

Prioritizing Equitable Enforcement & Local Perspectives to Enhance Tobacco Policy Implementation

September 17th, 2025



WELCOME



Arturo Durazo, PhD

Assistant Professor, School of Public Health, UC
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WEBINAR INFORMATION

Thank you for joining us today. Some information about the webinar:

- The CHAT function is unfortunately disabled (a function of zoom webinars)
- To ask a quick question – please use the Q&A function
- If you would like to ask a longer question, please raise a hand and we will unmute your microphone
- The webinar is being recorded, and will be available to view on the NCPC website



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AGENDA

- 11.10am** **PRESENTATION: California State Policy Updates**
Denise Payán, PhD, MPP
Associate Professor of Health, Society, & Behavior at UC Irvine
NCPC Co-Investigator and Subaward Primary Investigator
- 11.20am** **PRESENTATION: From Policy to Practice - Lessons In Local Implementation and Enforcement**
Ana Herrera, PhD, MPH
Postdoctoral Scholar at UC Irvine
- 11.40am** **PRESENTATION: Equitable Enforcement in Local Tobacco Policy**
Jessica Breslin, JD
Senior Attorney at ChangeLab Solutions



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AGENDA

- 12.00pm** **PRESENTATION: Fresno City Smoke Shop Ordinance
Change: Local Strategic Policy Planning**
Leila Gholamrezaei-Eha, MPH - Project Director & Health Educator
Jessica Ventura, MPH - Health Education Specialist, Tobacco
Prevention Program
Fresno County Department of Public Health
- 12.20pm** **QUESTIONS**
- 12.30pm** **MEETING CLOSE**





Denise D. Payán, PhD, MPP
Associate Professor, UC Irvine
NCPC Co-Investigator & Affiliate



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California State Policy Updates: Flavored Tobacco Sales Restrictions


**Denise D. Payán, PhD, MPP
Associate Professor, UC Irvine
NCPC Co-Investigator & Affiliate**

UC Irvine

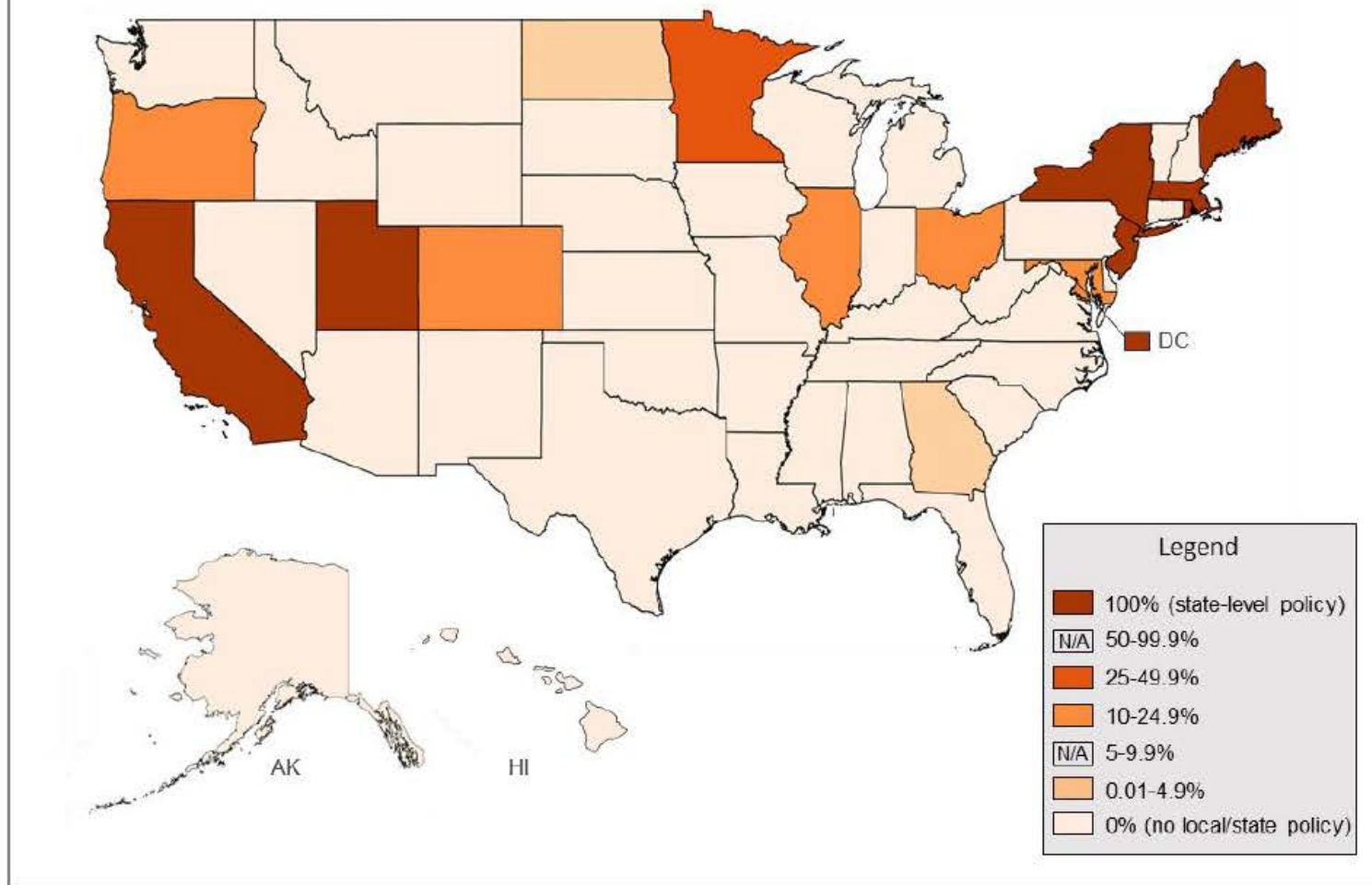
Joe C. Wen School of
Population & Public Health



Policy Context: Flavored Tobacco Sales Restrictions

- **Tobacco use is a leading modifiable risk factor for cancer-related deaths**
- **Regulating flavored tobacco/e-cigarette products is key for prevention**
 - Flavored products are easier to initiate, more appealing (particularly to youth) and seen as less harmful (Meernik et al., 2019; Leventhal et al., 2019)
 - Menthol cigarette use rates are higher among Black and Latino young adults and adolescents (Cullen et al., 2019; Watkins et al., 2022)
- **Flavored Tobacco Sales Restrictions** can  access and use
 - CA residents with a comprehensive flavored tobacco sales restriction vs. none had 30% lower odds of using any flavored tobacco (Timberlake, Aviles, & Payán, 2023)
- **Increased state and local policy adoption**
 - By 06/30/2025, **8** states, **418** local jurisdictions, and **3** Native American tribes enacted some type of flavored tobacco sales restriction (Truth Initiative, 2025)

Percent of state population covered by a flavored tobacco sales restriction
As of June 30, 2025



Source: Truth Initiative, 2025

U.S. Federal – State Flavor Tobacco Policy Context

2009 Family Smoking Prevention & Tobacco Control Act (Federal)

- Restricted flavored tobacco product sales
- Exemptions: menthol, tobacco



Mario Tama/ Getty Images

2020 Senate Bill (SB) 793 (State: CA)

- Prohibits retailers from selling or possessing with intent to sell flavored tobacco products (effective: 12/2022)
- [Exemptions](#)

Covered Products	Exempt Products ⁷
Menthol cigarettes Chewing tobacco Snuff Little cigars Cigarillos E-cigarettes Roll-your-own tobacco Flavor enhancers	Hookah and shisha: Must be sold by a licensed hookah tobacco retailer that limits entry to those aged 21 and over; does not apply to electronic hookahs. Pipe tobacco: Applies to loose leaf tobacco, defined as "cut or shredded pipe tobacco, usually sold in pouches," but not any tobacco product suitable for making cigarettes, including roll-your-own cigarettes. Premium cigars:** Cigars must be handmade; have a tobacco leaf wrapper; have a wholesale price of no less than \$12; not have a filter, tip, or non-tobacco mouthpiece; and be capped by hand.



