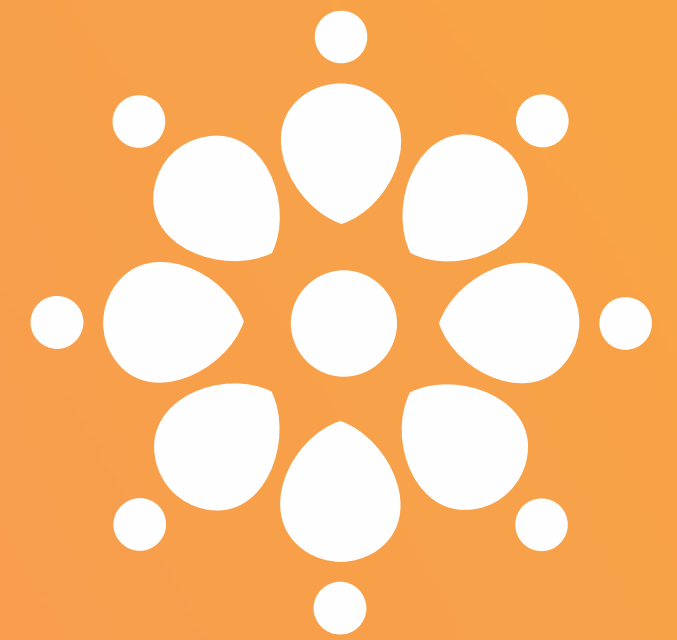


CONTRA COSTA HEALTH



Tobacco Prevention Program Annual Report

Family & Human Services Committee

09/08/2025

2024 Surgeon General's Report: Eliminating Tobacco-Related Disease and Death: Addressing Disparities

Tobacco Use has Decreased but Disparities Persist

Smoking is the leading preventable cause of disease, disability, and death in the U.S.

Cigarette smoking and secondhand smoke exposure kill more than

490,000

people each year.

Smoking is an economic burden costing the U.S. over **\$600 billion** each year in healthcare and lost productivity.

The U.S. has made progress in reducing tobacco use.

Cigarette smoking has **declined by more than 70%** since 1965.



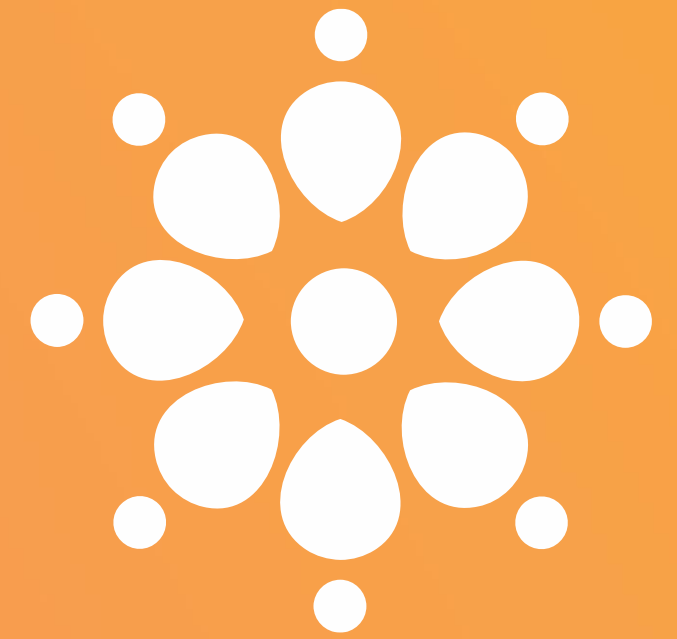
Despite notable progress, disparities² in smoking and exposure to secondhand smoke persist in certain population groups. Since 2000:

- Disparities in smoking by **education level** have increased.
- Disparities in smoking by **racial** and **ethnic group** and **poverty status** do not appear to have changed.
- Disparities in **secondhand smoke** exposure by **race**, **poverty status**, and **education level** have increased.

¹Tobacco referenced in this fact sheet refers to *commercial tobacco products* and not to the sacred and traditional tobacco used by some American Indian communities for ceremonial or medicinal purposes. Commercial tobacco is tobacco sold for recreational use and includes cigarettes, e-cigarettes, smokeless tobacco, pipe tobacco, cigars, hookahs, and other products.

