council Members,

In preparation for next week's City Council meeting regarding the potential flavored tobacco ban, I wanted to reach out with some notes from the last meeting on October 6<sup>th</sup>.

First, thank you for taking the time to read this email. This is an issue many of us care about greatly, and we appreciate your consideration of all sides. We greatly appreciate you meeting again to discuss this issue further as a group and hash out all different opinions from Council Members.

As discussed in the meeting, it seems that there is little evidence to suggest that banning flavored tobacco in Denver will solve the teen vaping problem. Councilwoman Sawyer herself admitted there is no data yet from other cities that have implemented such bans. Tristan (I'm not sure of his title but he consulted on several issues at the meeting) stated that the data they gathered in 2019 for Denver retailer compliance was an "incomplete data set" and he "hesitates to cite it." Additionally, it is important to note that 2019 was before the minimum age requirement was raised to 21+, retail tobacco licenses were required, and all vape packaging was changed to no longer "appeal to kids." Denver retailers as well as vape companies nationwide have implemented several changes over the last couple years, including raising the minimum age to 21+, signing of the PACT Act (vape companies required to register and revise all packaging to not appeal to children), retail tobacco license requirements and Prop EE tax increases. These and other measures that the vape industry is willing to take will allow us to curb the teen vaping without ruining it for everyone.

As a business owner that would be greatly impacted by such a ban, it is disheartening that we were not made aware by the city that this was going on. We weren't notified of the meeting by the city of Denver, nor were we invited, and only 15 minutes were allowed for over 20 people to speak. It was disappointing that only 4 of the 6 voting members were at this very important meeting, as this means that 20% of the voting members are not fully informed of what we as voters and taxpayers had to share. It feels a little like Councilmembers Sawyer and Ortega are trying to push this ordinance through under the radar of vape shop owners and consumers. Please consider the fact that the ordinance would ban products that the city and state used to justify requiring us to obtain retail tobacco licenses.

Councilwoman Sawyer stated that she proposed this at a state level to our Senators, who turned it down. This further suggests that it is not what people want and that Denver businesses are going to get killed when we are the only county with the ban.

I am often asked by friends and customers, why would we ban flavored tobacco but not flavored alcohol? Councilwoman Sawyer said that it wasn't relevant because alcohol is not the number one cause of death in America. Well, neither is vaping. Vaping and smoking are not the same thing, and

furthermore, according to the CDC, heart disease is the number one cause of death in the US.\* When considering alcohol deaths, are we considering motor vehicle crashes, homicides, domestic violence, overdoses, falls, burns, drowning or suicides caused because of alcohol consumption? According to the National Institute on Alcohol Abuse and Alcoholism\*\*, “research shows that people who start drinking before the age of 15 are at a higher risk for developing alcohol use disorder later in life.” Also, “in 2019 about 24.6% of 14-15 year olds reported having at least 1 drink” and “7 million young people ages 12-20 reported that they drank alcohol beyond “just a few sips” in the past month.” I am not suggesting that we ban flavored alcohol, I am just pointing out the hypocrisy. Just because alcohol is more socially acceptable does not mean that the same logic and regulations should not be applied to alcohol, marijuana, vaping, tobacco and other adult products.

As mentioned above, smoking and vaping are not the same thing. There is little evidence to show the long-term effects of vaping yet, but compared to the 7000+ ingredients in a cigarette, there are typically only 4 ingredients in vape juice: propylene glycol, vegetable glycerin, nicotine and flavors. If a person can transition from cigarettes to a vape device, and gradually titrate down on the nicotine level, eventually to no nicotine...well that's what we want right?? In my personal experience, with the hundreds of people I meet weekly and the people in my own life, vaping is by far the method they've had the most success with to quit smoking cigarettes. BY FAR. Councilwoman Sawyer stated that tobacco companies are “shifting to get around the laws.” I think that more realistic way to look at it would be that they are adapting to comply with the laws, just like Denver Vape Shops have done and are willing to do. I ask you to consider what will happen to all these adults that have quit cigarettes by vaping. Either they will return to cigarettes, or they will purchase their flavored tobacco products online. Vaping is not going to go away anytime soon people will go to other counties or online. Forcing Denver small businesses to close is not going to solve the problem, so please don't take this decision lightly.

It was stated in the meeting by Councilwoman Sawyer that gas stations were built near schools to target kids. As with any business, gas stations do extensive research to chose locations based on demographics, traffic, neighborhood necessity and potential profit, not to sell tobacco to target children. It was also stated that vape companies are advertising on billboards, but I have never seen a vape billboard in my entire life (isn't it illegal?). The examples that were provided of “targeting black people” for menthol cigarettes were from the 1950s, and really has nothing to do with teens buying vape products on TikTok. Councilwoman Ortega stated that her friends bought their hookah tobacco “directly from Iran.” Right. Councilwoman Sawyer said that businesses don't care about fines for tobacco sales to minors, as it's just the cost of doing the business.” As an actual business owner, I don't agree with that at all, and I would take a violation extremely seriously if we ever got one (which we have not). These are just a few of the arguments provided in the meeting in favor of the flavor ban that certainly got the crowd riled up because they were extremely misguided and misinformed. Councilman Flynn stated that he was not yet convinced that it would have the outcome we want and asked if we were potentially locking a door and leaving the windows open, and I wholeheartedly agree.

