



City and County of San Francisco  
**DEPARTMENT OF PUBLIC HEALTH POPULATION  
HEALTH DIVISION**

# Increasing the age of purchasing tobacco products, including smokeless tobacco and electronic cigarettes, to persons aged 21 and older

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Community Health Equity & Promotion and Environmental Health

San Francisco Health Commission Meeting,

Community and Public Health Committee

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**POPULATION HEALTH DIVISION**  
SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

Guided by Strategic Vision,  
Action Plans, and Values

DATA SCIENCE & KNOWLEDGE INTEGRATION\* (ARCHES, CPHR, Bridge HIV)

STRATEGIC PLANNING: Office of Health Equity & Quality Improvement

HEALTHY PLACES  
(Protection)  
---  
Environmental  
Health

HEALTHY PEOPLE  
(Promotion)  
---  
Community  
Health Equity  
and Promotion

DISEASES  
(Prevention)  
---  
Disease  
Prevention  
and Control

DISASTERS  
(Preparedness)  
---  
Emergency  
Preparedness  
and Response,  
and EMS

SF Health  
Network (SFHN)  
and  
Community  
& Academic  
Partners

1. Safe and Healthy Living Environments (CHIP)

2. Healthy Eating and Physical Activity (CHIP)

3. Access to Quality Care and Services (CHIP)

4. Black / African American Health

5. Maternal, Child, and Adolescent Health

6. Health for People at Risk or Living with HIV

OPERATIONS: Office of Operations, Finance, and Grants Management

WORKFORCE: Center for Learning and Innovation

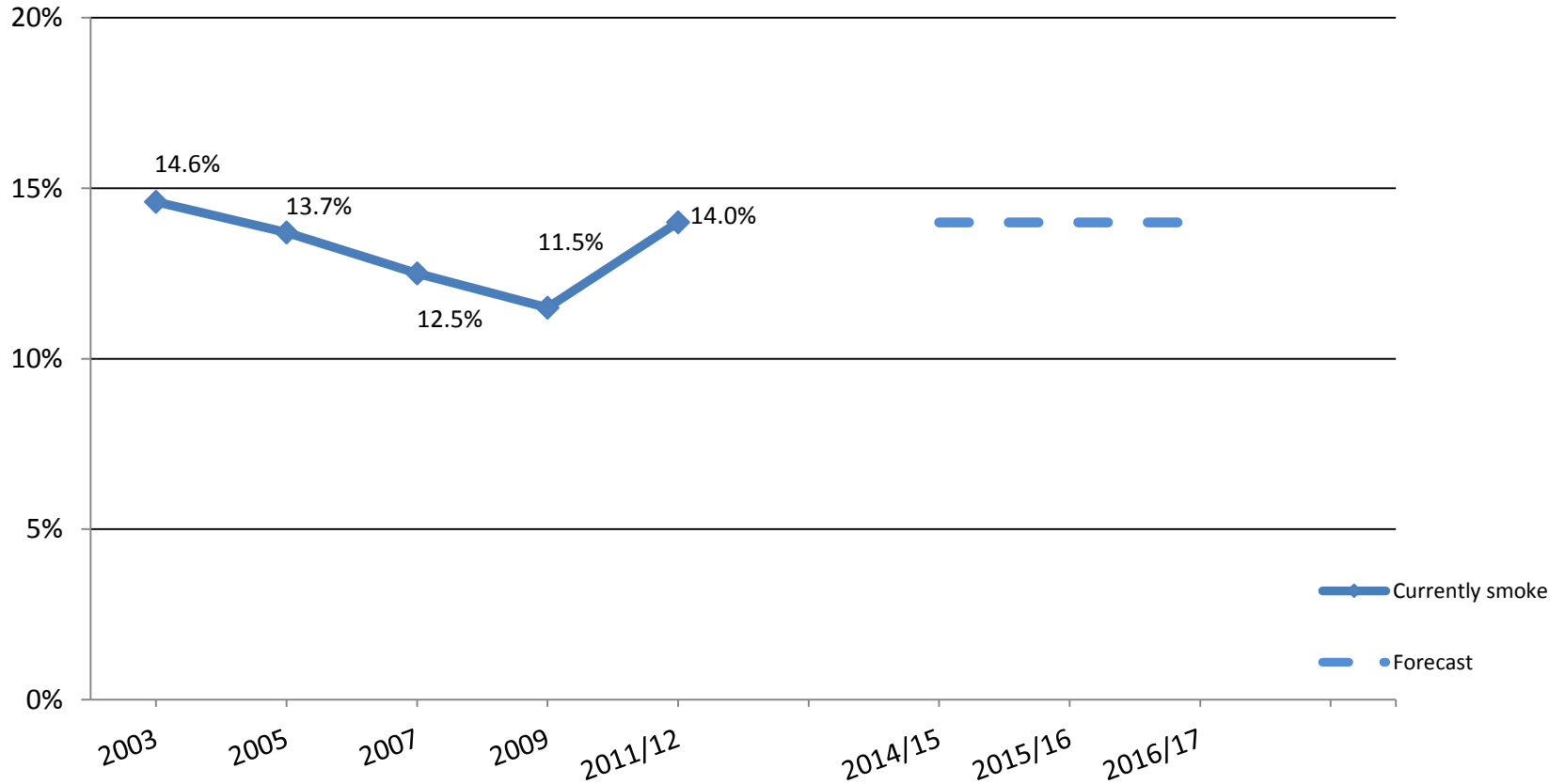
**Reducing the health effects of tobacco** is a core indicator in the Population Health Strategic Plan and aligns with the objective in the Community Health Improvement Plan (CHIP) of “reducing exposure to second hand smoke”.