SB 793 does not preempt CA jurisdictions with more comprehensive policies

SB 793 policy design gaps and challenges

- Unclear whether the penalty amount (\$250 per violation) was a sufficient deterrent
- Policy did not clearly identify an enforcement authority/agency
- Flavor determination issue for implementation and enforcement
 - How are flavors determined at the point of sale/during an inspection?
 - Distinguishing and characterizing flavors...maybe...
 - What about 'concept' flavors? [Fusion, solar, jazz...](#)

New state laws were recently adopted to close specific gaps and strengthen implementation and enforcement

AB 935: Tobacco sales: flavored tobacco ban

- **Signed into law in October 2023 (effective: January 1, 2024)**
- Aligns SB 793 with enforcement processes in the Stop Tobacco Access to Kids Enforcement (STAKE) Act
- *Expands the definition of ‘retail location.’* Includes vehicles, mobile units, booths, stands, and concessions.
- *Designates the CA Department of Public Health (CDPH) as the enforcement agency.*
 - CDPH Office of Youth Tobacco Enforcement
- *Provides additional inspection authority and process details.* Authorizes onsite compliance checks and promotes **inter-agency coordination** and **sharing inspection results** with CDPH
- *Increases civil fines and penalties.* Can suspend or revoke a state-issued license for a retailer with multiple violations



SB 1230: Strengthen Tobacco Oversight Programs (STOP) and Seize Illegal Tobacco Products Act

- Signed into law in September 2024 (effective: January 1, 2025)
- *Authorizes seizure and destruction of illegal flavored products*
- *Penalizes manufacturers, distributors, wholesalers, and delivery sellers*

AB 3218: Unflavored Tobacco List (UTL)

- *Requires CA Attorney General to develop an Unflavored Tobacco List*

‘Once the UTL is published on or before December 31, 2025, any tobacco product not appearing on the UTL will be considered an illegal flavored product.’ Source: [CDPH](#)

- *Creates UTL fund to collect initial/renewal application fees*
- *Expands the definition of: 1) ‘characterizing flavor’ to include cooling sensations, and 2) nicotine to include synthetic nicotine and analogs*
- *Permits CA Department of Tax and Fee Administration and other law enforcement agencies to seize illegal products and impose fines*
- *Applies restrictions to all sales/deliveries (including **online** sales)*

Civil Penalties for Retailers and Wholesalers Selling Illegal Flavored Tobacco Products

1 st Violation	2 nd Violation	3 rd Violation
\$50 per individual package of seized flavored tobacco product or tobacco product flavor enhancer	\$50 per individual package of seized flavored tobacco product or tobacco product flavor enhancer AND License Suspended	\$50 per individual package of seized flavored tobacco product or tobacco product flavor enhancer AND License Revoked

Civil Penalties for Distributors and Wholesalers Selling Illegal Flavored Tobacco Products

1 st Violation	2 nd Violation	3 rd Violation
Warning notice	License suspended	License revoked

Increased Civil Penalties for Retail Violations - STAKE Act and Illegal Flavored Tobacco Sales

1 st Violation	2 nd Violation (within a 5-year period)	3 rd Violation (within a 5-year period)	4 th Violation (within a 5-year period)	5 th Violation (within a 5-year period)
\$1,000-\$1,500	\$2,000-\$3,000	\$5,000-\$10,000	\$10,000-\$20,000	At least \$20,000

Retailer Information and Resources

Frequently Asked Questions (FAQ):

[California's Flavored Tobacco Products Retail Law Updated January 2025 \(PDF\)](#)

This document responds to questions retailers may have about changes to state flavored tobacco sales laws.

[California Law Updates: Unflavored Tobacco List and Enforcement of the Flavored Tobacco Products Law Fact Sheet 2025 \(PDF\)](#)

This document provides information on how the new laws taking effect January 1, 2025 impact retailers, wholesalers and delivery sellers.

[Letter to Retailers from the CDPH Health Director and State Health Officer 2023 \(PDF\)](#)

The letter to retailers from CDPH Director provides a summary to retailers, wholesalers and distributors, a reminder that California law prohibits the sale of most flavored tobacco products at the retail level, and references to additional materials to help retailers comply.

[Estimado minorista/mayorista/distribuidor de tabaco \(PDF\)](#)

[Frequently Asked Questions \(FAQ\): California's Flavored Tobacco Products Retail Law Updated January \(PDF\)](#)

This document responds to questions retailers may have about changes to state flavored tobacco sales laws.

[Preguntas frecuentes \(FAQ\): Ley de venta minori:](#)

[California's Flavored Tobacco Products Retail Law](#)

This document provides information on how the

[La ley de California actualiza la aplicación de la Ley de venta de tabaco a minoristas, Sección 104559.5 del Código de Salud](#)

Who to contact with enforcement questions or to report potential violations of the state flavored tobacco products sales law.

If you suspect a retailer sells tobacco products to anyone under age 21 (in violation of the STAKE Act), please call 1-800-5-ASK-4-ID (800-527-5443) or email the Office of Youth Tobacco Enforcement (OYTE) at OYTE@cdph.ca.gov.

If you suspect a retailer sells illegal flavored tobacco products or is violating licensing or tax laws, visit [CDTFA's](#) website or call CDTFA at: 1-888-334-3300.





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From Policy to Practice - Lessons in Local Implementation and Enforcement

Ana Herrera, PhD, MPH
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Joe C. Wen School of
Population & Public Health



Study Background

Mixed methods case study to examine *implementation* and *enforcement* components, processes, and infrastructure to support **compliance** with flavored tobacco sales restrictions



Kings County (SJV), CA

Policy context: SB 793 in effect

Population size: 154,913

Agricultural and rural landscape

34.9% of families live <200% FPL

16.5% are food insecure

71% have health insurance

8.2% of adults use tobacco

4.9% diagnosed with cancer

Data Sources



1. **Retail employee survey** (in-person) to assess policy awareness/knowledge, acceptability/support, and implementation challenges
 - 29 retail employees (33% response rate)



2. **Observational assessment** (in-person) to assess product availability, a proxy for compliance
 - Of 100 retailers, 88 were eligible and included

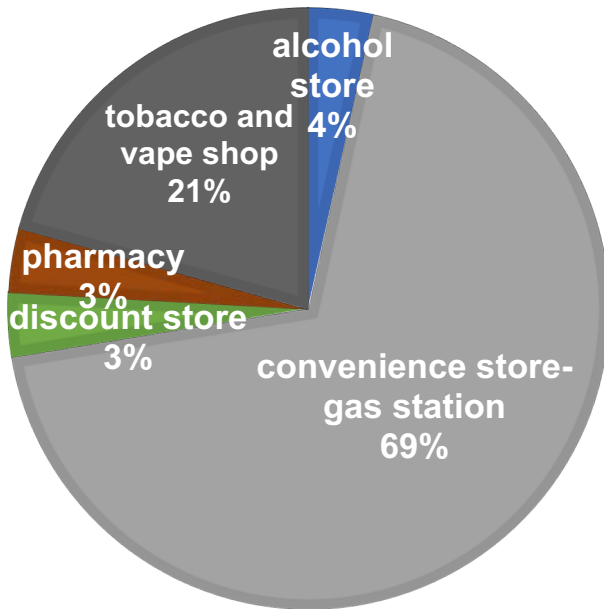


3. **Key informant interviews** (virtual) with implementation and/or enforcement agents across diverse jurisdictions in California
 - 19 implementation and/or enforcement agents

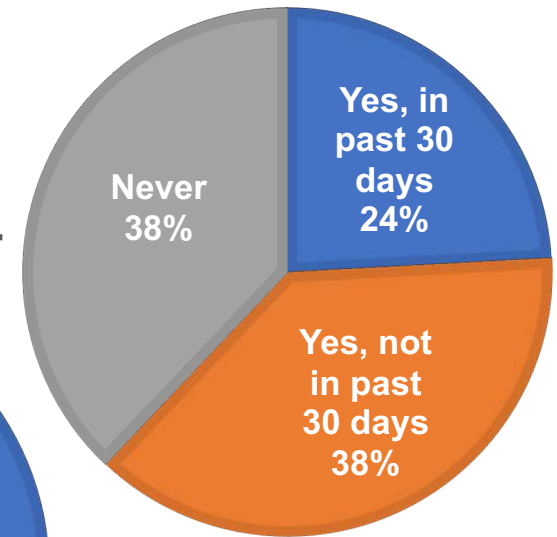
Tobacco Retailer Survey (n = 29)

