



TOBACCO 21

Denver Department of Public Health & Environment
Community and Behavioral Health Division

Overview

- ✓ Tobacco use among youth
- ✓ Local tobacco enforcement program
- ✓ Tobacco 21 in the U.S., peer cities and Colorado
- ✓ Tobacco 21 policy in Denver

TOBACCO USE AMONG YOUTH

CURRENT USE



23% of Denver high school students are using tobacco*

18% of Denver high school students are vaping

RISK PERCEPTION AND ACCESS



*All tobacco products including cigarettes, chew, e-cigarettes, hookah, cigars and others

Data from the 2017

healthykidscolo.org

LOCAL TOBACCO ENFORCEMENT PROGRAM

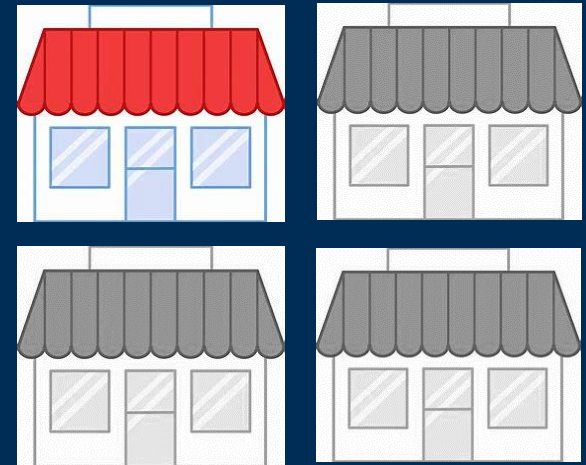
- Address the illegal sale of tobacco products to minors
- List of ~580 retailers
- “Trifecta”
 - *Compliance*
 - *Enforcement*
 - *Education*

LOCAL TOBACCO PROGRAM CIVIL PENALTIES – FINE SCHEDULE				
	1 st Level Fine	2 nd Level Fine	3 rd Level Fine	4 th Level Fine
*Fines for Selling Tobacco to a Minor	\$250	\$500	\$750	\$999
*Maximum Amount per Inspection	\$250	\$500	\$750	\$999
**Suspension of Right to Sell Tobacco Products	DPHE may issue a warning that future violation in a year may result in suspension	DPHE may suspend right to sell for up to 30 days	DPHE may suspend right to sell for up to 60 days	DPHE may suspend right to sell for up to 1 year

*Issued for violations that occur within 24 months
 **Assessed for violations that occur within 12 months

LOCAL TOBACCO ENFORCEMENT PROGRAM

- 149 violations in 2018
- Saw a significant increase in our buy rate when prioritizing *ENDS products
 - October: 12%
 - November: 22%
 - December 26%



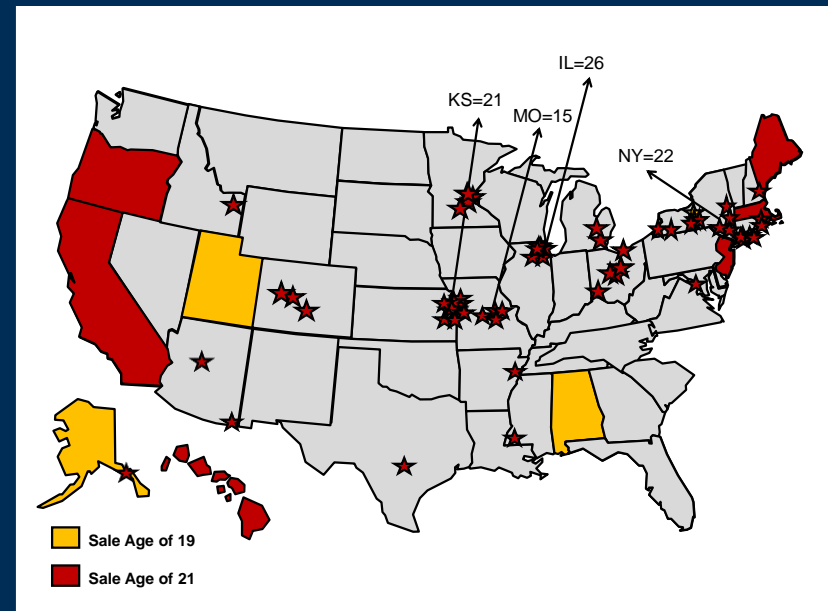
*ENDs: Electronic Nicotine Delivery Systems

TB21 in the U.S.