²Tobacco-related health disparities are differences in commercial tobacco product use and exposure to secondhand smoke; related health outcomes; capacity, infrastructure, and access to resources; and opportunities for a healthy life free from tobacco-related disease, disability, and premature death.

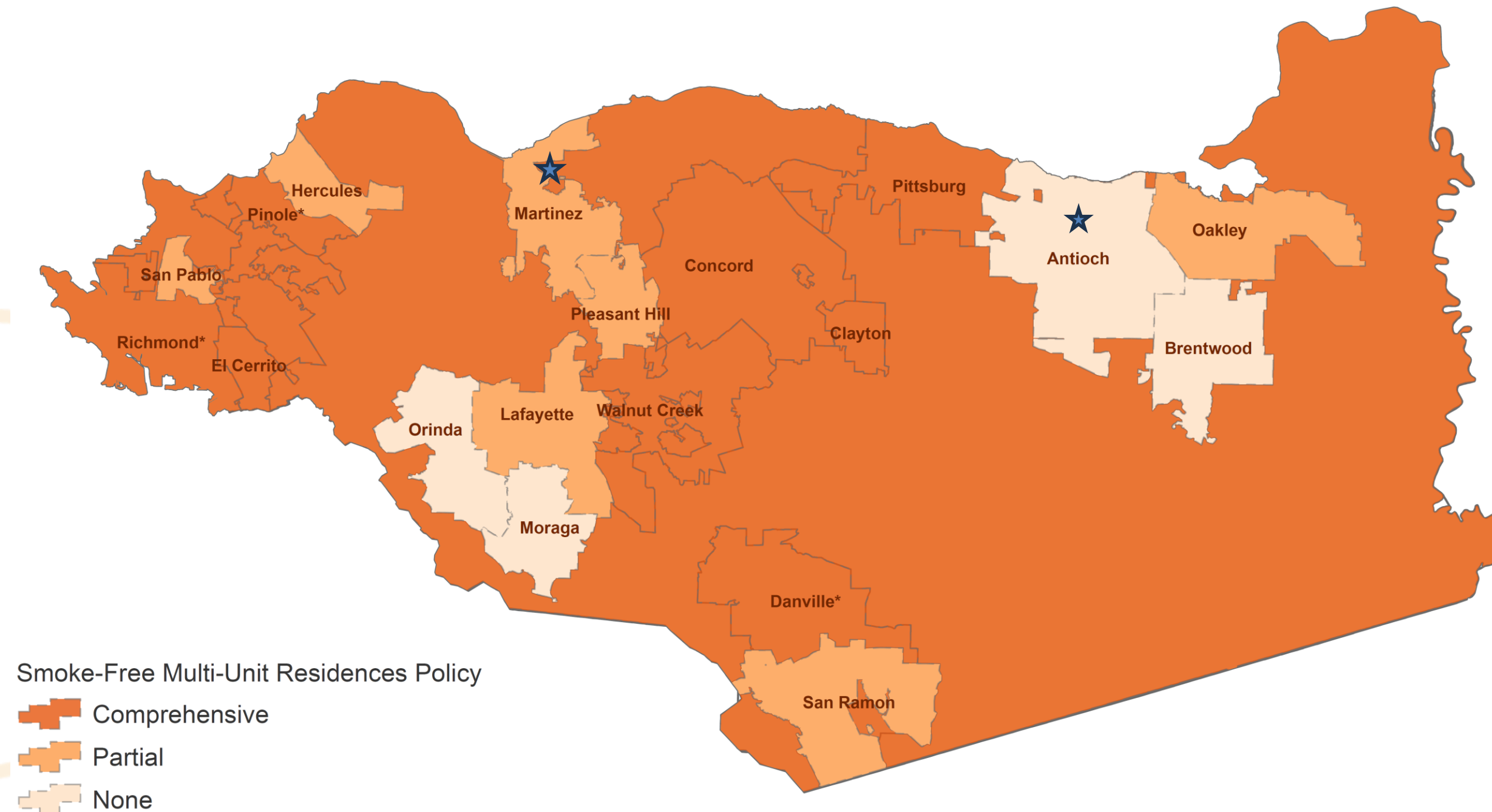
CONTRA COSTA HEALTH



Secondhand Smoke Protections Policy

Contra Costa Smokefree Multi-Unit Residences (SFMUR) Ordinance 2018-07

Smoke-Free Multi-Unit Residences (SFMUR)
Policy by Jurisdiction, Contra Costa County



A **comprehensive** SFMUR policy prohibits smoking in all 2+ MUR units, patios/ balconies and common areas, including condominiums and townhouses, and for all types of smoke. May include a designated smoking area.