69% were *clerks or cashiers*

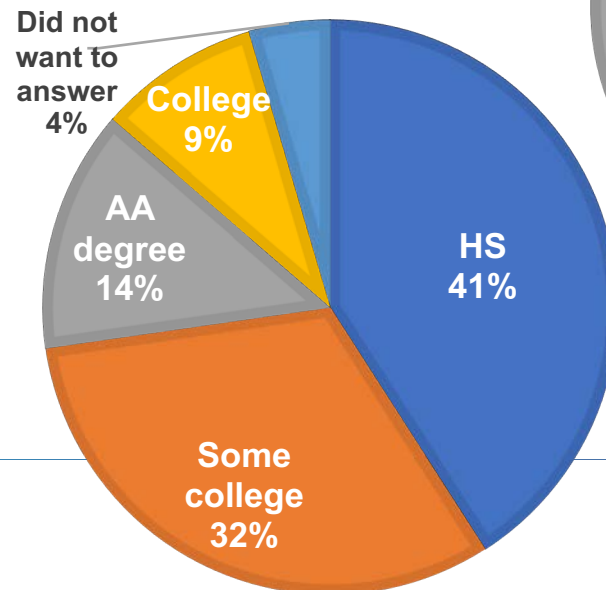
STORE TYPE



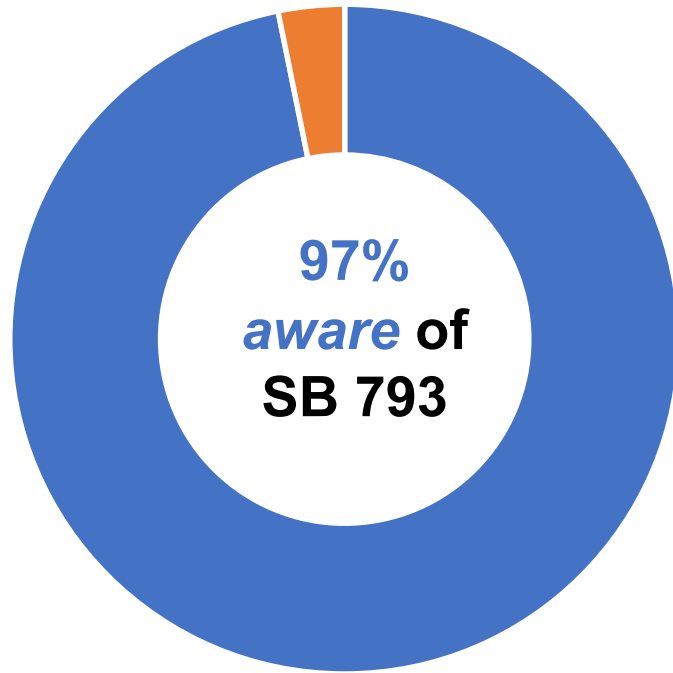
NICOTINE PRODUCT USE



EDUCATION LEVEL



Majority of retailers aware of policy



CDPH has provided policy resources online and by mail to licensed retailers

~1/2 of retailers correctly identified hookah as exempt from SB 793

~1/2 were aware of increased penalties

72% incorrectly said online flavored product sales were permitted

Unclear if retailers *receive, understand, or share* materials with staff

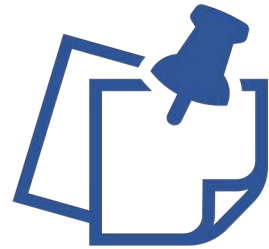
Retailer engagement gaps and information needs



66% retailers
received
information about
the policy

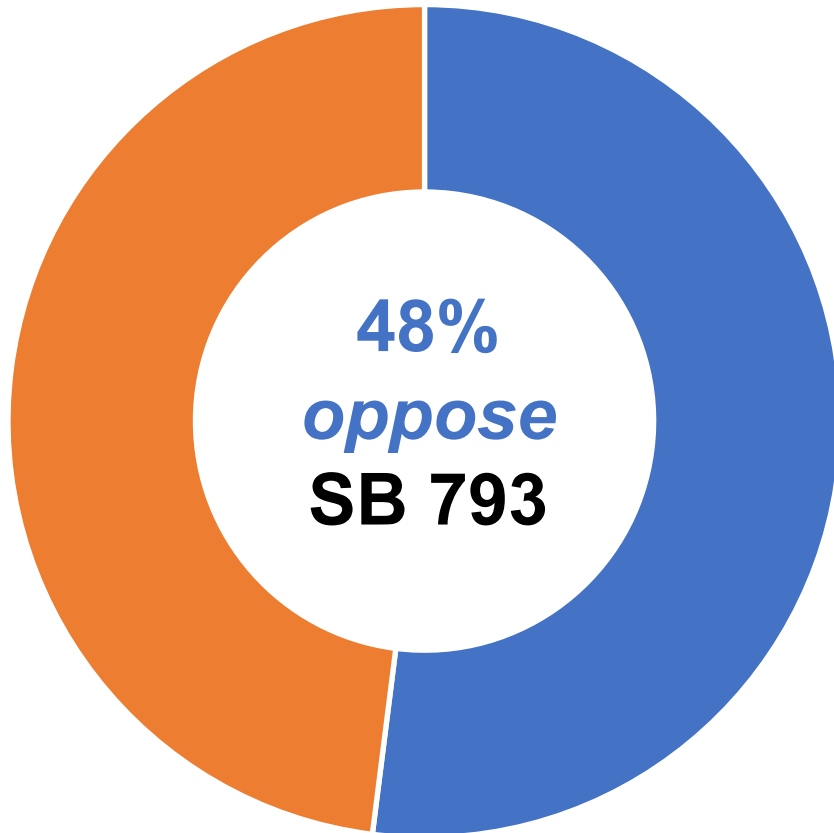


21% expressed
interest in
receiving
additional
policy material



Several asked for
a flavored product
list or policy
summary for
customer
education

~ half of retailers *oppose* the flavored tobacco sales policy



- ✓ Loss of sales
- ✓ Distributor would not take back banned products
- ✓ Policy is 'unfair'
 - ✓ Tribal lands and military bases are exempt
- ✓ Alternative customer access from online sales and social/peer networks

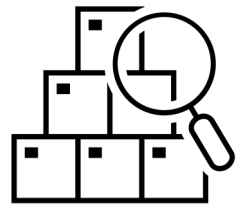
Observational Assessment Results

- Most flavored tobacco products were unavailable or had limited availability
- However, a majority offered '*concept*' flavors and/or '*non-menthol*' cigarette products

Product	Kings County N = 88 n (%)
Flavored hookah	0 (0%)
Explicitly labeled "Menthol" cigarettes	0 (0%)
Flavored loose-leaf tobacco	5 (6%)
Flavored e-cigarettes	5 (6%)
Flavored cigarillos/little cigars	12 (14%)
Concept flavored products	49 (56%)
Explicitly labeled "non-menthol" cigarettes	60 (68%)



Sale of flavored products persists

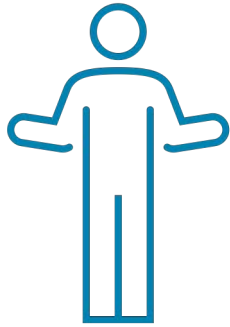


Mechanisms to continue selling restricted products include: *hidden safes, fake walls, modified furniture, or use of key words or items*

*“There’s this whole system of if you show a baseball card, they know you want flavors, or if you’re wearing a certain kind of hat backwards, they know you want them... The people who are choosing to disregard the law, we know who they are, and they are getting plenty of attention, but at the same time, **it means a lot of time and resources from enforcement staff.**”*

– Enforcement Agent, CA (2025)

Enforcement challenges



Unclear/
confused
about target
products



Limited resources/
capacity and lack
of inter-agency
coordination



Logistical and
environmental
concerns about
storage and
disposal of seized
products

Flavored or Not? Other enforcement challenges in a shifting market...

