

Flavored Tobacco Sales Law Implementation Key Messages

- 1. SB 793 is a landmark bill signed into law that will save the lives of Californians – especially the lives of kids and the African American/Black community - from the tobacco industry’s deadly products.**
 - SB 793 goes into effect January 1, 2021 and ends the sale of most flavored tobacco products in stores, including vapes and menthol cigarettes.
 - Tobacco retailers are responsible for complying with the law.
 - It is not a crime for individuals to purchase, use or possess flavored tobacco products, and they may not be penalized.
 - As a result of the tobacco industry’s predatory targeting, among African Americans who smoke in California, 70% use menthol cigarettes. Compared to 18% of white adults who smoke.
 - Many other communities, such as the LGBTQ community, will be protected from the predatory tobacco industry’s flavored products. As a result of tobacco industry targeting, nearly half of LGBT adults who smoke in California use menthol cigarettes, compared to only 28% of straight adult who smoke.
 - More than half (54%) of youth ages 12-17 years who smoke cigarettes use menthol cigarettes.
- 2. SB 793 protects African American/Black Californians lives by not criminalizing menthol cigarettes users, and corrects the fatal flaw made in a 2009 federal Tobacco Control Act that got rid of flavored cigarettes but allowed menthol cigarettes to continue to be marketed and sold.**
 - Big Tobacco lobbied Congress hard to keep their deadly products on the market and to target African Americans/Black communities.
 - If menthol cigarettes had been included in the 2009 Tobacco Control Act, up to 237,000 Black deaths would have been prevented by 2050.
 - Not only does SB 793 save Black lives from Big Tobacco’s deadly targeting of its menthol cigarettes, it protects communities of color from tobacco-related police harassment by focusing on those who sell flavored tobacco products, not those who use or purchase these products.
 - Now, more than ever before, when COVID-19 is disproportionately impacting the African American/Black community, we must protect black lives from the predatory tobacco industry’s products that cause more severe outcomes of COVID-19.
- 3. SB 793 eliminates the tobacco’s industry’s biggest access point for kids to get flavored tobacco products – retail stores.**
 - In California, there’s one store that sells tobacco for every 293 kids, and over 25% of tobacco retailers are within 1,000 feet of a school.
 - The tobacco industry hooks kids on vaping by using fun flavors that sparks curiosity and makes tobacco taste good. That puts kids at risk for a lifetime of nicotine addiction, health problems, and permanent brain changes. 97% of kids who vape use flavors.
 - A National study found that 44.5% of African Americans and 44% of women would quit smoking if menthol cigarettes were no longer sold.
 - SB 793 comes in the wake of the youth vaping epidemic, in which teen vaping skyrocketed 218% in the last two years among middle schoolers and 125% among high schoolers, and last year’s (2019) mysterious vaping related outbreak that caused a serious lung illness in mostly young people, resulting in hospitalizations and numerous deaths.
 - National reports show that convenience stores make more money from prepared food, snacks and packaged beverages than tobacco, and purchasing these items, not tobacco, is the primary reason customers shop at convenience stores.