As Councilwoman Black mentioned in the meeting, Colorado dispensaries handle age requirements successfully, so there is no reason vape shops couldn't implement similar measures that dispensaries take. The nation looks at Colorado as a pioneer in the marijuana industry, and Denver now has the

opportunity to set the gold standard for tobacco use. Denver can be an example to the rest of the nation of how flavored tobacco can be successfully regulated and sold while also working to keep these products away from minors. People come from all over the world to smoke cannabis in Colorado where we have created and implemented laws that never existed before with a regulatory system that is proven to work. Denver is an amazing city and we can set the standard for how tobacco should be regulated in America.

We all have the same goal. We don't want kids to vape. But we also want to be able to operate a safe, ethical, responsible adult business for adults and not be collateral damage of a nationwide teen problem. I suggest that we address the supposed compliancy issues here in Denver, because we personally are not going to be able to address them online. We pride ourselves on never ever selling to minors and ask that we are given the opportunity to continue being upstanding members of our community.

Thank you again for your time and consideration. I look forward to hearing from you all on October 27<sup>th</sup>.

Sincerely,

Kristen Hensel

Rusty's Vape & Smoke Shop  
4611 Peoria St. Unit A1  
Denver, CO 80239  
303 307 8789  
Est 2016

Rusty's Vape & Smoke Shop  
6089 Quebec St. Ste C  
Commerce City, CO 80022  
303 287 4111  
Est 2014

\*<https://www.cdc.gov/nchs/fastats/leading-causes-of-death.htm>

\*\*<https://www.niaaa.nih.gov/publications/brochures-and-fact-sheets/underage-drinking>



**From:** [Jasmine McKinney](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Denver, CO- Flavor Ban  
**Date:** Tuesday, October 5, 2021 7:07:53 AM

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Dear members of the Denver City Council:

The ordinance the Council is considering banning all flavored tobacco products is well intended and admirable in its goal. However, I think that the scope of the ordinance goes too far and will actually have unintended consequences. The banning of all flavored tobacco products will in effect take some products off the shelves that actually help smokers quit using cigarettes. Specifically I'm referring to smokeless tobacco products and flavored non-tobacco nicotine products.

A blanket flavor ban is contrary to the scientific evidence that currently exists. The U.S. Food and Drug Administration's Office of Science has recognized that some flavors in tobacco products are not likely to appeal to youth. In a process that approved the marketing of certain flavored smokeless tobacco products, the Office of Science stated:

- The proposed products are reported to have flavors such as mint, wintergreen, or tobacco character with citrus. These proposed flavors are consistent with traditionally available [smokeless tobacco] flavors and are not novel flavors that likely increase appeal to youth. Additionally, in that ruling the FDA stated that the smokeless tobacco product called snus is low risk. FDA assessed the risk posed to the individual as well as the population as a whole, and judged that the products met the standard in the 2009 US Tobacco Control Act. FDA also considered the fact that the products come in mint and wintergreen flavors. It is significant that the Swedish Match snus products are currently determined by FDA to be "appropriate to the protection of the public health", and that these products are flavored, and are smokeless.

A complete ban on all flavors is overbroad in at least two ways. First, a complete ban on flavors is not targeted to flavors that "increase appeal to youth" and will only affect legal, adult users of tobacco products who will simply patronize stores in neighboring cities or turn to the Internet as a source for their preferred tobacco products. Second, it applies the ban equally to all types of tobacco products. Some products (such as smokeless tobacco) are less likely to be used by youth.

### **Smokeless Tobacco Products are Less Harmful and Should Not be Restricted**

In 2002 the Royal College of Physicians of London, one of the oldest and most prestigious medical societies in the world, issued a report called "Protecting Smokers, Saving Lives," which stated, "As a way of using nicotine, the consumption of non-combustible [smokeless] tobacco is on the order of 10–1,000 times less hazardous than smoking, depending on the product." A blanket flavor ban would take large portions of these products off the market, leaving adult tobacco users to choose only more harmful products like cigarettes.

As a matter of public health policy, the FDA has taken an approach to encourage harm reduction in the consumption of tobacco products. A recent (July 28, 2017) announcement from the FDA Commissioner focused on the need to view tobacco and nicotine products from a continuum of risk perspective. The continuum, according to the FDA Commissioner, ranges from cigarettes, the most dangerous form of nicotine delivery, at one end, to medicinal nicotine products at the other end. Recognizing that some risk comes from the use of any product, there remain compelling arguments that some products are less harmful and adult consumers should be able to choose these products. However, if those products are removed from the shelves because they are frequently flavored, those options are not available to adult consumers. Prohibiting the sale of less harmful products is a byproduct of blanket flavor bans. The interest of public health is not advanced when a total flavor ban removes all

flavored product options from the marketplace for adult tobacco users to choose from, especially when the FDA has stated that some flavors do not “increase appeal to youth.”

**The impact of a comprehensive tobacco products flavor ban in San Francisco among young adults: Could increase cigarette consumption**

According to a June 2020 study from Addictive Behavior Reports which was funded by the National Institute of Drug Abuse of the National Institutes of Health. In the study they reported moderate usage rate drops in the 18-24 years and the 25—34 years old respectively. The findings suggest that comprehensive local flavor bans, by themselves, cannot sharply reduce the availability or use of flavored tobacco products among residents and may actually increase the amount of cigarette smoking which all tobacco control advocates would agree is the most deadly form of tobacco consumption.

**Youth usage in California**

According to the California Department of Public Health, only 1.7% of California teens have tried smokeless tobacco a single time in a period of 30 days.

Source: California Department of Public Health, California Tobacco Control Program. California Student Tobacco Survey, 2015-2016. Sacramento, CA: California Department of Public Health; February 2017.