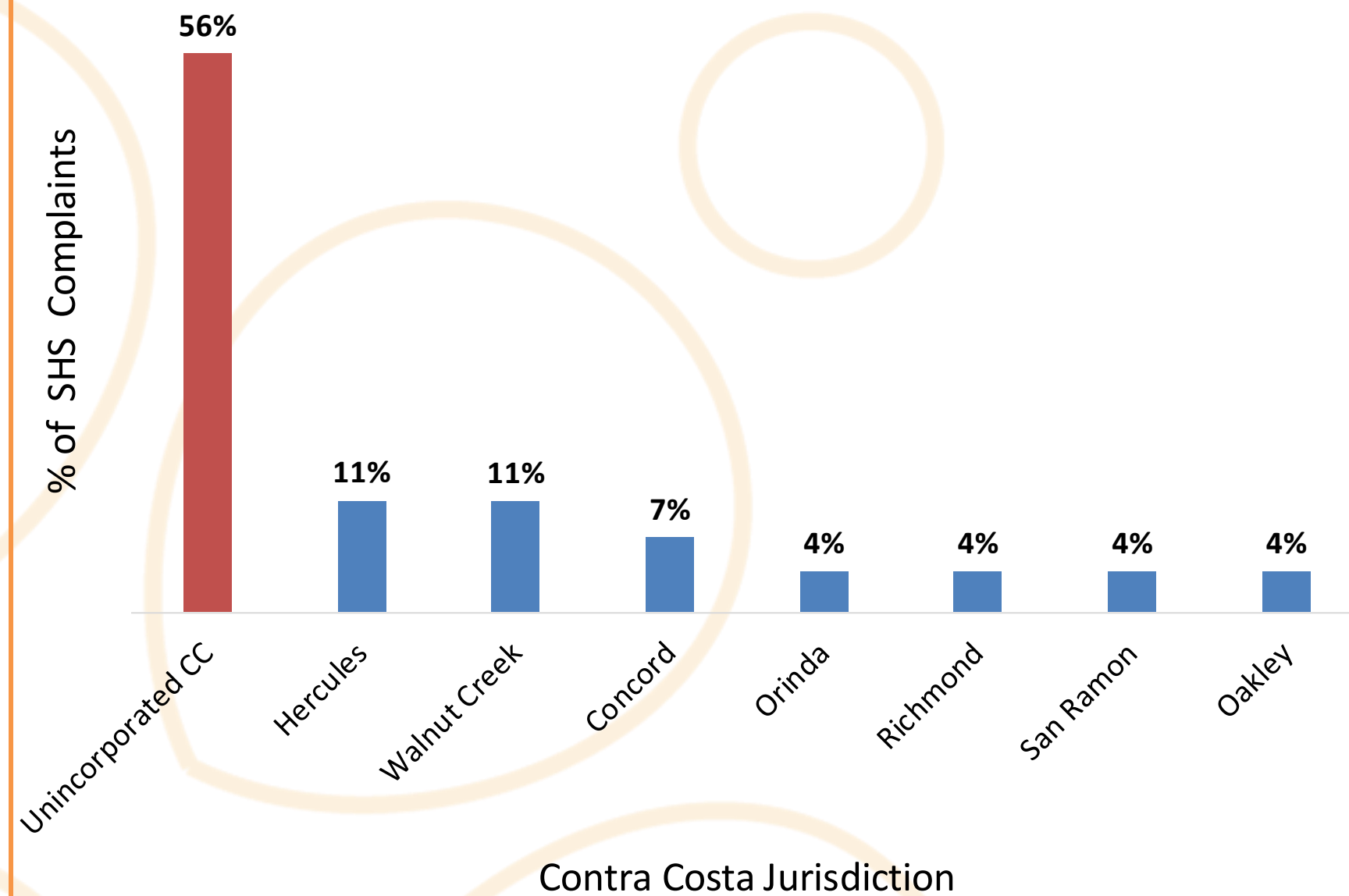
* Three cities have comprehensive policies with minor exceptions:
Danville: Definition of multi-unit residence is three units or more.
Pinole: Does not address cannabis smoke in policy.
Richmond: Medical marijuana is exempt if smoke is not reasonably detectable.

