



LEWIS AND CLARK CITY-COUNTY BOARD OF HEALTH

1930 Ninth Avenue
Helena, Montana 59601
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A Resolution of the Lewis and Clark City-County Board of Health

In support of the prohibition of self-service displays of tobacco products and the sale of flavored tobacco products in stores except in adult only tobacco retailers

WHEREAS, state law prohibits the sale or distribution of tobacco products and electronic smoking devices to minors (MCA § 16-11-305); and

WHEREAS, 18.9% of adults in Montana smoke;¹ and

WHEREAS, 10.6% of youth reported trying their first cigarettes before age 13, and 32.7% of Montana high school youth reported currently using any tobacco products, including e-cigarettes in 2017;² and

WHEREAS, although smokers are most likely to use electronic smoking devices such as e-cigarettes, almost a third of current users are nonsmokers, suggesting that e-cigarettes contribute to primary nicotine addiction and to renormalization of tobacco use;³ and

WHEREAS, federal law prohibits the sale or distribution of flavored cigarettes, excluding menthol; however, no federal regulation on flavors exist for other tobacco products such as smokeless tobacco, cigars, and e-cigarettes; and

WHEREAS, the FDA has stated that “all tobacco products, including flavored tobacco products, are as addictive and carry the same health risks as regular tobacco products;”⁴ and

WHEREAS, youth reported product flavoring as a top reason for using tobacco within the past 30 days;⁵ and

WHEREAS, menthol in cigarettes results in more youth initiation to smoking⁶ and is the source of addiction for more than half of all teen smokers;⁷ and

WHEREAS, by adding menthol to cigarettes, tobacco companies mask the natural harshness and taste of tobacco. The minty flavor makes tobacco products milder, and therefore easier to use, harder to quit, and more appealing to youth and new users.⁸ Like menthol, flavorings help mask the naturally harsh taste of tobacco, making it easier for young people to start and continue using tobacco products;⁹ and

WHEREAS, e-cigarette use predicts the onset of combustible tobacco product use;¹⁰ and

WHEREAS, e-cigarettes are now the most commonly used tobacco product among Montana’s youth. 46.6% of Montana high school students have used an electronic smoking device in their lifetime;¹¹ and

WHEREAS, \$440 million is spent on healthcare each year in Montana due to smoking;¹² and

WHEREAS, 59,000 Montana kids alive now will become smokers, and 19,000 Montana kids alive now will die prematurely from smoking;¹³ and

WHEREAS, tobacco companies use predatory marketing tactics to target youth, particularly susceptible consumers, by placing a large number of tobacco products at retail stores popular with the young, often within reach and near gum and candy;¹⁴ and

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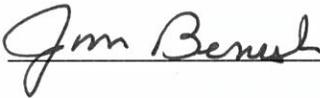
WHEREAS, more than half of teenagers visit a convenience store at least once a week, and cigarette marketing is more prevalent in stores where youth shop frequently;¹⁵ and

WHEREAS, research conducted over the past few decades show that the tobacco industry's marketing activities, including flavors and placement within children's reach in convenience stores, have been a key factor in leading young people to take up tobacco, keeping some users from quitting, and achieving greater consumption among users;¹⁶ and

WHEREAS, 67% of Montanans agree with a law that would prohibit the sale of flavored tobacco products in all stores where youth under the age of 18 are allowed;¹⁷ and

NOW THEREFORE, BE IT RESOLVED, the Lewis and Clark City-County Board of Health recommends the City of Helena enact policy to protect public health and welfare by reducing access to flavored tobacco products and self-service access to tobacco products, making it easier to quit and more difficult to start.

Adopted by the Lewis and Clark City-County Board of Health on this day, Thursday, September 27, 2018.

BY: 

Jim Benish, Chair

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2 Montana Youth Risk Behavior Survey, 2017

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5 Ambrose, B. K., Day, H. R., Rostron, B., Conway, K. P., Borek, N., Hyland, A., & Villanti, A. C. (2015). Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. *Jama*, 314(17), 1871. doi:10.1001/jama.2015.13802

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www.surgeongeneral.gov/library/reports/preventing-youth-tobacco-use/.

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Leventhal, A.M., et al. (2015). Association of electronic cigarette use with initiation of combustible tobacco product smoking in early adolescence. *JAMA*. 314(7): 700-707. doi:10.1001/jama.2015.8950; Soneji, S., Barrington-Trimis, J.L., Wills, T.A., Leventhal, A., Unger, J.B., et al. (2017). E-Cigarette Use and Subsequent Cigarette Smoking Among Adolescents and Young Adults: A Systematic Review and Meta-Analysis. *JAMA Pediatrics*; Watkins, S.L., Glantz, S.A., & Chaffee, B.W. (2018). Association of noncigarette tobacco use with future cigarette smoking among youth in population assessment of tobacco and health (PATH) study, 2013-2015. *JAMA Pediatrics*. doi:10.1001/jamapediatrics.2017.4173; Miech, R., Patrick, M., O'Malley, P., Johnston, L. (2017). E-cigarette use as a predictor of cigarette smoking: results from a 1-year follow up of a national sample of 12th grade students; King, A.C., Smith, L.J., McNamara, P.J. & Cao, D. (2017). Second Generation Electronic Nicotine Delivery System Vape Pen Exposure Generalizes as a Smoking Cue. *Nicotine Tob Res*; 327; Cobb, C.O., Hendricks, P.S., Eissenberg, T. (2015) Electronic cigarettes and nicotine dependence: evolving products, evolving problems. *BMC Med*. 13:119. <https://doi.org/10.1186/s12916-015-0355-y>.

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