According to the Los Angeles County Public Health, only 0.4% have reported using smokeless tobacco products.

Source: County of Los Angeles Public Health 2017-18 California Student Survey

I hope you will take these facts into consideration when you are deliberating this ordinance and exclude smokeless tobacco from the flavor ban.

Respectfully,

Jasmine McKinney

Staff Attorney

Swedish Match North America

**From:** [Mary Szarmach](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 11:43:00 AM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

Legal age adults should be allowed to buy their preferred tobacco products without the city government dictating what they can purchase.

Adults will be forced to drive to nearby cities to buy tobacco products causing Denver retailers to lose sales of tobacco, gas, and groceries.

Criminals will fill the void and create an illicit market for flavored tobacco right here in Denver. Support Denver's retailers, not criminals.

You need to care about retailers, their employees, and Denver residents and not about paid anti-tobacco advocates and their agenda.

Mary Szarmach

**From:** [Karen Suhr](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 11:55:28 AM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons: Denver will lose revenue because adults will go to other cities to buy. Adult smokers should be able to make their own decisions on what they smoke. Denver needs to support Denver retailers and their employees and residents.

Karen Suhr

[Sent from Yahoo Mail on Android](#)

**From:** [Hamid Rezaeepour](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 12:22:37 PM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

Legal age adults should be allowed to buy their preferred tobacco products without the city government dictating what they can purchase.

Adults will be forced to drive to nearby cities to buy tobacco products causing Denver retailers to lose sales of tobacco, gas, and groceries.

Criminals will fill the void and create an illicit market for flavored tobacco right here in Denver. Support Denver's retailers, not criminals.

You need to care about retailers, their employees, and Denver residents and not about paid anti-tobacco advocates and their agenda.

Sent from my iPhone

**From:** [Paul Cheronnet](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 1:45:09 PM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:  
Everyone must be at least 21 years old to purchase nicotine products. Please do not take away my right to buy these legal products or force me to drive to another city.

What legal products will be banned next if this ordinance is passed? Alcohol, marijuana, soda, ice cream...? Paid anti-tobacco groups should not be permitted to decide what I can purchase in Denver.

Please also consider the fiscal impact of this ordinance. Less tax revenue, lost jobs and an illicit market will definitely develop in Denver.

Regards,

Paul Cheronnet

Sent from my iPad

**From:** [Donald Creager](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 2:49:30 PM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

There is no crisis in youth vaping.

Nicotine is already highly regulated

Age verification is working

This is about adult access to nicotine

Kids will be kids. Don't punish law bidding citizens

Prohibition will result is a black market

No Flavor Ban!!

Chip Creager

President

Creager Business Depot

Sent from my iPhone

**From:** [Jeffrey Headrick](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 3:01:06 PM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

- Legal age adults should be allowed to buy their preferred tobacco products without the city government dictating what they can purchase.
- Adults will be forced to drive to nearby cities to buy tobacco products causing Denver retailers to lose sales of tobacco, gas, and groceries.
- Criminals will fill the void and create an illicit market for flavored tobacco right here in Denver. Support Denver's retailers, not criminals.
- You need to care about retailers, their employees, and Denver residents and not about paid anti-tobacco advocates and their agenda.

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**From:** [Travis York](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 3:59:14 PM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

Sent from my iPhone

**From:** [Mabel Gonzalez](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 6:25:04 PM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

- Ø Legal age adults should be allowed to buy their preferred tobacco products without the city government dictating what they can purchase.**
- Ø Adults will be forced to drive to nearby cities to buy tobacco products causing Denver retailers to lose sales of tobacco, gas, and groceries.**
- Ø Criminals will fill the void and create an illicit market for flavored tobacco right here in Denver. Support Denver's retailers, not criminals.**
- Ø You need to care about retailers, their employees, and Denver residents and not about paid anti-tobacco advocates and their agenda.**

**From:** [cboliter](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Tuesday, October 5, 2021 9:50:25 AM

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To whom it may concern,

I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

Big increase in carton tax as of 1/01/2021

Minimum pricing of \$7.00 per pack!!!!

It's a persons choice to purchase menthol cigarettes.

The consumer will travel out of the Denver area to to purchase menthol cigarettes.

Please reconsider this ban

Regards,

Carol

Regards

Carol

Sent from my Verizon, Samsung Galaxy smartphone

**From:** [lazaugg](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Tuesday, October 5, 2021 4:27:58 PM

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I urge the Denver City Council NOT to ban flavored tobacco products!!!!

Sent from my T-Mobile 5G Device

**From:** [Tony G](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Tuesday, October 5, 2021 6:03:10 PM

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I urge the Denver City Council NOT to ban flavored tobacco products or menthol cigarettes for the following reasons:

- 1) Legal age adults should be allowed to buy their preferred tobacco products without the city government dictating what they can purchase.
- 2) Adults will be forced to drive to nearby cities to buy tobacco products causing Denver retailers to lose sales of tobacco, gas, and groceries.
- 3) Criminals will fill the void and create an illicit market for flavored tobacco right here in Denver. Support Denver's local retailers, not criminals.
- 4) You need to care about retailers, their employees, and Denver residents. Not about paid anti-tobacco advocates and their agenda.
- 5) Menthol should not be considered a flavor.
- 6) Smokers have rights too!

Thank you for reconsidering this ordinance.

**From:** [Trey Holtz](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Thursday, November 4, 2021 12:54:34 PM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

iPhone. iTypos. iApologize.