Inconsistency in flavor determinations

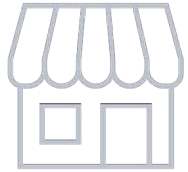
- Enforcement agents rely on sniff tests, ingredient lists, or informal sources (e.g., Reddit forums) while industry shifts packaging or removes product information

Some tobacco distributors misinform retailers about allowable products

- Retailers rely on distributors to supply approved products

Unflavored Tobacco List is expected to assist with flavor determinations and reduce confusion

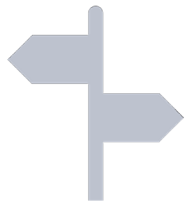
Barriers to retailer engagement and equitable enforcement in practice



High number of
retailers



Limited retailer and
compliance data
sharing



Variations in agent
training, protocols,
data monitoring and
evaluation



Public health
emergency
interruptions (COVID-
19 pandemic, fires)



Resource
constraints



Educational
materials may not
meet retailers'
linguistic needs

Concerns that uneven enforcement may worsen tobacco disparities

- **Enforcement processes may vary by agency** (i.e., health dept, CDTFA, law enforcement, code enforcement)



Authority



Capacity &
prioritization



Community
trust

- **Disparities in inspection patterns and penalties may reinforce systemic inequities**, *particularly in communities historically targeted by the tobacco industry*

“I think it would be really interesting to look at that [compliance] data, and you can even ask if [agents] go into one jurisdiction and they find there's violations.

How are they treating those who violate? Are they treating the violations equitable across the board? Are the business owners African- American, or Hispanic, or from a Black and Brown community? Are they getting higher fees than retailers who are white? I don't know. Those are all really good questions.”

– Implementation Agent, CA (2025)

Recommendations

1. **Equip** retailers and frontline teams with lay policy resources and training (UTL, client-facing materials) to improve policy awareness
2. **Strengthen** cross-agency collaboration through shared protocols, joint trainings, coordinated actions, and compliance data sharing to reduce confusion and duplication
3. **Increase** transparency by explaining how retailers are selected for inspections, how they work, and who conducts them to promote trust
4. **Integrate** inspections into existing tobacco control infrastructure (e.g., Tobacco Retailer License with enforcement fees) and routine activities (license verification, youth sales monitoring) to streamline enforcement and reduce redundancy

Acknowledgments

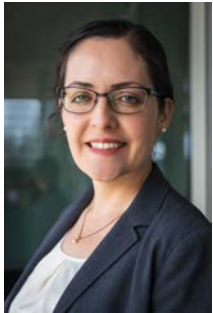


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Policy Center

Equitable Enforcement in Local Tobacco Policy

September 17, 2025



ChangeLab Solutions

Speaker



Jessica Breslin
Senior Attorney
ChangeLab Solutions

Agenda

- Equitable Policymaking
- Equitable Enforcement and Ongoing Evaluation
- Additional Resources





Our mission

Healthier communities
for all through equitable
laws & policies.



Disclaimer

The information provided in this discussion is for informational purposes only, and does not constitute legal advice. ChangeLab Solutions does not enter into attorney-client relationships.

ChangeLab Solutions is a non-partisan, nonprofit organization that educates and informs the public through objective, non-partisan analysis, study, and/or research. The primary purpose of this discussion is to address legal and/or policy options to improve public health. There is no intent to reflect a view on specific legislation.



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Commercial tobacco

We recognize the important role of ceremonial and traditional uses of tobacco in many Indigenous communities.

This conversation and the Preemption Playbook are intended to address **commercial tobacco**, not tobacco products used as part of an Indigenous practice or other recognized religious or spiritual ceremonies or practices.

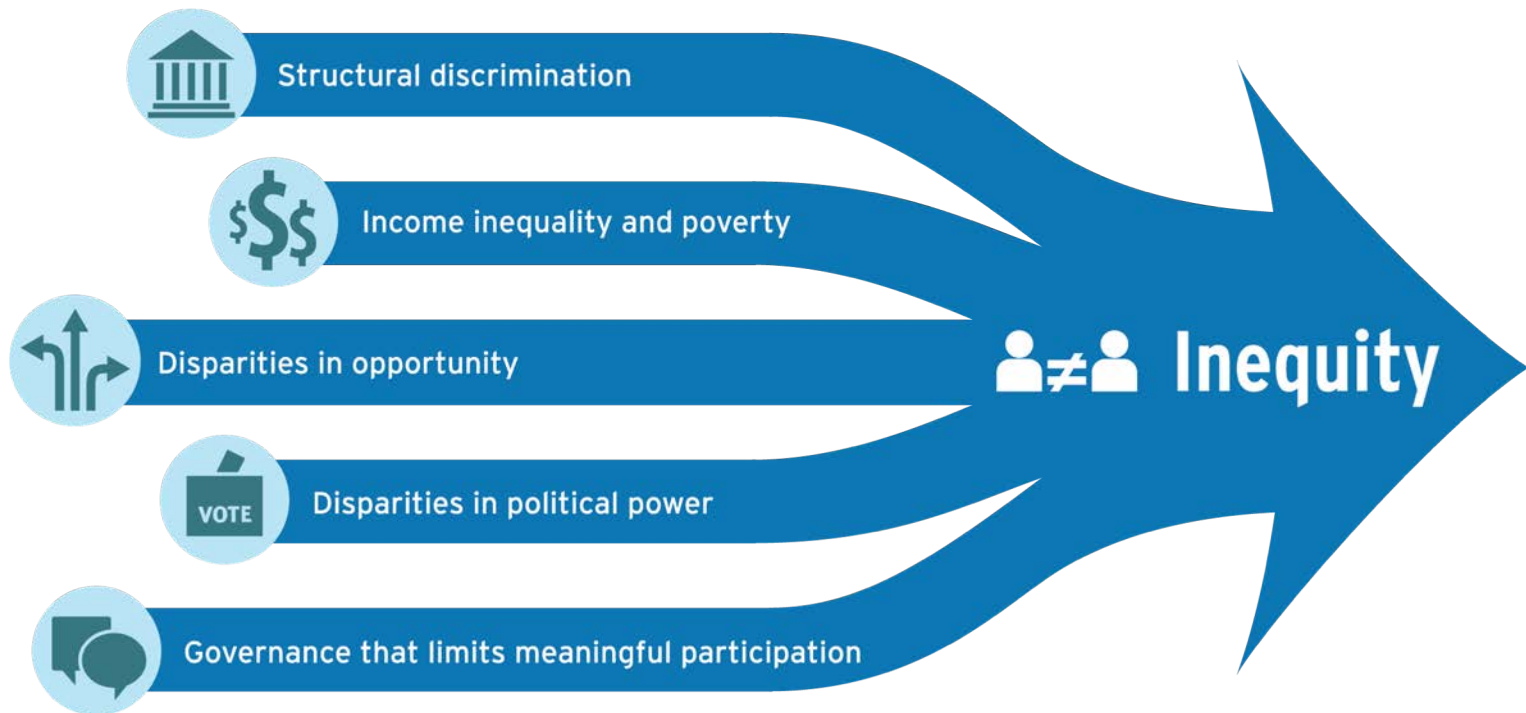
All references to tobacco and tobacco products here refer to commercial tobacco.





