# Bold Policies that Change Lives

A closer look at policy initiatives to reduce tobacco use amongst youth

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CAMPAIGN FOR TOBACCO-FREE KIDS **Regional Advocacy Directors Kevin O'Flaherty** Jodi Radke Director, Northeastern Region Director, Rocky Mountain/Great Plains New York City, NY (202) 481-9383 Loveland, CO (202) 481-9385 Cell: (646) 919-0469 Cell (970) 214-4808 koflahertv@tobaccofreekids.org iradke@tobaccofreekids.org WASHINGTON MAINE **NORTH MONTANA** MINNESOTA **DAKOTA OREGON IDAHO** NH WISCONSIN **SOUTH DAKOTA** MA **NEW YORK** MICHIGAN CT RHODE **WYOMING ISLAND IOWA PENNSYLVANIA NEBRASKA** NEW JERSEY **NEVADA** OHIO DELAWARE IN **UTAH ILLINOIS** WASHINGTON, DC MARYLAND **COLORADO** wv **KANSAS** MISSOURI VIRGINIA **CALIFORNIA** KENTUCKY NORTH CAROLINA TENNESSEE **ARIZONA OKLAHOMA ARKANSAS** SOUTH **NEW MEXICO** ALASKA CAROLINA **Amy Barkley** ALABAMA GEORGIA Director, Tobacco States and MS Mid-Atlantic **HAWAII TEXAS** Louisville, KY (202) 481-9382 Cell: (502) 777-8148 LOUISIANA abarkley@tobaccofreekids.org **FLORIDA Annie Tegen** Director, Western Region Seattle, WA (202) 235-3665 Claudia Flores Rodas Director, Southern Region ategen@tobaccofreekids.org Spring, TX (202) 481-9387 CAMPAIGN Cell: (832) 605-5210 Tobacco-Free Chris Sherwin, Vice President, State Advocacy crodas@tobaccofreekids.org Kids csherwin@tobaccofreekids.org 1400 I Street, Suite 1200, Washington, DC 20005 **July 2017** Cell: (720) 280-3097

### What We Do...



The Campaign for Tobacco-Free Kids is a leading force in the fight to reduce tobacco use and its deadly toll in the United States and around the world. <u>We</u> <u>advocate for public policies</u> proven to prevent kids from smoking, help smokers quit and protect everyone from secondhand smoke.

### Remember these "3"

PSEs in communities are designed to make healthy choices <u>EASY</u>, <u>SAFE</u> and <u>AFFORDABLE</u>.

# Using <u>Policy</u>, Systems and Environmental Change to Reduce Tobacco Use Amongst Youth

What do we mean by Policy?

 Interventions that create or amend <u>laws</u>, <u>ordinances</u>, <u>resolutions</u>, <u>mandates</u>, <u>regulations</u> or <u>rules</u>.

Policy change generally results from an elected or appointed group of people voting on and implementing an agreed-upon operating procedure.

# Example... Policy Change in Government

#### **Tobacco Control Act**

The Family Smoking Prevention and Tobacco Control Act was signed in 2009 under President Barack Obama, giving the FDA the ability to regulate the manufacturing, distribution, and marketing of tobacco products, such as cigarettes, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, and any other tobacco product deemed subject by law.

#### Requires all manufacturers and retailers to:

- Meet guidelines regarding labeling, branding, and advertisingProvide FDA with a list of ingredients
- Register all products and manufacturing facilities
- Obtain prior authorization for new products

Prior to the law, tobacco products were not regulated by the FDA.

# Example...Corporate <u>Policy</u> - Starbucks

### Starbucks smoking policy bans smoking outside cafes

Starbucks smoking: Starbucks announced customers will no longer be permitted to smoke in outdoor seating areas, or within 25 feet of the door.

By Staff, Associated Press Staff, The Christian Science Monitor | JUNE 1, 2013



### Why Only Policy Change?

- While education can influence individual behavior choices, and is a component in determining outcomes, addressing environmental barriers, and community conditions is a crucial aspect of supporting and encouraging healthy behavior change in communities.
- Manipulating the socioeconomic factors within PSE provides the foundation for creating sustainable public health change at the <u>population</u> level.