**From:** [Jennifer Graham](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Friday, November 19, 2021 8:41:16 AM

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I urge the Denver City Council NOT to ban flavored tobacco products for the following reasons:

I will die!

**From:** [Rick Waples](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Don't Ban Flavored Tobacco Products  
**Date:** Monday, October 4, 2021 10:14:07 AM

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I urge the Denver City Council NOT to ban flavored tobacco products. This will cost Denver sales tax dollars and adult consumers will simply go to others cities to buy tobacco, gas, and other items. Denver retailers will lose money and so will the city of Denver. No one wants youth to purchase tobacco products, but that burden is on the retailers in Denver and the fines are already in place for them if they violate those laws. If this flavor ban is passed it will just be another win for dispensaries to continue to sell flavored cannibals with names like 'berries and cream'. 'Cookie crunch' and 'fruity pebbles' to the youth of Denver.

Sincerely,

Rick Waples

Sent from my iPhone

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**From:** [Adhikari, Hom](#)  
**To:** [denc - City Council](#)  
**Subject:** [EXTERNAL] Flavored Tobacco Ban Ordinance  
**Date:** Monday, October 4, 2021 1:50:52 PM  
**Attachments:** [image001.png](#)

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Good afternoon,

My name is Raj Adhikari and I manage tobacco category for Circle K. We operate 16 retail stores within Denver city. We are or try our best to be a very responsible retailer by doing everything we can to ensure that underage (below 21 years of age) not have access of such age restricted products. We have multiple trainings to equip our store employees and they are required to ask for ID even before scanning such products. If flavor ban ordinance passes, it will hurt our business by 30% directly from the sell of these products. Besides, customers will choose other cities to purchase their flavored tobacco products and avoid retail stores in Denver, which will result in significant loss of our revenue as they also purchase gas, beverage and other products we offer them in the store.

Please consider all employees who work hard for the minimum wage and take care of their family members by working in our stores. We believe you will be kind to those folks and make decision that works for all of us. I urge you to oppose this bill.

Thank you.

Raj Adhikari  
Category Manager  
Circle K Stores, Inc.  
Rocky Mountain Business Unit  
5500 S. Quebec Street, Ste. # 100  
Greenwood Village, CO. 80111  
Office # 720-758-6183  
Cell # 303-579-3020



Part of Alimentation Couche-Tard

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**From:** [Rick](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Flavored Tobacco Products  
**Date:** Thursday, October 21, 2021 4:48:23 PM

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Denver City Council:

Legal age adults should be allowed to buy their preferred flavored tobacco products WITHOUT the city government DICTATING what they can purchase.

Adults will be FORCED to drive to nearby cities to buy tobacco products (AND WE WILL) causing Denver retailers to lose sales of tobacco (among things like gas and groceries) revenue.

Criminals WILL fill the void and create an illicit market for flavored tobacco right here in Denver. SUPPORT Denver's retailers, NOT criminals.

The city council NEEDS TO CARE about retailers, their employees, and Denver residents and NOT about paid anti-tobacco advocates and the agenda.

STOP this stupid insanity now.

Respectfully Submitted,

Richard W. Larson

**From:** [Mali Tolman](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Menthol flavor ban  
**Date:** Monday, November 29, 2021 2:34:20 PM

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I am strongly urging you to vote NO on the flavor ban ordinance – or at the very least make the ordinance more equitable by exempting menthol cigarettes from the ordinance.

It's offensive to some of us in the black community that this bill banning vapor flavors has been rewritten to allow exemptions for hookah bars and high-end premium cigars bars, but menthol cigarettes and lower cost flavored cigars – mostly consumed by black people -aren't exempt as well. Some might say the hookah exemption is appropriate because it's a cultural experience. Some might say high priced cigars should be exempt because kids won't get their hands on them.

But what does that say about menthol cigarettes and Swisher Sweets? I think consuming menthols and flavored cigars is also a cultural issue. Also - is there a concern that these will end up in the hands of kids because menthol consumers will provide them?

Black adults are capable of making choices and living by those choices.

I really appreciate how Council has been making a priority of equity in all of your policies. And I've been on the front lines pushing for equity even before there was a name for it. I don't understand why this product, mostly used by adult people of color is not getting an exemption either. Shouldn't we be observing an equity argument with consumer products too?

For my part, we don't need City Council to help keep these products out of the black community. We are adults. We are capable of making our own choices. If you are truly acting with equity in mind, it should be across the board. Banning products used mostly by black people is an equity issue.

Please vote NO on Council Bill 1182 – or support an amendment exempting these black products from the vapor flavor ban bill.

Thank you!  
Mali Tolman  
[tolmanmali@yahoo.com](mailto:tolmanmali@yahoo.com)

[Sent from Yahoo Mail for iPhone](#)

**From:** [J Walker](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] MENTHOL FLAVOR BAN  
**Date:** Monday, November 29, 2021 2:34:10 PM

---

I am strongly urging you to vote NO on the flavor ban ordinance – or at the very least make the ordinance more equitable by exempting menthol cigarettes from the ordinance.

It's offensive to some of us in the black community that this bill banning vapor flavors has been rewritten to allow exemptions for hookah bars and high-end premium cigars bars, but menthol cigarettes and lower cost flavored cigars – mostly consumed by black people -aren't exempt as well. Some might say the hookah exemption is appropriate because it's a cultural experience. Some might say high priced cigars should be exempt because kids won't get their hands on them.

But what does that say about menthol cigarettes and Swisher Sweets? I think consuming menthols and flavored cigars is also a cultural issue. Also - is there a concern that these will end up in the hands of kids because menthol consumers will provide them?