Equitable policymaking in tobacco control

A framework for policy interventions: five drivers of inequity



EQUALITY



EQUITY

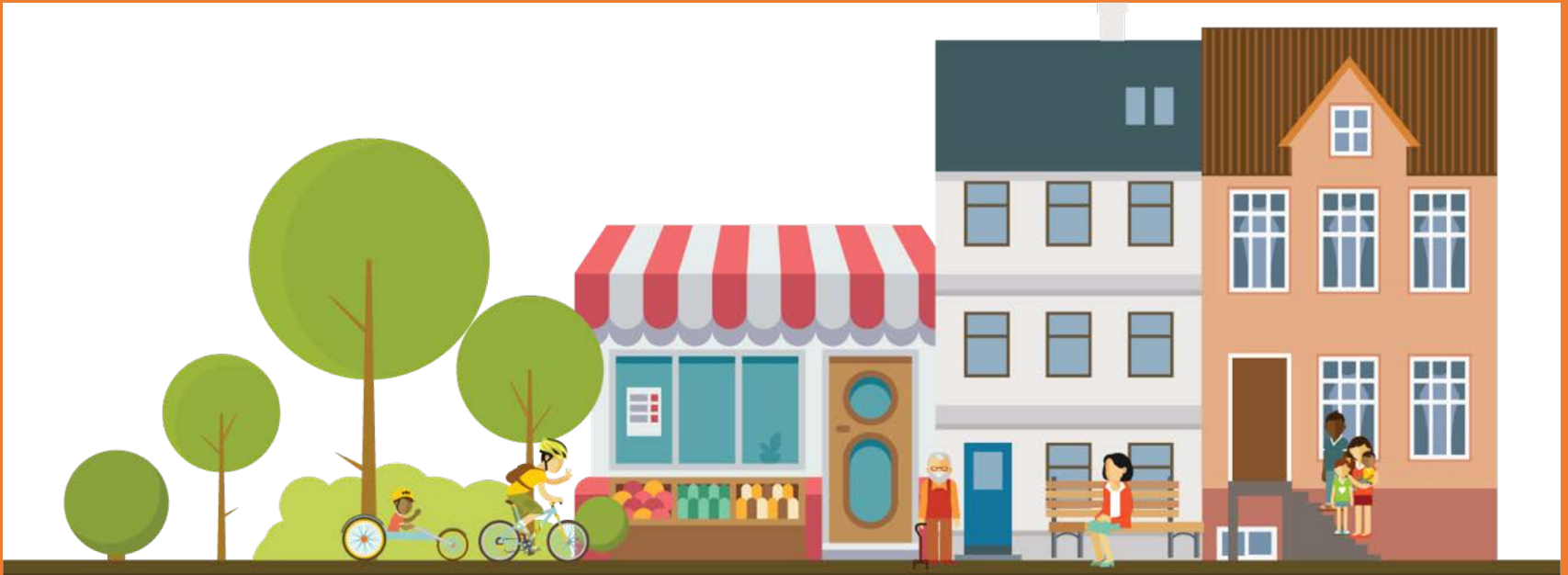


Health equity

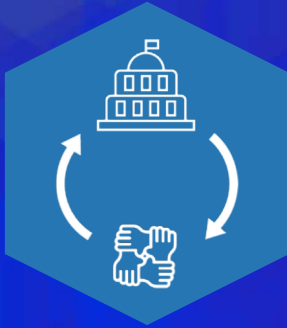
“...means everyone has a fair and just opportunity to be as healthy as possible. This requires removing obstacles to health such as poverty, discrimination, and their consequences...”



What Health Inequities Are
& Why They Exist



Why focus on tobacco-related health equity?



Local governments can and
should be effective partners
in addressing community
priorities





**Equity is about
more than
outcomes**



Community-directed policy



Empower communities,
focus on their strengths,
and support resilience



Invite varying perspectives



Consider trade-offs in how
you use data



Employ strategies to
equitably direct resources



Evaluation & Accountability



Applying an Equity First Approach to Tobacco Policymaking

- Who has been harmed?
- Who stands to benefit and how?
- How can future harm be prevented?



Moving Upstream in Tobacco Control



Equitable Enforcement



What is equitable enforcement?

the process of ensuring compliance with law and policy
that considers and minimizes harms
to underserved communities

Under Enforcement & Over Enforcement

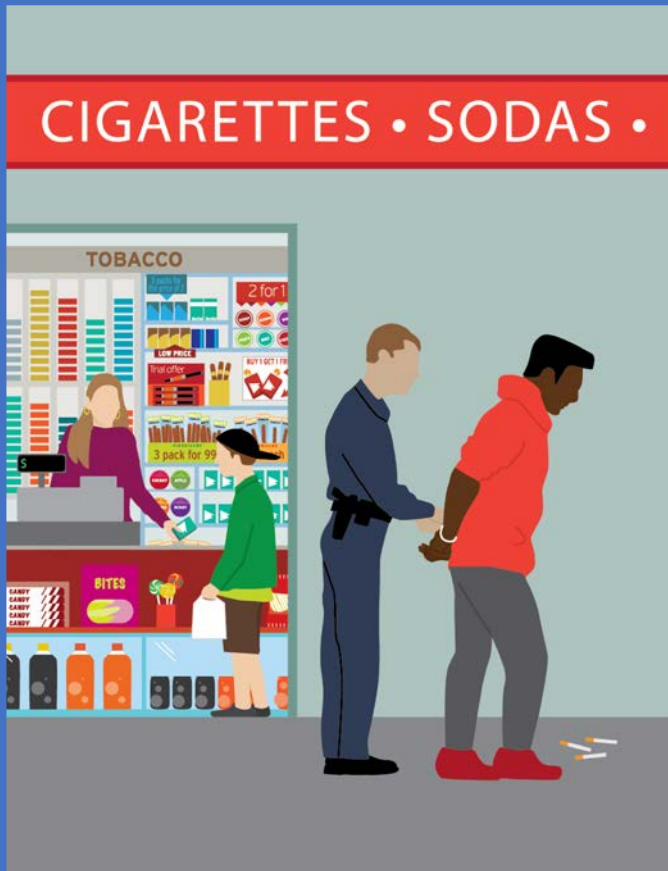


Under Enforcement: When laws designed to protect communities are not consistently enforced.

Over Enforcement: When laws designed to protect the health of the public are enforced more frequently, or more strictly, in certain places – or against certain people as compared to others.



Aspects of Enforcement



Who can enforce?



Are we targeting entities or individuals?