# Headline Indicator: Percent of adults who smoke

## Percent of San Francisco adults who are current smokers, 2003-2012



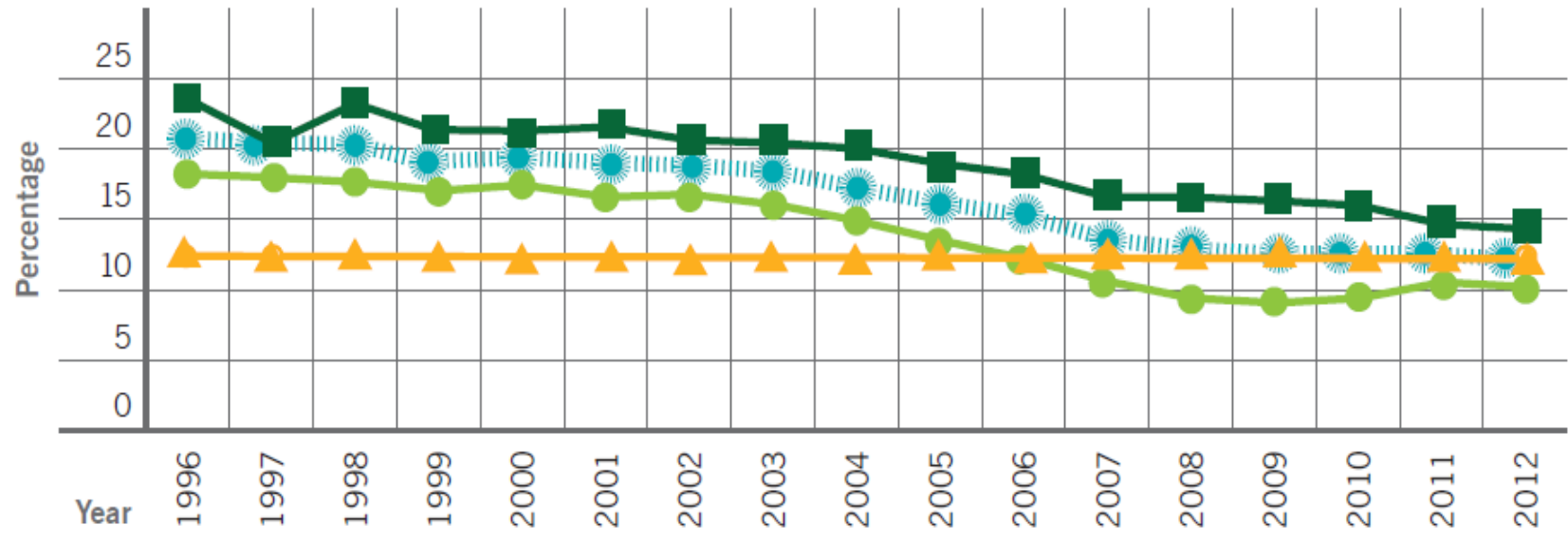
# Tobacco & Health

- Tobacco is the **number one preventable cause of death**. Tobacco claims nearly half a million lives a year in the United States.
- Cigarette smoking increases the risk of heart disease, chronic obstructive pulmonary disease, acute respiratory illness, stroke; and cancers of the lung, larynx, oral cavity, pharynx, pancreas, breast and cervix.
- Electronic cigarettes also present significant health risks since they can contain nicotine, a highly addictive neurotoxin. Exposure to nicotine during adolescence can harm brain development and predispose youth to future tobacco use.