Black adults are capable of making choices and living by those choices.

I really appreciate how Council has been making a priority of equity in all of your policies. And I've been on the front lines pushing for equity even before there was a name for it. I don't understand why this product, mostly used by adult people of color is not getting an exemption either. Shouldn't we be observing an equity argument with consumer products too?

For my part, we don't need City Council to help keep these products out of the black community. We are adults. We are capable of making our own choices. If you are truly acting with equity in mind, it should be across the board. Banning products used mostly by black people is an equity issue.

Please vote NO on Council Bill 1182 – or support an amendment exempting these black products from the vapor flavor ban bill.

Thank you!

JOY J WALKER

Sent from [Mail](#) for Windows

**From:** [Thomas Briant](#)  
**To:** [District 1 Comments](#); [Flynn, Kevin J. - CC Member District 2 Denver City Council](#); [Torres, Jamie C. - CC Member District 3 Denver City Council](#); [Black, Kendra A. - CC Member District 4 Denver City Council](#); [City Council District 5](#); [Kashmann, Paul J. - CC Member District 6 Denver City Council](#); [Clark, Jolon M. - CC Member District 7 Denver City Council](#); [Herndon, Christopher J. - CC Member District 8 Denver City Coun](#); [District 9](#); [Hinds, Chris - CC Member District 10 Denver City Council](#); [Gilmore, Stacie M. - CC XA1405 President Denver City Council](#); [kniechatlarge](#); [Deborah Ortega - Councilwoman At Large](#); [dencc - City Council](#); [Stuart, Skye L. - MO MA0059 Executive Director](#)  
**Subject:** [EXTERNAL] NATO: Letter on Proposed Flavored Tobacco Ban  
**Date:** Tuesday, October 5, 2021 1:49:42 PM  
**Attachments:** [NATO Letter to Denver CO \(October 5, 2021\).pdf](#)

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# NATO

**DATE:** May 24, 2021

**TO:** Mayor Michael Hancock and Members of the Denver City Council

**FROM:** Thomas Briant, Executive Director

The National Association of Tobacco Outlets (NATO), a national retail trade organization, represents retail stores located in Denver that sell tobacco products. These retailers are very concerned about the proposal to ban all flavored tobacco products. As detailed in the attached letter, these concerns include the following:

- There was a lack of notice to and dialogue with the 500 licensed Denver retailers that sell tobacco products regarding a “Small Business Stakeholder Zoom Meeting” held on September 9<sup>th</sup>.
- The ordinance would be a step back for social justice rather than a step forward.
- Three recent studies found that the cigarette smoking rate of underage youth and young adults ages 18-34 increased

in cities that banned all flavored tobacco products.

- Low and declining tobacco use rates by underage youth do not support the wholesale banning of all flavored tobacco products that legal age adults prefer to purchase.
- The Food and Drug Administration (FDA) has announced that it will issue a new regulation banning menthol cigarettes and flavored cigars.
- The FDA and the State of Colorado have taken regulatory and legislative action recently to respond to youth vaping and tobacco use.
- The financial impact on retailers of a flavored tobacco ban will be substantial and exacerbate the impact of the ongoing COVID pandemic.

Please take into consideration the concerns of our retailers as outlined in the attached letter.

Thank you for your consideration.

Contact Information:

Thomas Briant  
NATO Executive Director  
17595 Kenwood Trail  
Minneapolis, MN 55044  
952-683-9270  
[info@natocentral.org](mailto:info@natocentral.org)

**From:** [Raymond Sandhu](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Tuesday, November 16, 2021 11:06:27 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21 ) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

**Best Regards,**

**Raymond Sandhu**

SERIAL ENTREPRENEUR. INVESTOR

**Mobile:** [\(720\) 323-1492](tel:(720)323-1492)  
**Email:** [raymondsandhu@yahoo.com](mailto:raymondsandhu@yahoo.com)



**Work Hard Play Hard**



**From:** [bettyquintero27@gmail.com](mailto:bettyquintero27@gmail.com)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Tuesday, November 16, 2021 11:16:37 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [BoxState Ink](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Tuesday, November 16, 2021 12:08:14 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Donald Creager](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Tuesday, November 16, 2021 1:20:06 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Chip Creager  
Owner  
Creager Business Depot  
Sent from my iPhone

**From:** [Angelica Montes](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Tuesday, November 16, 2021 3:05:39 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

**From:** [Los Mendoza](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Tuesday, November 16, 2021 3:12:45 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Lori Duran](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Wednesday, November 17, 2021 12:11:36 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21 ) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban. Not to mention what happened to my freedom of choice my right my body my life

**From:** [nancy riggs](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Wednesday, November 17, 2021 9:39:26 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Evelyn Usher](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Wednesday, November 17, 2021 9:51:11 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Get [Outlook for iOS](#)



**From:** [Jemir Wyatt](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Wednesday, November 17, 2021 3:05:11 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [stanlee720@gmail.com](mailto:stanlee720@gmail.com)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Wednesday, November 17, 2021 3:24:00 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Alexandria Mora](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Wednesday, November 17, 2021 7:26:26 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Leandra Marin](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Thursday, November 18, 2021 2:01:38 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Damon Miller](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 19, 2021 8:24:17 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Damon A. Miller

**From:** [bblodgett322](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 19, 2021 10:07:30 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Hanna Stickler](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 19, 2021 3:50:07 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Matthew Mark](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 19, 2021 4:08:30 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21 ) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.