# Overcoming Community Conditions







Policy Point of Sale

### Environmental Exposure...



Policy – Smokefree Air Law

### Barriers, Challenges...



### **New Products & Innvoation**

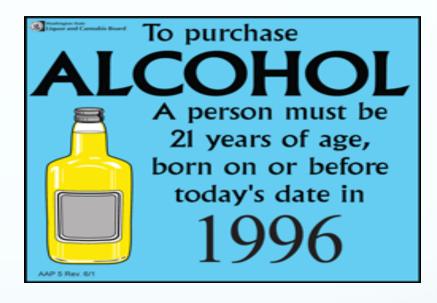


Staying on top of newly marketed products that are cool, hip & appealing to youth.

**Policy – FDA Regulation** 

# Mixed Messages & Community Social Norms





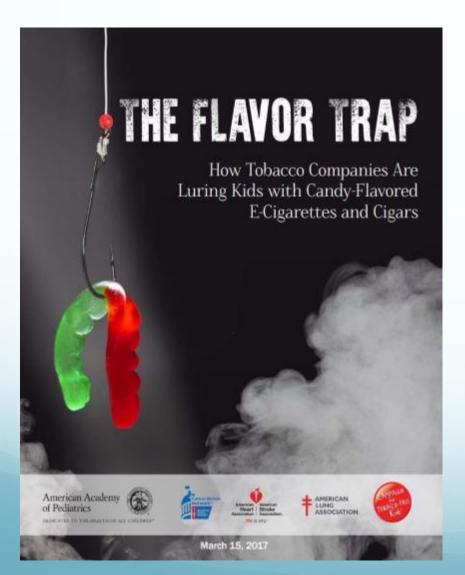


Policy – Age of Sale

# Campaign for Tobacco Free Kids Policy Initiatives-Federal

- Protecting FDA's authority to regulate tobacco
- Federal Tobacco Taxes
- Health Care Reform
- Tobacco and Trade
- Internet Tobacco Sales
- Protecting CDC funding to states
- National Tobacco Control Strategy

# **Protecting FDA Authority**



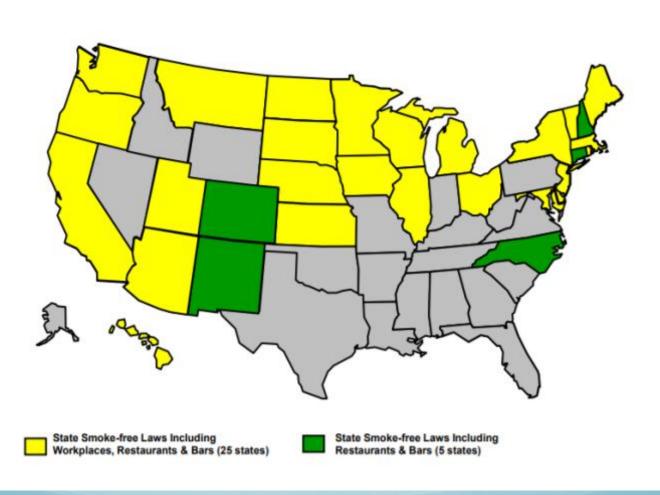
**Partner Report on Marketing to Kids** 



# Campaign for Tobacco Free Kids Policy Initiatives - State Priorities

- Smokefree Workplaces which include restaurants, bars & casinos
- Increasing the price on tobacco
- Protecting tobacco prevention & control funding, advocating for increased funding (at CDC-recommended levels)
- T21
- Removing Preemptive Language that eliminates local control

# So...How are We Doing? Smokefree Air Laws



#### **Tobacco Taxation**

Average State Cigarette Tax: \$1.69 per Pack

Average Cigarette Tax in Major Tobacco States: 48.5 cents per Pack

Average Cigarette Tax in Non-Tobacco States: \$1.85 per Pack



### Where does Michigan Rank?

Overall All States' Average: \$1.69 per pack
Major Tobacco States' Average: 48.5 cents per pack
Other States' Average: \$1.85 per pack