Source: Contra Costa Health, Tobacco Prevention Program

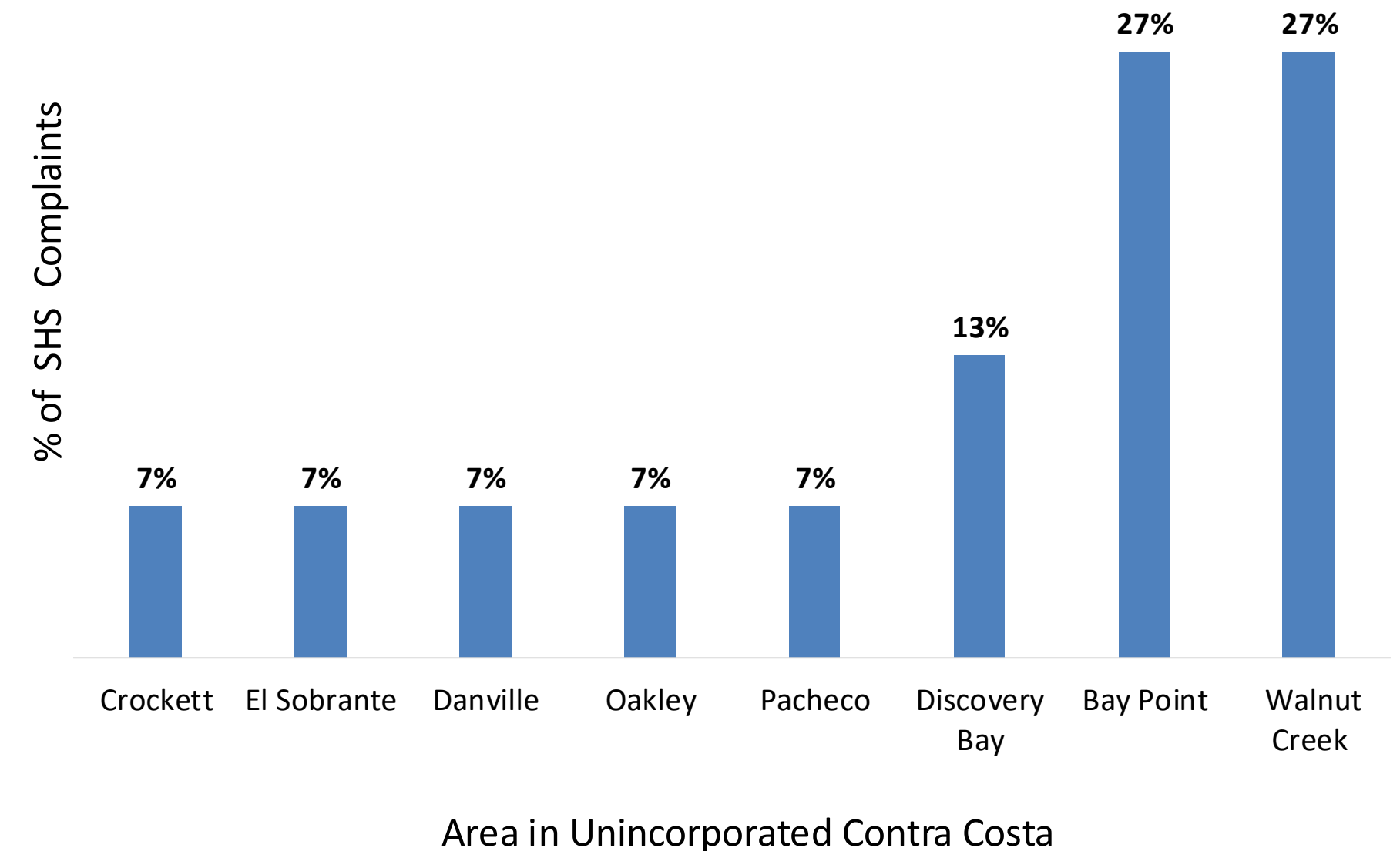
Municipality	Last Policy Update	% of Units Smokefree	Minimum Number of Units	Policy Includes Condos	Policy Includes Cannabis
★ Antioch	NO POLICY				
Brentwood	NO POLICY				
Clayton	5/1/2019	100%	2	Yes	Yes
Concord	1/1/2021	100%	2	Yes	Yes
Danville	5/1/2016	100%	3	Yes	Yes
El Cerrito	1/1/2015	100%	2	Yes	Yes
Hercules	7/1/2020	100%	10	Yes	Yes
Lafayette	2/10/2014	100% new/ 0% existing leases	3	Yes	No
★ Martinez	6/1/2010	0%	4	Yes	Yes
Moraga	NO POLICY				
Oakley	7/8/2014	100% new / 0% existing	2	Yes	Yes
Orinda	NO POLICY				
Pinole	10/18/2019	100%	2	Yes	No
Pittsburg	1/1/2026	100%	2	Yes	No
Pleasant Hill	5/5/2010	100% new/ 50% existing	4	No	Yes
Richmond	1/1/2011	100%	2	Yes	Yes, with Medical Cannabis Exempt
San Pablo	7/1/2021	100%	2	No	Yes
San Ramon	12/26/2019	0%	2	Yes	Yes
Walnut Creek	1/30/2014	100%	2	Yes	Yes
Unincorporated Contra Costa	7/1/2019	100%	2	Yes	Yes