**From:** [Adam Gonzalez](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 19, 2021 5:56:33 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [plestingi@gmail.com](mailto:plestingi@gmail.com)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 19, 2021 6:07:06 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Thank you,  
Patrick Lestingi

**From:** [steven.econs@gmail.com](mailto:steven.econs@gmail.com)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 19, 2021 6:08:40 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Joe Hatfield](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Saturday, November 20, 2021 9:58:30 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Joe Hatfield

Sent from my iPhone

**From:** [Christopher Jackson](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Saturday, November 20, 2021 8:00:02 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Chloe Jarisch](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Sunday, November 21, 2021 12:59:55 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Mishael Garcia](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Sunday, November 21, 2021 12:59:59 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

**From:** [Mariana Chavez](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Sunday, November 21, 2021 5:01:48 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone



**From:** [Abbie Wazny](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Monday, November 22, 2021 12:16:40 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Abbie Wazny

**From:** [Bailey Booth](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Tuesday, November 23, 2021 12:29:11 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Bailey Booth

**From:** [Dominic Cordova](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 26, 2021 11:15:33 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21 ) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

**From:** [Katie Ticho](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 26, 2021 3:07:57 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Sharon B](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 26, 2021 3:33:53 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sharon Bohannon, MSW  
[720-668-6565](tel:720-668-6565)  
*Love is the Way*

**From:** [Peter](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Friday, November 26, 2021 4:29:34 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone

**From:** [Aaron Brown](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Saturday, November 27, 2021 11:42:50 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Aaron Brown

**From:** [Joel Kozma](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Oppose Menthol Ban  
**Date:** Tuesday, November 16, 2021 9:37:48 AM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Joel Kozma  
303-880-3383  
[Kozma945@comcast.net](mailto:Kozma945@comcast.net)



**From:** [Anthony Marcella](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] OPPOSING Menthol Ban  
**Date:** Sunday, November 21, 2021 6:35:54 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

**From:** [Rusty's Vape](#)  
**To:** [City Council District 5](#); [Deborah Ortega - Councilwoman At Large](#); [Torres, Jamie C. - CC Member District 3 Denver City Council](#); [District 1 Comments](#); [kniechatlarge](#); [Hinds, Chris - CC Member District 10 Denver City Council](#); [Clark, Jolon M. - CC Member District 7 Denver City Council](#); [Herndon, Christopher J. - CC Member District 8 Denver City Council](#); [District 9](#); [kendrablackdenver@gmail.com](#); [Kashmann, Paul J. - CC Member District 6 Denver City Council](#); [Flynn, Kevin J. - CC Member District 2 Denver City Council](#); [Gilmore, Stacie M. - CC XA1405 President Denver City Council](#); [dencc - City Council](#)  
**Cc:** [Rustys SmokeShop](#); [Russ Hensel](#); [Joe Miklosi](#)  
**Subject:** [EXTERNAL] Please VOTE NO on the DENVER FLAVORED TOBACCO ORDINANCE  
**Date:** Monday, October 4, 2021 3:27:34 PM  
**Attachments:** [rustys\\_flavorban\\_petition.zip](#)

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Dear Council Members,

I am writing as a Colorado native, voter, taxpayer, and small business owner. I am urging you to reconsider the proposed ban on flavored tobacco products in Denver. I ask that you take a hard look at the consequences a ban would have on local small businesses as well as adults who rely on these products.

Parents and responsible retailers are the first line of defense when it comes to preventing underage individuals from purchasing tobacco products. I ask that you consider an alternative that would allow responsible, ethical, and compliant retailers to continue to sell these products to adults who need/desire them, while also taking preventative measures to keep these products out of the hands of minors. Alcohol (also flavored), cigarettes, lottery tickets and marijuana are all age-restricted products that are sold in Denver legally and successfully to adults. Preventing minors from gaining access to flavored tobacco at the expense of an entire adult population who has been using these products for decades is an injustice. Parents also need to do their part to teach their children that these are adult products and hold themselves and their children accountable.

Many measures have already been taken in the last couple years to prevent minors from purchasing tobacco products, including raising the national age requirement to 21, requiring Colorado businesses to register and obtain retail tobacco licenses and requiring all vape juice companies to rebrand all of their products so they do not "appeal to children" (although adults also do enjoy flavors). One alternative to an outright ban would be for retailers to have to follow more stringent guidelines to sell these products, like ID scanners, IDing customers at the door, or not allowing stores without age restrictions (gas stations and convenience stores) to sell these products. I can assure you that tobacco products are not being sold to minors at Rusty's Vape & Smoke Shop and we would be more than happy to follow more strict guidelines if it protected our community and allowed us to still sell these products.

Rusty's Vape & Smoke Shop is an upstanding establishment, and we pride ourselves on doing things legally, ethically, fairly, and responsibly. If we are no longer able to sell flavored tobacco products, our customer base is going to be extremely upset, and they will just go to neighboring counties to buy the same products, which will put us out of business in no time. As most of us experienced in our own youth, teenagers will figure out how to get what they want, such as having their friends or *parents* buy for them (we see this *all the time* and turn them away), by going to Adams, Weld, Arapahoe, Douglas Counties, etc. to buy their products or turning online like City Council member Amanda Sawyer's daughter did. Online sales are not regulated, often do not have proper age verification and products may not be safe. If adults are forced to purchase their products online, that will be taking money from our Colorado small businesses to online retailers, again, putting us and many other shops out of business.