# Cigarette Smoking Prevalence in San Francisco

**Figure A:** Age-standardized total smoking prevalence

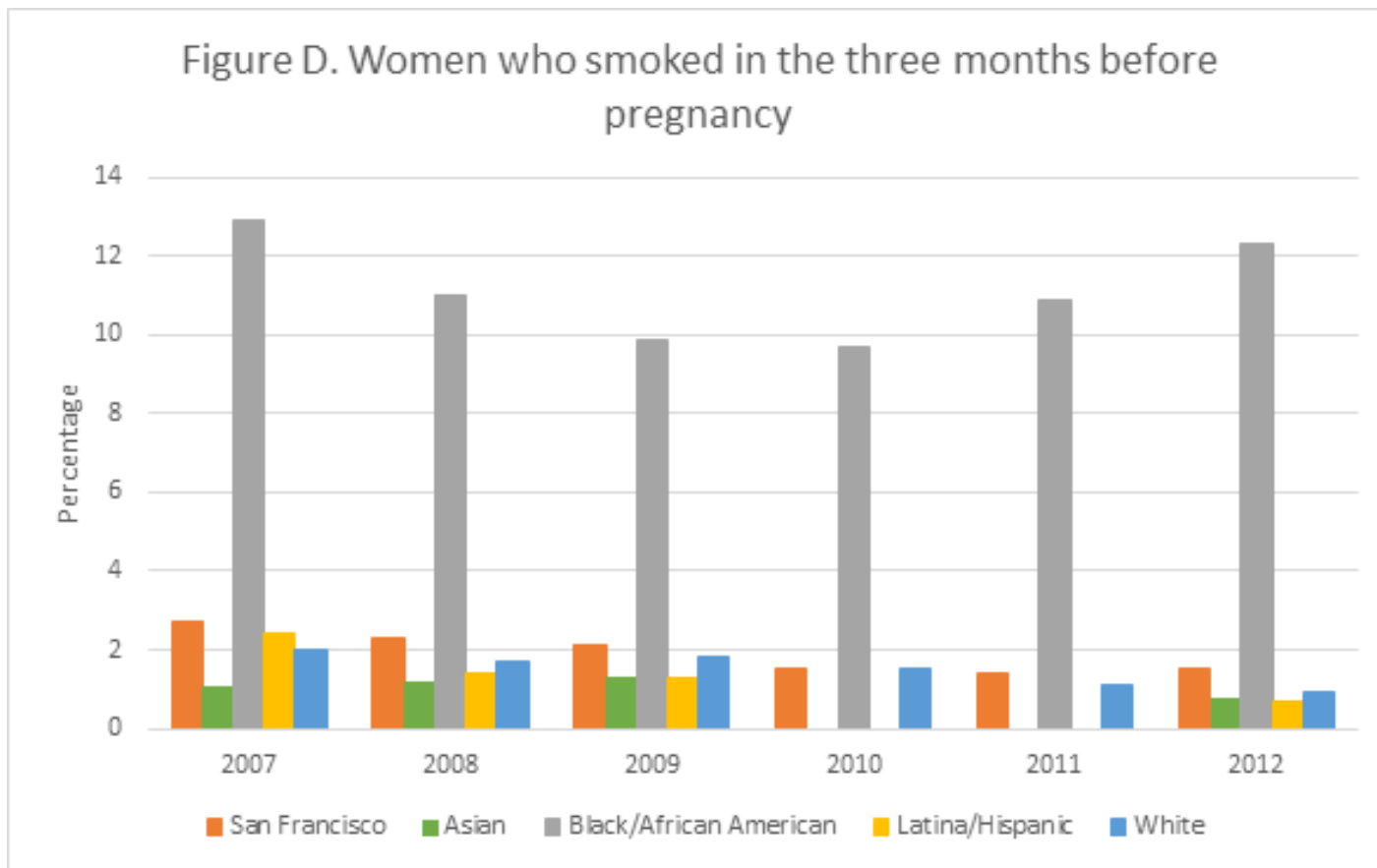


● San Francisco, ■ Male, ● Female, ▲ HP2020 target. Data source: Dwyer-Lindgren, Laura, et al, "Cigarette smoking prevalence in U.S. counties: 1996–2012."

- The prevalence of cigarette smoking among adults has decreased over the past 17 years.
- Rates have maintained relatively stable since 2008