Multi-Unit Housing (MUH) County-Wide Secondhand Smoke Complaints

Over Half of All SHS Complaints Received June 2024-
July 2025 Were from MUH Residents in
Unincorporated Contra Costa (N=27)



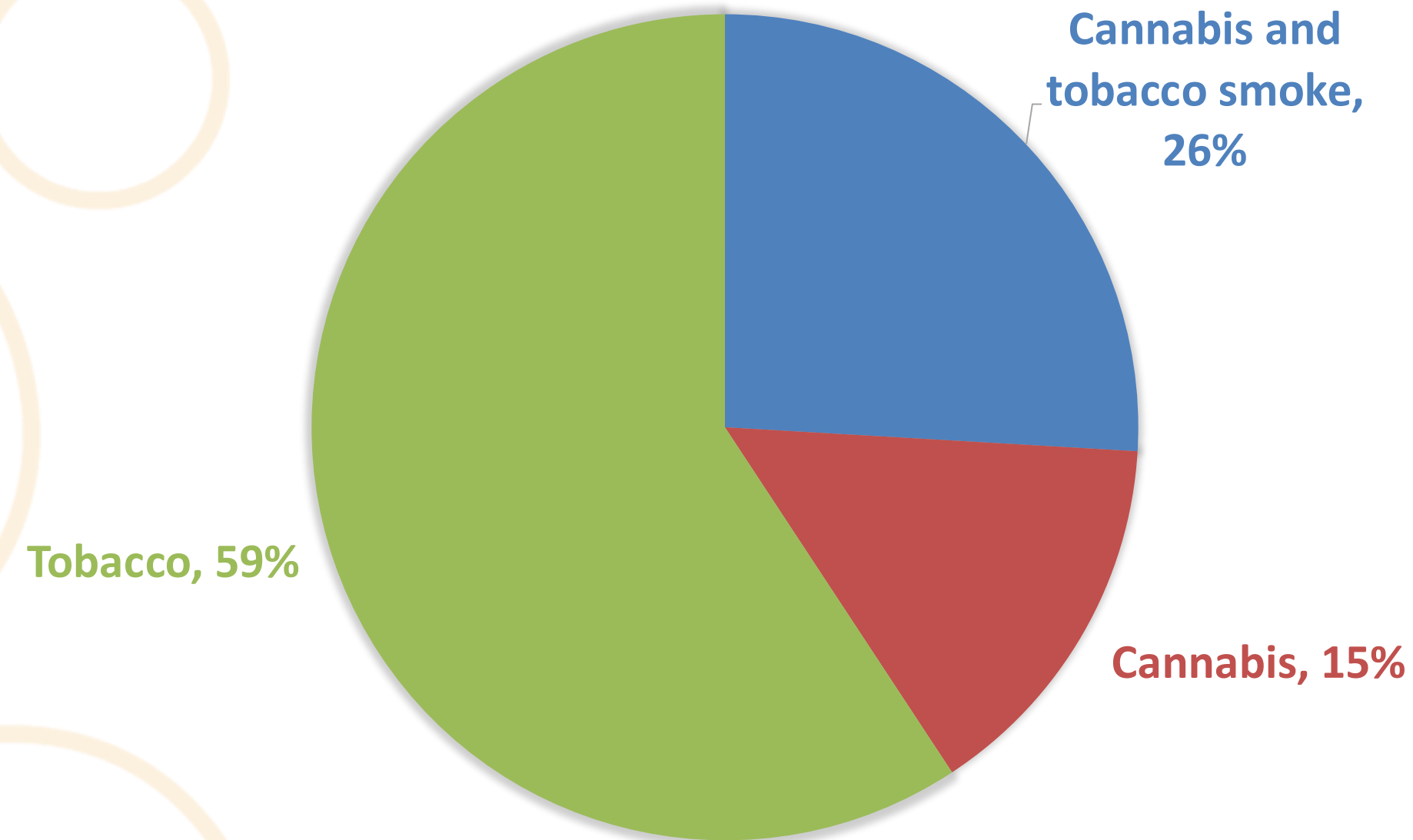
Percentages of SHS Complaints from MUH Residents in
Unincorporated Contra Costaby Area Designation,
June 2024-July 2025 (N=15)