Role of victims and communities

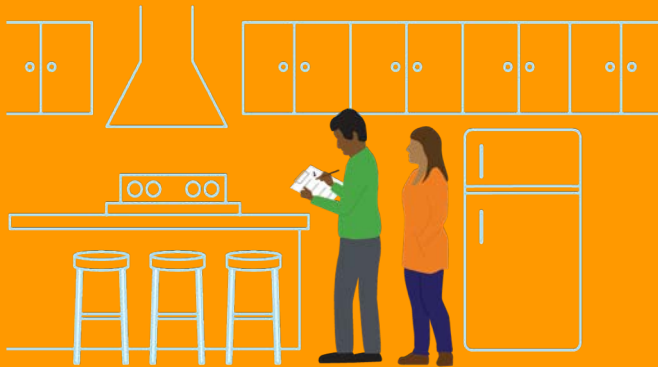


Investigative and adjudicatory processes



Range of sanctions

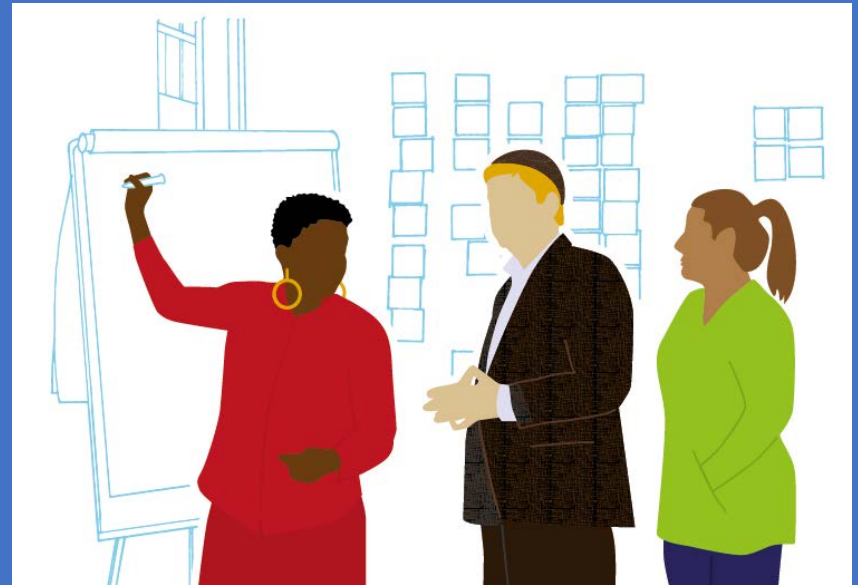
Policy Design with Equity in Mind

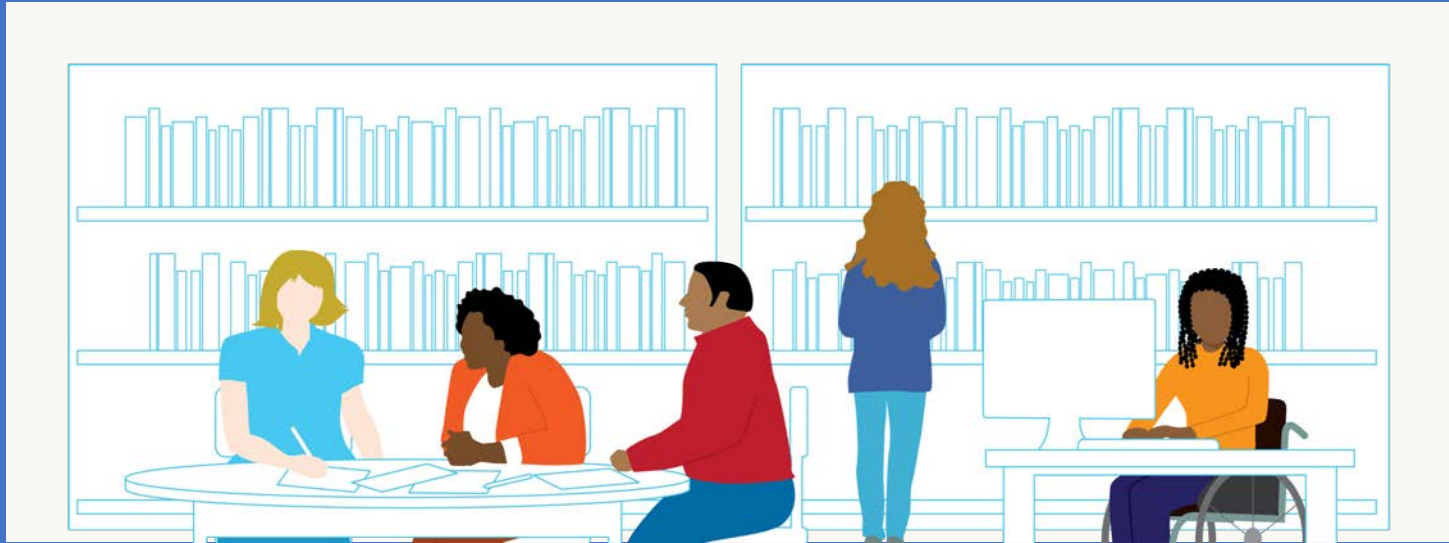


- **Graduated enforcement**
- **Ranges of sanctions**
- **Use of non-punitive enforcement measures**
- **Careful designation of enforcement bodies**
- **Guardrails for discretion**

Additional Equitable Enforcement Considerations

- Role of community in enforcement
- Data collection and ongoing evaluation
- Adequate funding for enforcement
- Ongoing training for enforcement officers
- Policy updates based on ongoing evaluation

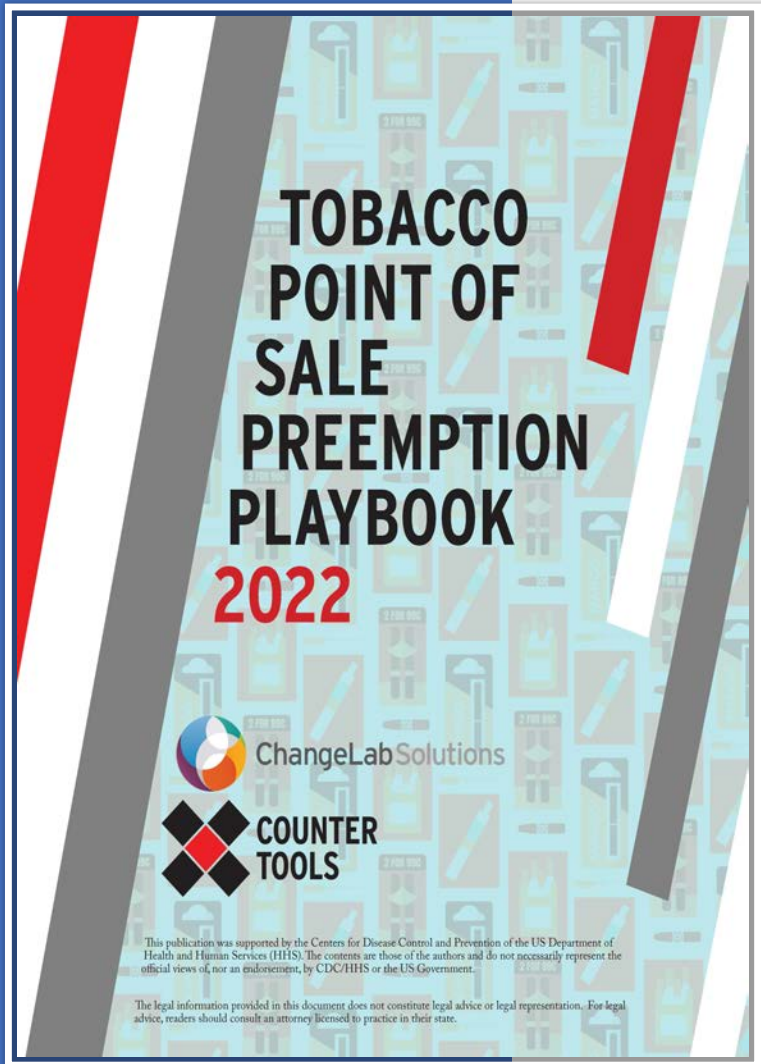




Additional Resources

Tobacco point of sale preemption playbook

- Provides an additional overview of Preemption and how it works
- Case Studies
- Key Steps and Legal Considerations
- Undoing Preemption



How to reduce tobacco retailer density and why

These policy solutions can be implemented in most communities through local regulation, such as tobacco retailer licensing or changes to zoning restrictions.

Local Tobacco Retailers

Cap the number of retailers in a geographic area

Example: There can be no more than 15 stores per district.

Cap the number of retailers relative to population size

Example: There can be no more than 1 store per 1,000 residents.

Require a minimum distance between retailers

Example: Stores cannot locate within 1,000 ft of an existing store.

Prohibit retailers from locating near schools and other youth-sensitive areas

Example: Stores cannot locate within 1,000 ft of a school or playground.

Prohibit sales of tobacco products at pharmacies or other types of retailers

Example: Pharmacies cannot be licensed to sell tobacco products.



HEALTH: When more tobacco retailers are located in a given area, residents' health suffers. Youth are more likely to start smoking. People who smoke consume more cigarettes per day and have a harder time quitting.



EQUITY: Tobacco retailers cluster in neighborhoods with a high percentage of low-income residents or residents of color. These communities are targeted by tobacco companies, and they disproportionately suffer the health harms caused by tobacco use.

Cómo reducir la densidad de comercios que venden tabaco y por qué

La mayoría de las comunidades pueden implementar estas soluciones cambiando los reglamentos locales como los requisitos para recibir una licencia para vender tabaco o las restricciones de zonificación.

Minoristas de tabaco locales

Limite el número de comercios minoristas de tabaco en su área

Example: Se permite un máximo de 15 comercios que venden tabaco en cada distrito.

Limite el número de comercios que venden tabaco según el tamaño de la población

Example: Se permite un máximo de 1 comercio por cada 1,000 habitantes.

Requerir una distancia mínima entre comercios que venden tabaco

Example: Los comercios no pueden ubicarse dentro de 1,000 pies de otro comercio minorista de tabaco existente.