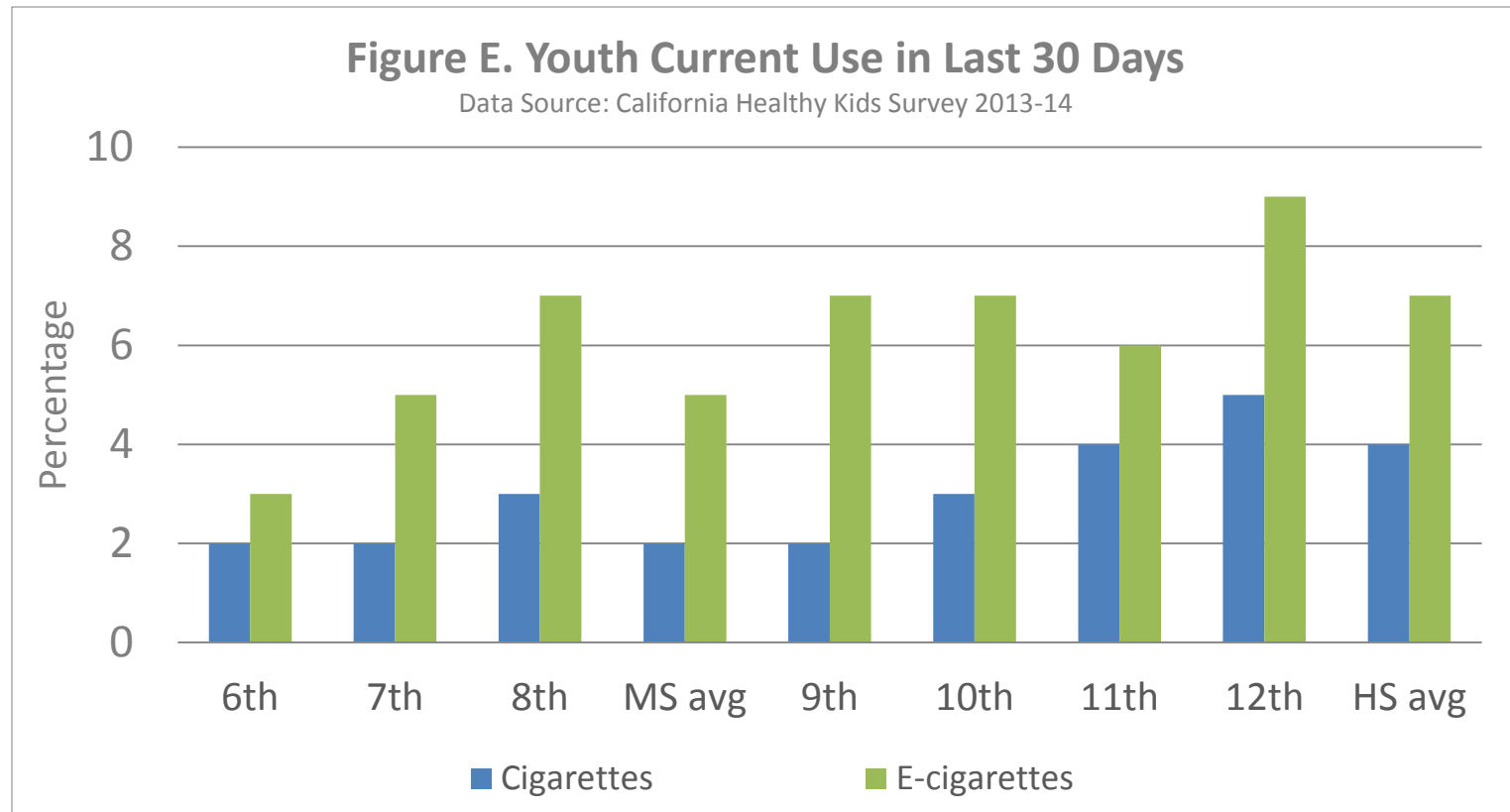
# Women & Smoking



- Smoking before and during pregnancy has decreased among women
- Smoking three months prior to becoming pregnant is higher among Black/African American women (12.3%)



# Youth Smoking Prevalence



- Youth are disproportionately affected by tobacco use.
- Almost 2% of middle school and 4% of high school students smoke cigarettes.
- E-cigarette usage among youth has risen above cigarette usage. 5% of middle school and 7% of high school students recently vaped.



# Youth Access Cigarettes through Peers

- A 2005 study based on the California Tobacco Survey found that 82% of adolescents who had ever smoked obtained their cigarettes from others, mostly friends.



- A substantial percentage (40.9%) of the people providing cigarettes were 18 years or older, with most of them (31.3%) being 18 through 20.
- Adolescents who were 16 or 17 were especially likely to get their cigarettes from persons aged 18 through 20.





# Health Impact: Increasing to Min Age to 21

In 2015, the Institute of Medicine (IOM) concluded that raising the minimum legal age to 21 for tobacco products nationwide would:

- Reduce tobacco initiation, particularly among adolescents aged 15-17.
- Over time would lead to a 12% decrease in the overall smoking rate.
- 223,000 fewer premature deaths, 50,000 fewer death from lung cancer, and 4.2 million fewer years lost for people born in the US between 2000 and 2019.
- Near-immediate reductions in preterm births, low birth weight babies, and sudden infant death syndrome.