State	Tax	Rank	
Alabama	\$0.675	40th	
Alaska	\$2.00	14th	
Arizona	\$2.00	14th	
Arkansas	\$1.15	34th	
California	\$2.87	9th	
Colorado	\$0.84	38th	
Connecticut	\$3.90	2nd	
Delaware	\$1.60	25th	
DC	\$2.50	13th	
Florida	\$1.339	30th	
Georgia	\$0.37	49th	
Hawaii	\$3.20	5th	
Idaho	\$0.57	45th	
Illinois	\$1.98	19th	
Indiana	\$0.995	37th	
Iowa	\$1.36	29th	
Kansas	\$1.29	32nd	
Kentucky	\$0.60	43rd	

State	Tax	Rank	
Louisiana	\$1.08	35th	
Maine	\$2.00	14th	
Maryland	\$2.00	14th	
Massachusetts	\$3.51	4th	
Michigan	\$2.00	14th	
Minnesota	\$3.04	7th	
Mississippi	\$0.68	39th	
Missouri	\$0.17	51st	
Montana	\$1.70	22nd	
Nebraska	\$0.64	41st	
Nevada	\$1.80	20th	
New Hampshire	\$1.78	21st	
New Jersey	\$2.70	10th	
New Mexico	\$1.66	24th	
New York	\$4.35	1st	
North Carolina	\$0.45	47th	
North Dakota	\$0.44	48th	
Ohio	\$1.60	25th	

State	Tax	Rank	
Oklahoma	\$1.03	36th	
Oregon	\$1.32	31st	
Pennsylvania	\$2.60	11th	
Rhode Island	\$3.75	3rd	
South Carolina	\$0.57	45th	
South Dakota	\$1.53	27th	
Tennessee	\$0.62	42nd	
Texas	\$1.41	28th	
Utah	\$1.70	22nd	
Vermont	\$3.08	6th	
Virginia	\$0.30	50th	
Washington	\$3.025	8th	
West Virginia	\$1.20	33rd	
Wisconsin	\$2.52	12th	
Wyoming	\$0.60	43rd	
Puerto Rico	\$3.40	NA	
Guam	\$3.00	NA	
Northern Marianas	\$1.75	NA	

# Where does Michigan Rank, OTP Rates?

State	Snuff Tax <sup>2</sup>	Chewing & Smoking Tobacco Tax	Cigar Tax <sup>3</sup>	E-Cigarette Tax	Date OTP tax last changed	Cigarette Tax (¢/pack)	Parallel Tax (% w/s price)
Louisiana	20% mfr. price	Chewing: 20% mfr. price; Smoking: 33%	8%-20% mfr. price	5¢/mL	7/1/2000	108	25%
Maine	202¢/oz. (with min. tax)	Chewing: 202¢/oz.; Smoking: 20%	20% wholesale price		7/1/2009	200	47%
Maryland	30% wholesale price	30% wholesale price	Non-premium: 70% w/s price; Premium: 15% w/s price		7/1/2012	200	47%
Massachusetts	210% wholesale price	Chewing: 210% w/s price; Smoking: 40%	40% wholesale price; LC		7/31/2013	351	82%
Michigan	32% wholesale price	32% wholesale price	32% wholesale price		7/1/2004	200	47%
Minnesota	95% wholesale price (with \$3.04 min. tax)	95% wholesale price	95% wholesale price; 50¢ premium cigar cap; LC;	95% wholesale price	7/1/2013 (min tax 1/1/2017)	304	71%
Mississippi	15% mfr. price	15% mfr. price	15% mfr. price		6/1/2005	68	16%
Missouri	10% mfr. price	10% mfr. price	10% mfr. price		10/1/1993	17	4%

# Funding?



#### FY2016 State Rankings: States Ranked by Percent of CDC-Recommended Funding Levels

(Annual funding amounts only include state funds.)