I beg you to reject the flavor ban ordinance in Denver. Adults should have the right to legally consume flavored tobacco products, and thousands have used vaping to quit smoking traditional

cigarettes. I literally see these people every single day, and they're so pleased and proud to have gotten off cigarettes. My uncle is handicapped, and it is so much more convenient for him to use a vape device rather than having to go outside with cigarettes, plus I know he's not getting the 3000+ ingredients in cigarettes. My mom smoked for 30 years, and now puffs on a Juul here and there and she doesn't smell like a chimney or cough all the time. I agree that minors shouldn't start on these products if they've never smoked or vaped before, but let's focus on that rather than banning these products for all adults. Responsible retailers should have the opportunity to sell these products to adults and be held accountable if they break the law. Strictly banning all flavors for adults is not the answer.

So far, **we have gathered 1600+ signatures from adults who do not support this flavor ban. Please see attached.** There were so many pages I had to compress and attach the files in a Zip folder.

Thank you for considering my comments on this issue and I look forward to your no vote on this ordinance.

Kristen Hensel, owner

Rusty's Vape & Smoke Shop  
4611 Peoria St. Unit A1  
Denver, CO 80239  
303 307 8789

Rusty's Vape & Smoke Shop  
6089 Quebec St. Ste C  
Commerce City, CO 80022  
303 287 4111

**From:** [Scott Covey](#)  
**To:** [dencc - City Council](#)  
**Subject:** [EXTERNAL] Proposed Flavor Bans  
**Date:** Tuesday, November 16, 2021 9:26:44 AM

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Denver City Council Members.....

-Local bans don't work. All Denver residents live within 3 miles of a city border where they can purchase these products at 450 different retail locations within 2 miles of Denver. Consumers will simply drive to neighboring communities to make purchases, harming Denver's legal, licensed businesses. Not only will retailers lose tobacco sales to neighboring communities, but also sales of fuel, food and beverages.

- Advocates say this ban is about protecting youth, particularly to address youth vaping. This proposal, however, goes well beyond, banning thousands of products that have nothing to with vaping, that youth are not using in large numbers such as menthol cigarettes, mint and wintergreen smokeless tobacco and cigars.

- The latest CDC's National Youth Tobacco Survey from 2020 demonstrates that high school-aged use for vapor products has declined each of the last two years, representing a 60% decline in youth vaping since 2019. Additionally, youth usage of cigarettes, smokeless tobacco and cigars all have steadily declined for the last decade and are at historic lows.

-Three recently published, peer-reviewed academic studies have found that a citywide bans on flavored tobacco products result in significantly increased youth and young adult smoking.

-Flavor bans are not demonstrated to reduce youth (or adult) use of tobacco products, only where products are acquired as demonstrated by the failed flavor ban in Massachusetts where purchases simply moved to neighboring jurisdictions.

-The flavor ban will encourage illicit trade in menthol cigarettes, the preferred choice of African American and Latino adult (21+) smokers. Enforcement will inevitably and disproportionately target and impact communities of color, creating increased negative police interactions that in the past have not ended well.

-A flavor ban will disproportionately harm people of color, immigrants, and people for whom English is not a first language who disproportionately operate retail stores in Denver.

-A flavor ban would prohibit the sale of products that the FDA's Center for Tobacco Products have determined after scientific review do not appeal to youth and are beneficial to public health on a population level.

- This is a bad policy being pushed by anti-tobacco lobbyists and paid advocates funded by \$160 million from a New York billionaire Michael Bloomberg who created the racist "stop and frisk" policy that deliberately targeted primarily young African American and Latino men who had done nothing wrong. Bloomberg defended the racist policy for years and only ended the program after the Court determined it violated the constitutional rights of people of color targeted by the policy.

- The Denver City Council should reject this ordinance and allow the FDA to continue its regulatory approach that has removed 6 million flavored vape products from the market – and allow licensed retailers to sell adult products in a law-abiding manner rather than creating an unregulated marketplace.

**SCOTT COVEY – CPSA**

**From:** [Bret Goodman](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Proposed Flavored Tobacco Ban  
**Date:** Monday, October 4, 2021 11:39:26 AM  
**Attachments:** [Denver Tobacco Ban Letter.docx](#)

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I hope all of you will take the time to read my attached letter regarding your Proposed Ban on Flavored Tobacco Products.

**From:** [Mary Szarmach](#)  
**To:** [Deborah Ortega - Councilwoman At Large](#); [kniechatlarge](#); [District 1 Comments](#); [Flynn, Kevin J. - CC Member District 2 Denver City Council](#); [District 3](#); [Black, Kendra A. - CC Member District 4 Denver City Council](#); [Torres, Jamie C. - CC Member District 3 Denver City Council](#); [City Council District 5](#); [Kashmann, Paul J. - CC Member District 6 Denver City Council](#); [Clark, Jolon M. - CC Member District 7 Denver City Council](#); [christopher.hendron@denvergov.org](#); [District 9](#); [Hinds, Chris - CC Member District 10 Denver City Council](#); [stacie.gilmore@denvergov.org](#); [dencc - City Council](#); [.Gasamat locations](#)  
**Subject:** [EXTERNAL] Proposed Ordinance 21-1182  
**Date:** Monday, November 29, 2021 2:24:29 PM

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To: Denver City Council Members

I am writing you this afternoon as the owner of Smoker Friendly, we are a fifth generation Colorado family-owned business we have six locations in Denver and over 30 employees. This proposed ordinance is flawed in so many ways, but even more disturbing is the process that has been followed in jamming this through your council. I signed up for each of the committee hearings and was never forwarded the opportunity to testify, and now I understand that there is a 30-minute courtesy public hearing on this proposed ordinance, which will in no way give the public a fair amount of time.