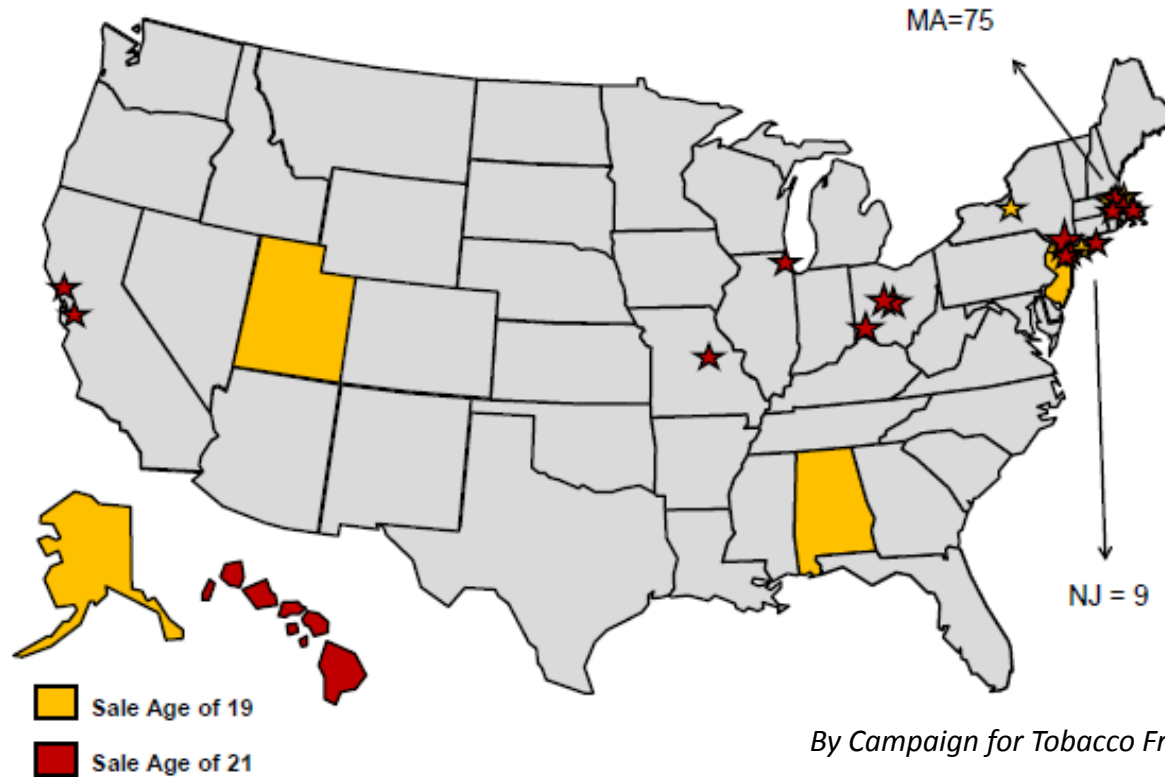


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INSTITUTE OF MEDICINE  
OF THE NATIONAL ACADEMIES

# Other Jurisdictions Have Raised the Min Age



- 188 municipalities and the State of Hawaii have raised minimum legal age to 21.
- Five years after Needham, MA raised the minimum age to 21, youth smoking rates were cut nearly a half from 12.9% to 6.7% which was not observed in nearby cities.



# The Proposed Policy

## Amends Health Code 19H.14-1

- Updates the language on age and new signage requirements.
- Provides timeline for enforcement.

## Creates Article 19P

*PROHIBITING THE SALE OF TOBACCO PRODUCTS TO PERSONS AGED 18, 19, OR 20)*

- Sales or distribution of tobacco products to persons aged 18, 19, 20 is prohibited.
- Requires new signage in a visible area indicating that in SF it is unlawful to sell tobacco products, including smokeless tobacco and electronic cigarettes to persons who are 18, 19, or 20.



# Current San Francisco Tobacco Ordinances

**19K.**  
Prohibit tobacco sales on City & County Property

**19F.**  
Expand Protection from second hand smoke

**19N.**  
Restrict use of e-cigarettes

**19O.**  
Prohibiting smokeless tobacco at athletic venues

2010

2013

2014

2015

**19J.**  
Prohibit pharmacies from selling tobacco products

**19L.**  
Prohibit smoking at certain outdoor events

**19H.**  
Tobacco Retail Density Cap



# *Enforcement Process Summary*

## *Tobacco Products Sales to Minor Cases*

- **Compliance**
  - Annual Educational Mailer
  - Site Visits
- **San Francisco Police Department Minor Decoy Operation**
  - Age and CA ID Verification of Minor
  - Witnessed and Documented by Peace Officer
  - Incident Report to SFDPH
- **SFDPH Enforcement Action Against Permit Holder**
  - Tobacco Permit Suspension Only
  - No Option for Penalties or Fines in Health Code
  - Pilot Program for First-Time Violators to Reduce Suspension



# Minor (<18) Decoy Program since 2008

*In partnership with San Francisco Police Department*

- **1878 operations**
- **232 violations** of sales of cigarettes/e-cigarettes to a minor
- **188 suspensions** of a tobacco retail permit as a result of sales violations
  - Certain cases were dismissed or suspensions were waived.
  - Suspensions have ranged from 5 to 70 days depending on circumstances, previous violations, and suspension reduction strategies.



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# Compliance & Enforcement of Proposed Policy

## One Year Grace Period

- Retailers will not be penalized for selling tobacco products to anyone aged 18, 19, or 20