- Seven states – California, New Jersey, Massachusetts, Oregon, Hawaii, Maine and Virginia –

AND

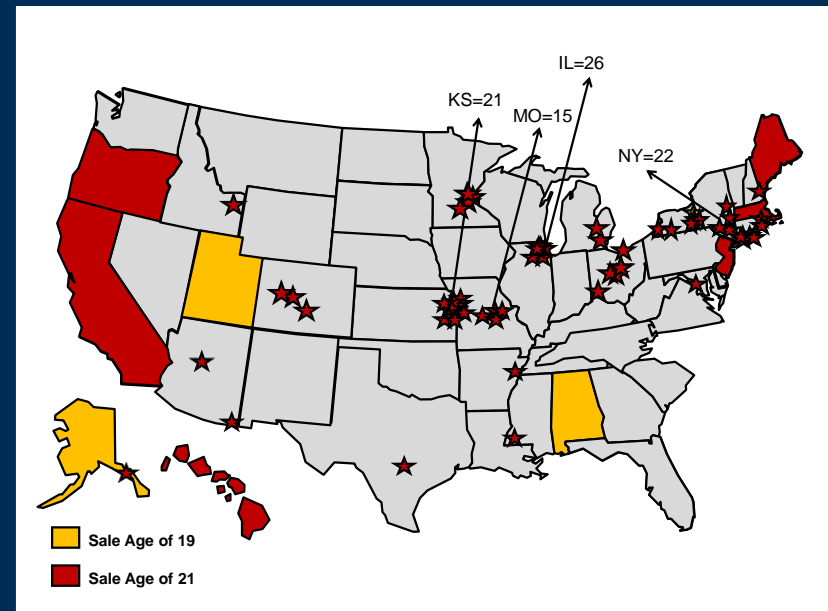
- ~440 localities have raised the tobacco sale age to 21.



TB 21 in PEER CITIES

PEER CITIES

- Chicago, Kansas City, Cleveland, Columbus, San Antonio, Minneapolis, Ann Arbor, and nearly 75% of New York's current population is covered w/o State law.



TB21 IMPACT ON PEER CITIES

NEW YORK (August, 2014)

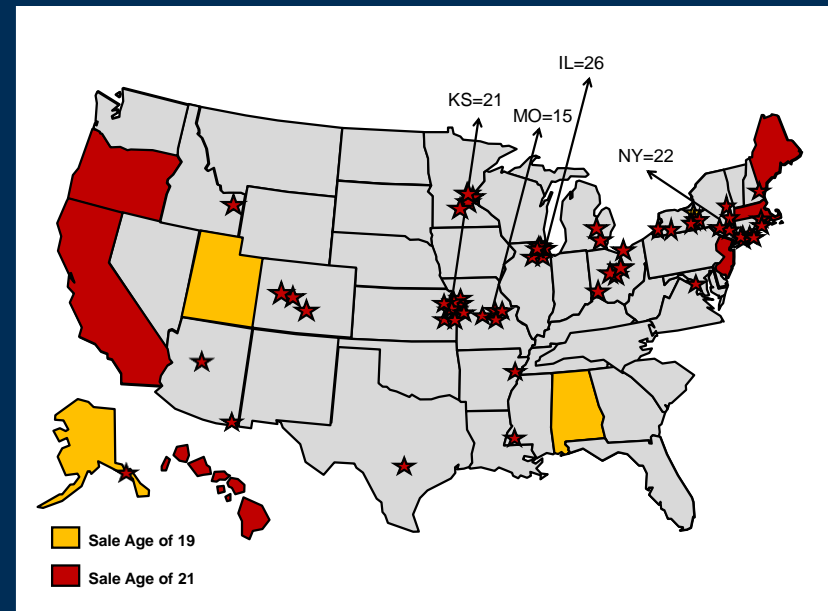
- Data from YRBS shows a 29% decline in current cigarette smoking among high school students between 2013-2015.
 - 18% reduction in trying cigarettes and 13% reduction in smoking initiation over the past 12 months among youth.

CHICAGO (July, 2016)

- Data from YRBS shows 6% of high school students reported current cigarette smoking in 2017, an all-time low.
 - Represents a 56% decrease in cigarette smoking among youth since 2011.

TB 21 in COLORADO

- Edgewater, Aspen, Avon, Basalt and Carbondale have passed TB21
- Governor Hickenlooper signs Executive Order and Vape-Free November Proclamation on Nov. 2, 2018



TB21 POLICY IN DENVER

PROPOSED CHANGES TO CHAPTER 24 OF D.R.M.C.

- ✓ Increase the minimum age of sale for tobacco products from 18 to 21
- ✓ Remove the sale of tobacco products from vending machines
- ✓ Clean-up language to maintain consistency across department (i.e. remove show cause language and change retailer to “person” that includes all business entities and individuals)

TB21 POLICY IN DENVER

TIMELINE	IMPLEMENTATION
Phase I	<p>Formal Notice (two weeks)</p> <ul style="list-style-type: none"> • Retailers will receive notice of the changes and two signs enclosed for posting on-site • Retailers we know sell tobacco products through vending machines will be notified in-person of these changes • No inspections will be conducted during this time
Phase II	<p>Soft Enforcement (3 months)</p> <ul style="list-style-type: none"> • Retailers will be inspected once with no fines issued for violations • Retailers who violate will be issued a warning letter • Violations will not be included in current fine schedule
Phase III	<p>Full Enforcement (ongoing, after 3 months of soft enforcement)</p> <ul style="list-style-type: none"> • Revisit retailers and issue fines for violations • Citations issued based on current fine schedule