Time Period: June 1, 2024 - July 31, 2025

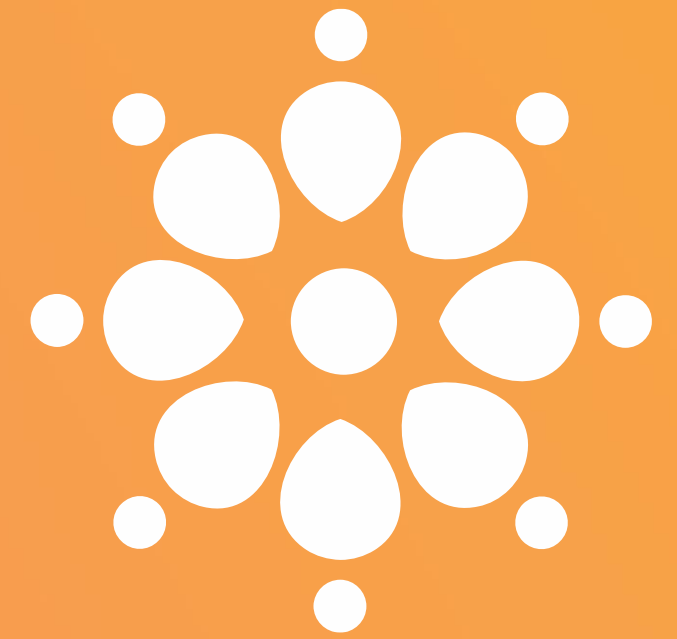
Multi-Unit Housing (MUH) County-Wide Secondhand Smoke Complaints *(cont.)*

27 MUH Residents Reported SHS Complaints about Tobacco Smoke,
Cannabis Smoke, or Both Types of Smoke,
June 2024 - July 2025 (N=27)