Prohibir la ubicación de comercios que venden tabaco cerca de las escuelas y otras áreas donde los jóvenes se congregan

Example: Los comercios no se pueden ubicar dentro de 1,000 pies de una escuela o jardín de niños.

Prohibir la venta de productos de tabaco en las farmacias u otros tipos de comercio minorista

Example: Prohibir que los farmacias reciban una licencia para vender productos de tabaco.



SALUD: En las áreas con más comercios que venden tabaco, la salud de los habitantes sufre. Es más probable que los jóvenes comiencen a fumar. Los fumadores aumentan su consumo diario de cigarrillos y tienen más dificultades para dejar de fumar.



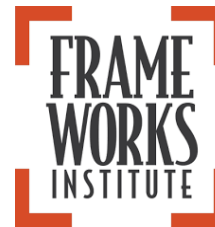
EQUIDAD: Los minoristas de tabaco se congregan en los vecindarios con un porcentaje más alto de personas de bajos ingresos o no blancos. Las tabacaleras se enfocan en vender a estas comunidades que sufren desproporcionadamente los daños a la salud causados por el uso de productos de tabaco.

How to reduce tobacco retailer density and why

(English & Spanish)

Framing and messaging strategies

[FrameWorks Institute Resources](#)



Model Policies, Playbooks, Fact Sheets, Infographics, and more!

View more [tobacco control resources](#) on the ChangeLab website.



Framing Tobacco Disparities

This collection of resources will help you communicate about tobacco use and prevention in an equitable way.

[LEARN MORE >>](#)

Tobacco Point of Sale Preemption Playbook

This playbook explains how state preemption of local laws affects commercial tobacco prevention and control efforts. Learn about strategies that communities are using to promote health despite preemption of retail tobacco policies.

[FIND OUT MORE >>](#)



Equity in Point-of-Sale Policies

This collection of resources will help communities assess inequities in the tobacco retail environment and identify policy solutions.

[LEARN MORE >>](#)

Equitable Enforcement to Achieve Health Equity

An Introductory Guide for Policymakers and Practitioners



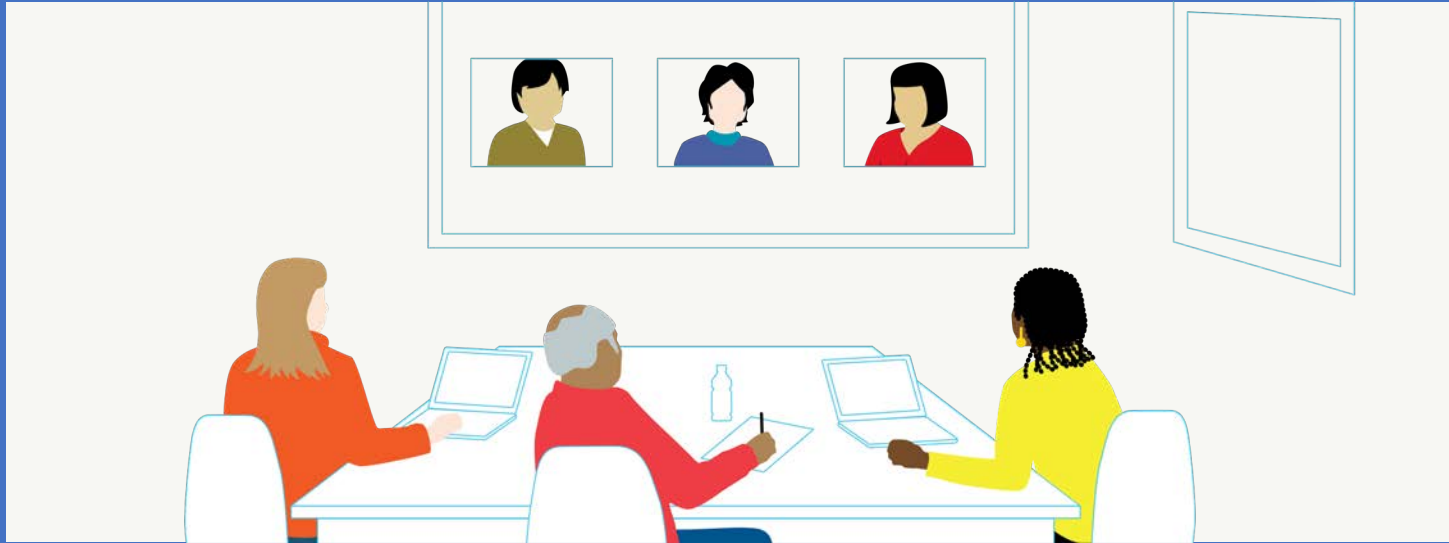
Equitable Enforcement Guide

- Consider and minimize harm to people affected by health inequities when ensuring compliance with law & policy
- Hold wrongdoers accountable while protecting the health & well-being of individuals and the wider community
- Equitable options for administrative, civil, and criminal enforcement in a variety of public health policy areas



ChangeLab Solutions provides:

- **Trainings & Webinars**
- **Model Policies**
- **Technical Assistance**
- **Guides, Fact Sheets & Infographics**



Questions?



ChangeLab Solutions

Thank you!

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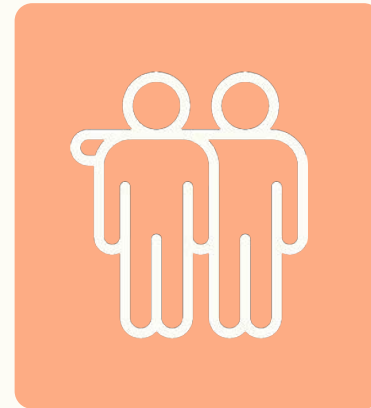


Fresno City Smoke Shop Ordinance:

Local Strategic Policy Planning

Presented by:


Leila Gholamrezaei-Eha, MPH
and
Jessica Ventura, MPH





Our Mission

The Fresno County Tobacco Prevention Program (TPP)'s mission is to reduce tobacco use and exposure to secondhand and thirdhand smoke. TPP offers information, education, and training to support changes in individual behavior as well as our environments. Our program is committed to serving the diverse health needs of the community and to improve overall quality of life in Fresno County.



Meet the Fresno County TPP Team



Leila Gholamrezaei-Eha, MPH
Project Director & Health
Educator



Jessica Ventura, MPH
Health Education
Specialist



Hope Megerdichian, MPH
Health Education
Specialist



The Smoke Shop Ordinance

- ✓ Only 7 smoke shops allowed per district.
 - *Businesses are selected through a lottery system; many will be shut down.*
- ✓ Must apply for a Conditional Use Permit (\$10,000-15,000) and Business Tax License.
- ✓ Cannot operate within 1,000 feet of youth sensitive locations and other smoke shops.
 - *No exemptions.*
- ✓ Fine for selling to minors at \$2,500 per offense.
- ✓ 18-month amortization period to transition into a different business model or close operations.

Motivation for Proposing the Ordinance

MARIJUANA

New state program aims to crackdown on illegal cannabis sales in Fresno



By Vince Ybarra

Wednesday, August 30, 2023

LOCAL

A year into a crackdown on illegal pot, what's happening at Fresno's smoke shops?

By Joshua Tehee

7:28 AM | 2

LOCAL NEWS

Several Fresno smoke shops cited after 'illicit findings'

By Miranda Adams

Posted: Apr 22, 2023 / 04:51 PM PDT

Updated: Apr 22, 2023 / 04:51 PM PDT



An employee displays some of the varieties of disposable electronic cigarette devices manufactured by E5 Design, formerly known as E5 Bar, at Wages N Smoke in Pleasant, Pa. ...