## Education and Outreach

- Mailers
- Site Visits
- Stickers
- Notices

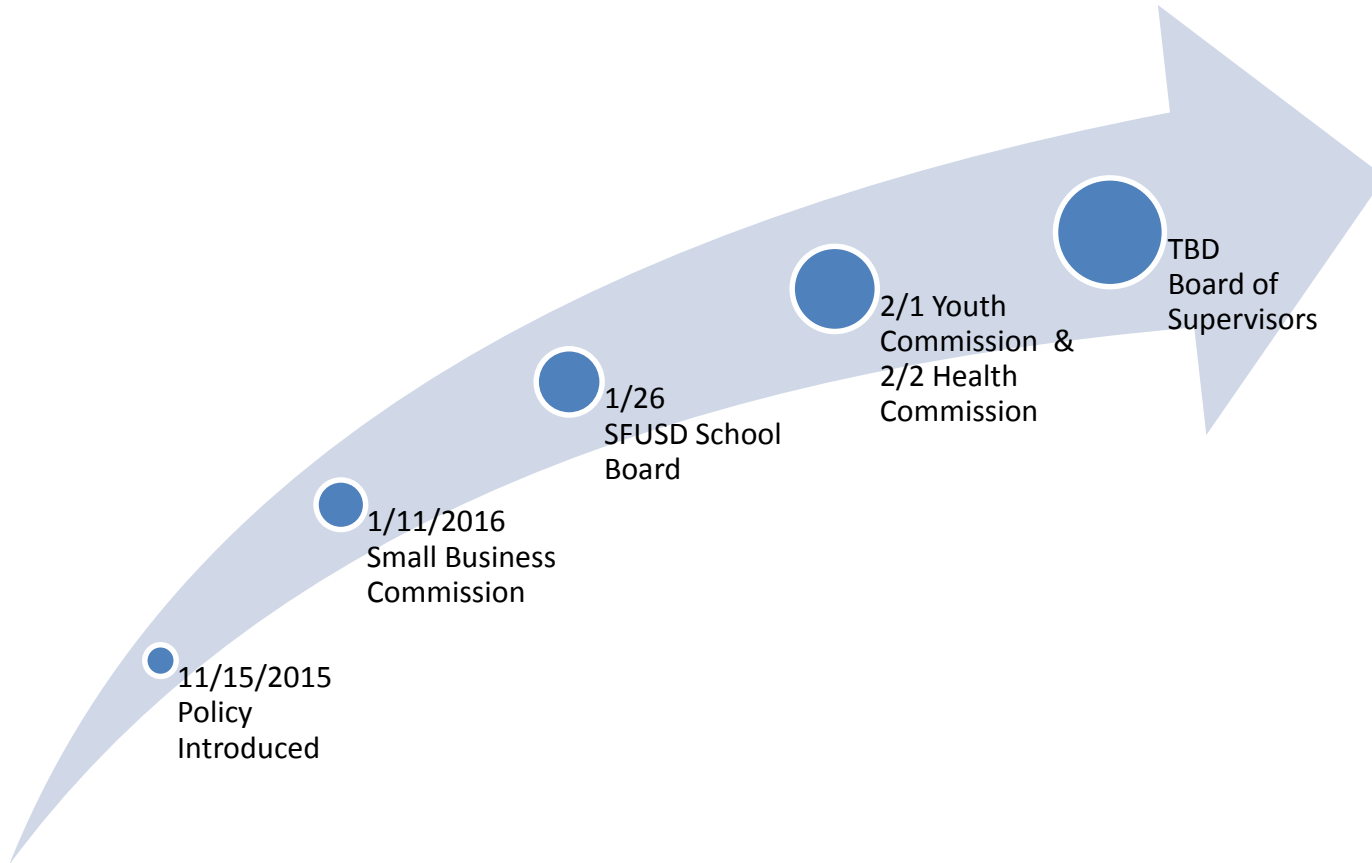


- After Grace Period, Fair and Equitable Enforcement Process
- Opportunity for First-Time Offenders to Reduce Permit Suspension Period



# NEXT STEPS

San Francisco  
protects youth  
aged 18-20  
from tobacco  
in 2016





Protect

Promote

Prevent

Prepare

# Questions?

## Acknowledgements

### San Francisco Tobacco Free Coalition



American Cancer Society, American Heart Association, American Lung Association, Bay Area Community Resources, Breathe California, CA LGBT Tobacco Education Partnership, SFSU Student Health Services, SFUSD Health Programs, Tri-City Health Center/Freedom from Tobacco, UCSF, Vietnamese Youth Development Center, Youth Leadership Institute

### San Francisco Department of Public Health

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  - Richard Lee, June Weintraub, Janine Young, Larry Kessler, Jar Ming Huang
- Tobacco Free Project
  - Derek Smith, Susana Hennessey-Lavery, Patricia Erwin, Alice Hu, Gary Wei

