



November 18, 2019

Santa Barbara County Board of Supervisors
Clerk of the Board
105 E. Anapamu St.
Santa Barbara CA 93101

Re: Item A-38 - Proposed Sales Ban on Flavored Tobacco Products

Dear Board Members:

I write on behalf of the American Petroleum and Convenience Store Association (APCA), a grassroots organization of independent gasoline and convenience store owners located throughout the state of California including unincorporated Santa Barbara County.

In response to the recent spike in youth usage of vaping products, many cities and counties throughout the state have passed or are currently considering sales restrictions on flavored tobacco products. Unfortunately, many of the sales bans that have been adopted include traditional flavored tobacco products such as cigarettes, chewing tobacco and cigars. We oppose the inclusion of traditional flavored tobacco products in sales bans targeted at reducing the availability of vaping products as it eliminates an entire category of products from our stores despite the fact that flavored traditional tobacco products are not attractive to youth.

According to a recent data published by the California Department of Public Health, while vaping continues to be popular with youth, California reported its lowest high school cigarette smoking rate in 2018 at 2.0 percent.

Banning legal products at licensed retail would undermine the County and state tobacco retail licensing programs that have successfully limited youth access to tobacco, protected consumers from adulterated products, and given government enforcement tools. Moreover, local bans on tobacco products create an illicit market. In localities with flavored tobacco bans, single menthol cigarettes are being sold illegally on the street for \$1.00 - \$2.00. That is an enormous profit margin driving illegal sales in those locales.

Tobacco sales are an important component to the overall viability of our businesses – not because we make a lot of money selling tobacco – we don't. Tobacco sales drive ancillary sales of gas, food and other items sold at our stores and gas stations. If we lose the ability to sell flavored tobacco products, our customers will go elsewhere to buy gas, food, and snacks – everything they currently buy in our stores.

Given this data and the high rate of compliance by licensed tobacco retailers, we ask that any County policy related to flavored tobacco sales ban exclude traditional tobacco products such as cigarettes, cigars, smokeless tobacco, and products with FDA marketing approval. Taking these products off of our shelves will have a significant economic impact on our stores and drive sales out of licensed venues and into the illicit market.

We appreciate your consideration of our comments invite you or a member of your staff to visit one of our businesses in your district prior to the next public hearing on this issue so you can see first hand how all tobacco products are regulated and sold at licensed tobacco retailers in Santa Barbara County.

Should you have questions or require additional information, please do not hesitate to contact APCA CEO Porsche Middleton at 916-230-7278.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Johal". The signature is fluid and cursive, with the first name "Joe" and last name "Johal" clearly distinguishable.

Joe Johal
Chairman