The Federal, State and Local tobacco regulatory field has included the following in just the last 18 months:

1. Minimum purchase age moved to 21
2. A massive state excise tax increase on all tobacco products including vape
3. Licensing at both the state and Local level for tobacco sales
4. Over 6 million vapor products pulled from the shelves by The Center for Tobacco Products at the FDA

I would also like to address some of the inaccuracies that have been mentioned in testimony, and in the actual deck that has been used to promote this ordinance:

1. The Anti- tobacco groups stated, as does the deck you were provided that several cities in Colorado have the same sweeping flavor restrictions as are being proposed in Denver. This is not true, in Boulder for instance the flavor ban is on Vapor and E-cigarettes only. The rest of the cities combined do not even make up 50,000 people in population. California has not passed the ban; it will go to vote in 2022. Massachusetts is re visiting there ban as we speak.
2. To continually say that flavor bans are "for the kids" is just not true. This ordinance fails to have any language in it that has consequences for under- age possession, use or purchase? It's clear that the highly funded anti- tobacco lobby is at work here, they would like a complete prohibition of all tobacco and vape products. If in fact we are concerned about youth and flavors many other products should be regulated as well in your city. Flavored Marijuana, flavored spirits and other consumables.
3. This type of ordinance does have a financial impact on both your city and the retailers in your city. Denver has not provided a financial impact study which is irresponsible to say the least. As a retailer in your city, I can tell you that if an ordinance like this were to pass, we will have to remove over 1000 different legal adult products in each of our stores, sales will plummet. We have a case study in our Glenwood Springs store after a similar ordinance was passed. Our

sales in that location are down by 72% we have laid off four employees, and quite frankly the only reason the store remains open is that our landlord made a deal on our rent and begged us to stay till the end of our lease.

4. The studies provided on underage tobacco use and vaping are all several years old, The CDC's National Youth Tobacco Survey from 2020 demonstrates that high school-aged use for vapor products has declined each of the last two years and represents a 60% decline in youth vaping since 2019. Additionally, youth usage of cigarettes, smokeless tobacco, and cigars are at historic lows. I'm certain we can't say the same for youth drinking and youth marijuana use.

Denver City Council should reject this ordinance and allow licensed responsible retailers the opportunity to sell legal products to our legal aged customers, and not drive them to neighboring cities to purchase their goods. More importantly consideration should be taken of potential black market and illicit trade if this were to pass.

Please vote no on this ordinance. I would be happy to answer any questions you may have, thank you for your time.

Respectfully,

Mary Szarmach

***Mary Szarmach***

***Senior Vice President Governmental & External Affairs***

***Smoker Friendly Int.***

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**From:** [Rebecca Dubroff](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Risk of Litigation Associated with Exemptions  
**Date:** Tuesday, October 26, 2021 1:58:22 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[Flavored Product Restriction litigation risks PHLC 10-26-21.pdf](#)

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Council President Gilmore, and Denver Councilmembers,

I wanted to share a letter from the Public Health Law Center, and their analysis around risk of litigation associated with municipal ordinances that include exemptions. I thought this might be a useful companion piece for your upcoming considerations and discussion.

**Additional information about Public Health Law Center:**

Our belief in health and equity for all people is at the core of our work.

Our partnerships include Tribal health leaders, federal agencies, national health advocacy organizations, state and local governments, planners, researchers, attorneys, community coalitions, and individuals working on public health issues. Our deep knowledge, thoughtful legal and policy analysis, and individualized approach help these partners create healthier communities around the country.

You can find out more about their work here, <https://www.publichealthlawcenter.org/about>

**Here is an excerpt from the letter:**

*From both a litigation risk and public health best practices perspective, the strongest policy is a comprehensive prohibition on the sale of all flavored tobacco products. The primary argument used by the industry in the cases filed to challenge laws prohibiting all sales of flavored products is that federal law preempts state or local regulation of flavored tobacco products...*

Please let me know if you have questions.

Respectfully,

Rebecca



**Rebecca Dubroff**  
Government Relations Director  
**American Heart Association**  
1777 S. Harrison St. | Denver | CO | 80210  
M 303.880.7788



**From:** [Blake](#)  
**To:** [dence - City Council](#)  
**Subject:** [EXTERNAL] Vapes are better than cigs  
**Date:** Sunday, November 21, 2021 6:08:39 PM

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As a consumer and a voter, I urge you to significantly amend the ordinance that would ban the sale of all menthol cigarettes in the City of Denver. Adults prefer flavored products of all kinds, including flavored tobacco products. With youth smoking rates declining and at historic lows, it is condescending and offensive to take away my right as an adult (21+) to choose the products that I choose. Prohibition has not worked in the past and will not work now. Those supporting this ordinance simply do not understand that consumers like me will just drive outside Denver to buy products we prefer or many will turn to illicit trade to acquire products. Illicit trade means illegality and increased police interactions in Denver neighborhoods and communities of color. Also, recent published, peer-reviewed studies demonstrate that flavor bans have led to INCREASED smoking among youth and young adults. This would be a horrible outcome in Denver. The pain will be disproportionately borne by independent retail stores, a majority of which are owned by immigrants, women, people of color and people for whom English is not a first language. We should consider increased inspections and fines for violators before banning legal sales of hundreds of products that have nothing to do with youth vaping, that youth are not using in large numbers. Nothing will be gained by an across-the-board ban on flavored tobacco products except harming our local retailers. Thank you in advance for voting "No" on this menthol ban.

Sent from my iPhone