Read More

BUSINESS

How Many Smoke Shops Is Too Many? Fresno Plan Would Allow Only 49

By Edward Smith

Published 5 months ago on November 12, 2024

Local News

Pilot program in Fresno targets illegal cannabis sales

KVPR | By Soreath Hok

Published September 1, 2023 at 6:23 PM PDT

Facebook Twitter LinkedIn

LOCAL NEWS

85% of smoke shops investigated by Fresno officials found to sell illegal tobacco

By: Robert Rodriguez

Posted: Oct 21, 2024 / 11:12 PM

Updated: Oct 22, 2024 / 00:30 A



'Slippery slope' or needed regulation? Fresno eyes new rules for smoke shops

KVPR | By Soreath Hok

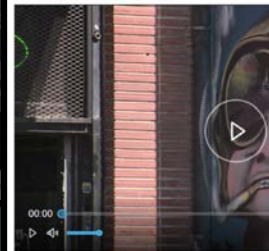
Published October 13, 2023 at 3:13 PM PDT

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City Hall tackles unregulated smoke shops in town

By Rich Rodriguez | Tue, October 17th 2023 at 4:56 PM

Updated Wed, October 18th 2023 at 7:15 AM



Neely smoked tobacco could crackdown on local smokeshops (Photo: F502 News Photographer: Ben Homenegor)

MAREK WARSZAWSKI

That's not tobacco. Fresno's crackdown on sketchy smoke shops passes smell test | Opinion

By Marek Warszawski

October 21, 2023 5:30 AM | Gift Article



VIEW ALL PHOTOS

Timeline



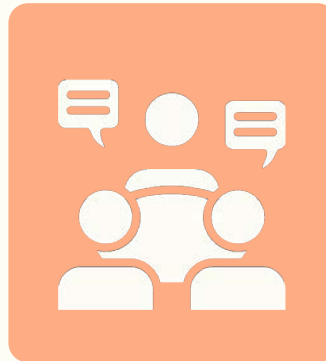
**Policy Draft
Developed**



**Public Health Law
Center Analysis**



**Meetings with
Decision-makers**



Next Steps

Why the Coalition Did **Not** Endorse this Ordinance

Tobacco was a secondary priority of this ordinance.

**“It’s less about the regulation
of tobacco ... we’ve left that
largely to the state.”**

- Fresno City Councilmember

Source: City Council Meeting on 3/13/2025

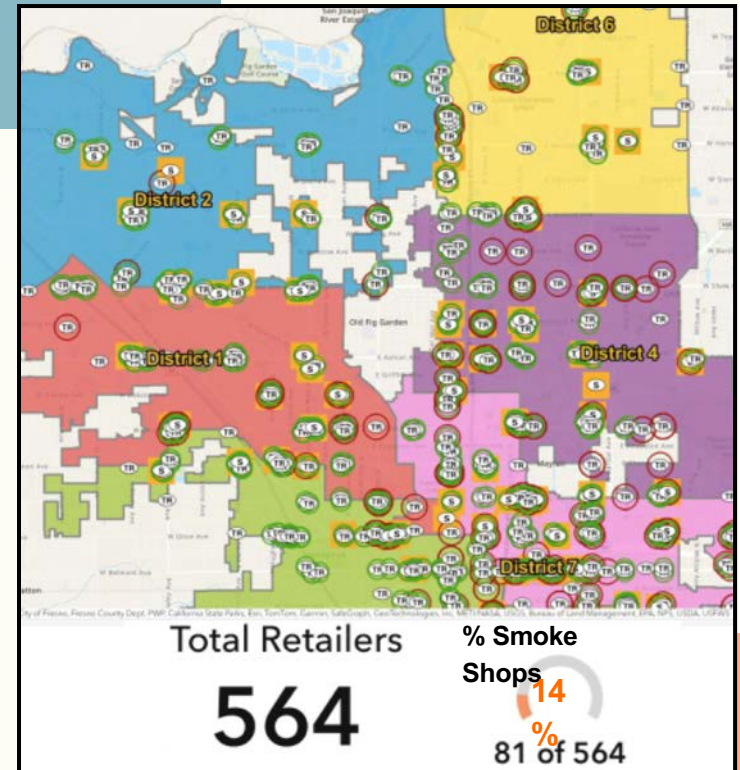
**“Fresno City Councilmember, who
co-authored the proposal, said
given that tobacco use has
decreased significantly in the past
few years, city leaders have known
it’s not tobacco sales keeping the
estimated 400 shops in the city**

open.”
Source: GV Wire (Central California Digital News
Source)

Why the Coalition Did **Not** Endorse this Ordinance

The ordinance solely focused on smoke shops.

It regulated around **80** tobacco retailers in the City of Fresno, out of **over 500 total**.



Source: Fresno County Department of Public Health, City of Fresno Tobacco Retailers GIS Map Series, December 2024.

“Yes, and...!” Approach

- Consistent messaging.
- TRL planning meetings.
- Consensus building.
- Involving voluntary health organizations.
- Letters to the Editor.
- Letters to **all** councilmembers.
- Providing Public comment.
 - Planning Commission meeting.
 - City Council meetings.

VALLEY VOICES

Fresno leaders must hold tobacco retailers accountable to protect vulnerable youth | Opinion

By Richard Navarro Special to The Fresno Bee
March 12, 2025 6:00 AM | 



KEEP TOBACCO AWAY FROM YOUNG PEOPLE

We are the Advocates for Tobacco Abstinence Coalition, a group of young adults in Fresno, working with the Fresno County Tobacco Prevention Program. Our goal is to reduce tobacco use in our community by raising awareness of the tobacco industry's

SMOKING THE MAIN PROBLEM

Hello, we are the Advocates for Tobacco Abstinence Coalition (ATAC). We focus on reducing tobacco use by raising awareness of the tobacco industry's community impact.



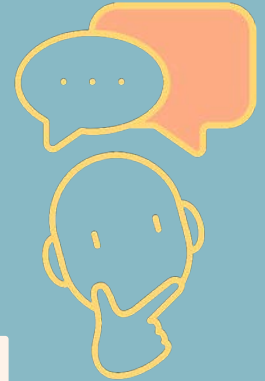
Reinforced Evidence-Based Practices

Continued educating decision-makers on tobacco retail licensing best practices:



- Monitoring retailer compliance with existing laws.
- Providing outreach and education to retailers.
- Reducing inequities in how tobacco products are marketed and sold in different communities.
- Incorporating a fee that fully funds the administration and enforcement of the policy.
- Defining an enforcement model that includes compliance checks, inspections, and tiered penalties for retailers.

Reflections



Differing Policy Priorities

Maintaining Relationships with Council Members

Delay in TRL Campaign Efforts

Conflicting Emotions

What Worked

- ★ Consistent messaging from the Coalition to all council members
 - Letters to the Editor
 - Letters to council members
 - Public Comment
- ★
 - Including community voices
 - Personal stories from Fresno residents
- ★
 - Collaboration with stakeholder groups
 - Voluntary health agencies (e.g., Tobacco Free Kids, American Cancer Society, American Heart Association, and American Lung Association)



Outcomes

Small wins!



The final version of the smoke shop ordinance included the Coalition and partners' recommendations to:

- Expand definitions,
 - Incorporate store proximity limits,
 - Ban the sale of flavored tobacco products...
- and 3 council members said they support tobacco retail licensing as an alternative or a complement to this ordinance!

[Tobacco Product shall have the same meaning as provided in 22950.5(d) of the Business and Professions Code, including any amendments or successor statutes thereto.]

[Tobacco Retailer means any establishment whose business includes the incidental sale of Smoke and Vapor Products, such as supermarkets and convenience stores.]



***RESOLUTION - Directing the City Manager to take all Steps Necessary to Conduct a Fee Analysis Detailing the Costs Associated with Administering and Enforcing a Proposed Tobacco Retail License Program and to Recommend Associated Fees for Adoption by the City Council (Subject to Mayor's Veto)

What is Happening Now?

- Implementation of the smoke shop ordinance is in progress.
- A sponsoring councilmember of the smoke shop ordinance is proposing a TRL soon.
- Two other councilmembers are reportedly researching TRL.
- As of August 2025, the Fresno City Manager is conducting a TRL fee analysis.
- The Coalition will continue to offer education on TRL and other evidence-based best practices for tobacco prevention.

Thank you!






How to Reach Us



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THANK YOU & STAY IN TOUCH

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INSTAGRAM: @NCPCCAL

LINKEDIN: Nicotine & Cannabis Policy Center

YOUTUBE: @NCPCCentralCal

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