Alabama	\$1.5	\$55.9	2.7%	42
Georgia	\$1.8	\$106.0	1.7%	43
Michigan	\$1.6	\$110.6	1.5%	44
North Carolina	\$1.2	\$99.3	1.2%	45
Washington	\$640,500	\$63.6	1.0%	46
low Hampshire	¢125,000	01C E	0.00/	47

### **T21**



# Quick Facts on MI's Tobacco Use Rates as of July 26, 2017

- High School Youth who Smoke: 10.0% (8.0%)
  - High School Ecig Use: 23.0% (11.3%)
  - High School Male Cigar Use: 13.2% (9.9%)
- Adults who Smoke: 20.7% (15.1%)
- Proportion of Cancer Deaths in Michigan
   Attributable to Smoking 29.8%

# Campaign for Tobacco Free Kids Policy Initiatives-Local

- Menthol
- T21
- Point-of-Sale
- Pharmacy Bans
- KTOOP (Baseball)
- Smokefree

#### Menthol

#### FREEDOM OF CHOICE FOR GROWN FOLKS

"Informed grown-

ups who decide

to smoke should

have the freedom

to choose menthol

cigarettes"



#### Who Should Make Our Choices?

Recently, some self-appointed activists have proposed a legislative ban on menthol cigarettes in a misguided effort to force people to quit smoking by limiting their choices. So

far, wiser heads have prevailed and the ban on menthol has not passed. It could come up again. It shouldn't.

When government "reforms" intrude into our lives to the point of restricting freedom of individual choices on what we can enjoy, our basic concept of liberty is threatened.

#### How Should Our Choices Be Made?

In the American tradition, laws restricting freedom of choice must be based on sound reasoning, rational public policy and verifiable data while allowing for a minimum of governmental intrusion. Menthol is a matter of taste and preference. The body of scientific evidence does not support the conclusion

that menthol cigarettes increase the known risks from smoking. The effort to ban menthol is just another in a long series of attempts by the politically correct crowd to force Americans to give up their freedom to

choose to smoke a cigarette.

#### Shouldn't People Keep Fighting For The Freedom Of Choice?

The history of African Americans in this country has been one of fighting against paternalistic limitations and for freedoms. We all agree that children should not smoke, but grown-ups who

can and should assess the risks of smoking should have the freedom to choose whether to smoke or not. If they choose to smoke, they should have the freedom to choose to smoke regular or menthol cigarettes. Please visit www.mentholchoice.com and learn more about how you can help prevent this ban on menthol from being considered.



www.mentholchoice.com





# Detroit Tigers Need a Real & Sustainable "Win"---tobacco free?



#### **All Baseball Fans**

Ask Major League
Baseball and the MLB
Players Association to
set the right example
for kids and take
tobacco out of
baseball.

On Opening Day, Nearly Half of Major League Stadiums Will Be Tobacco-Free – MLB Cities Need to Finish the Job for Our Kids

Statement of Matthew L. Myers, President, Campaign for Tobacco-Free Kids

# Reason #1: Youth Prevention

To provide an obvious perspective on why we focus on youth prevention, take a peek at what the industry is on record saying about our kids...

- "The ability to attract new smokers and develop them into a young adult franchise is key to brand development." -1999 Philip Morris report, "Five-Year Trends 1988-1992." Bates No. 2044895379-484
- "Pre-smokers." -Term used in a 1973 RJR draft paper to describe youth smokers when they are just trying cigarettes, "Some Thoughts About New Brands of Cigarettes For the Youth Market." Bates No 502987357-7368.
- "They represent tomorrow's cigarette business. . . As this 14-24 age group matures, they will account for a key share of the total cigarette volume -- for at least the next 25 years." September 30, 1974 R.J. Reynolds Tobacco Co. marketing plan presented to the company's board of directors. Bates No. 501421310-1335

# Tobacco use remains Michigan's leading preventable cause of death, disability and disease.

#### **TFK Wants Your Kids!**

- Gustavo Torrez Youth Advocacy Director
- Youth Coalitions Inspire, invite, and engage them on policy changes being considered!
- Kick Butts Day
- Youth Symposium
- Training Program "Taking Down Tobacco"

# ATTENTION AMERICA'S YOUTH: #BeTheFirst Tobacco-Free Generation! Take FREE online courses to get the knowledge, skills and tools you need to fight tobacco use in your community. Learn more

### How Can You Help?

- Federal Advocacy
  - ✓ Evidence, documentation throughout the country
- State Policy? Are you plugged in?
  - **✓ LTEs**
  - ✓ OpEds
  - **✓** Emails
  - ✓ Coffee Forums
  - ✓ Calls
  - ✓ In-person visits
  - ✓ Testifying
- We need your eyes & ears, energy and expertise!!!

# Q & A

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