Time Period: June 1, 2024 - July 31, 2025

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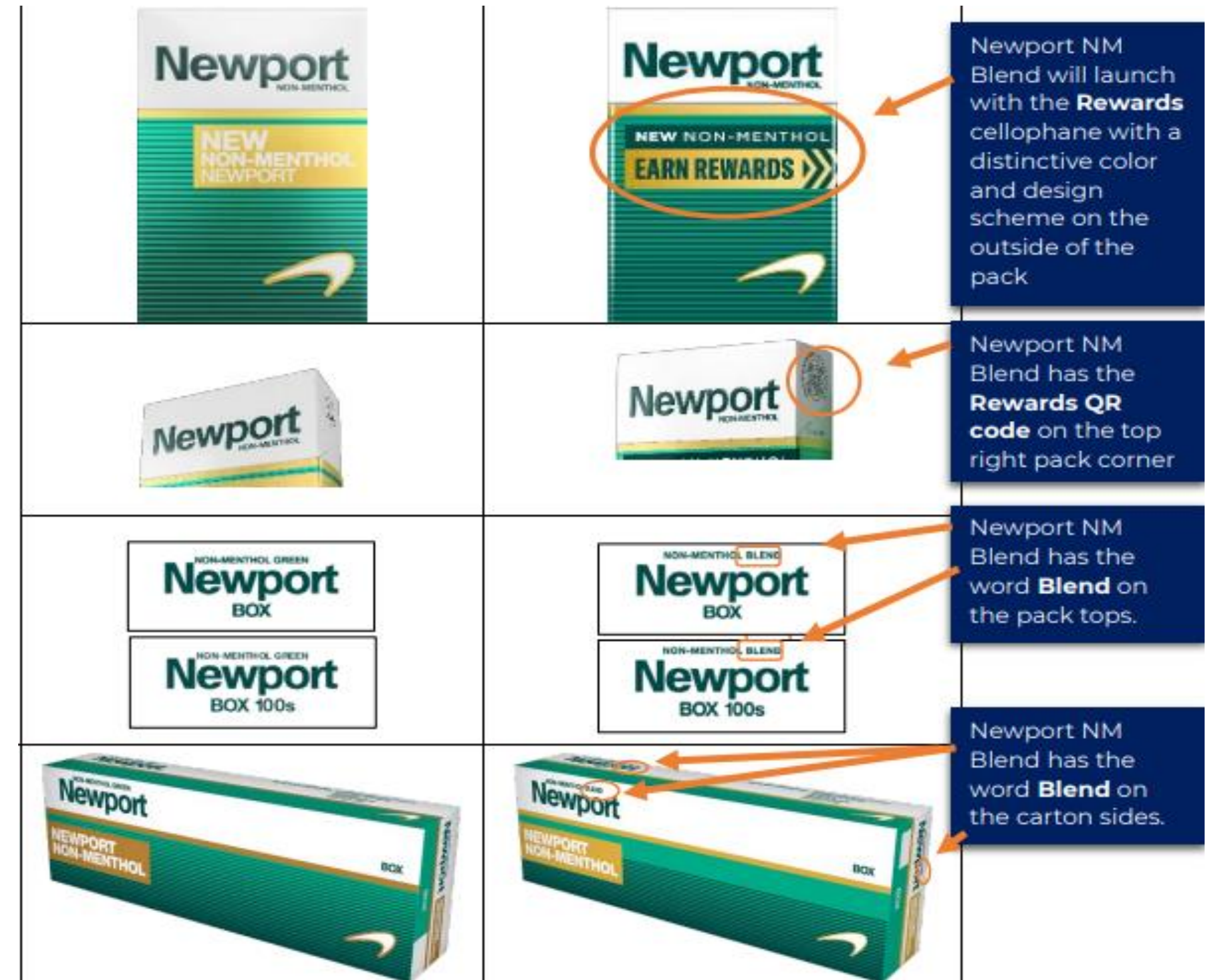


Tobacco Retail License (TRL) Policy

- Increases the penalties for selling tobacco products to people under 21 years of age
- Authorizes the seizure of prohibited flavored products
- Updates the definition of “characterizing flavor” to include sensation products
- Expands the definition of “nicotine”
- Preserves local authority



1. Creates an “Unflavored Tobacco List” (“UTL”) that is administered by the State Attorney General
2. Permits the Attorney General to prohibit unauthorized electronic cigarettes from appearing on the list
3. Expands and clarifies restrictions on delivery sales
4. Penalizes manufacturers, distributors, wholesalers, and delivery sellers who violate the UTL provisions





Oral nicotine pouches



Vaping devices with digital screens

Ordinance 2019-34

No sale of flavored tobacco (including menthol)

No sale of e-cigarette/vaping devices* (NJOY, VUSE, LOGIC allowed)

Little cigars must be sold in packs of at least 10

Prohibits coupons

Cap on tobacco retailers (90)

No new tobacco retailer within 1,000ft of youth sensitive area

No new significant tobacco retailers including smoke shops and hookah lounges

Contra Costa County Tobacco Retail Policies by Jurisdiction	Unincorporated	Richmond	Lafayette	San Pablo	Concord	El Cerrito	Pittsburg (Jan. 2026)	Pinole	Antioch	Danville	Oakley	Pleasant Hill	Moraga	Orinda	Walnut Creek	Hercules	San Ramon	Clayton	Brentwood	Martinez
License Required for All Tobacco Retailing	1	1	1	1	1	1	1	1		1	1						1	1		
Comprehensive Compliance Monitoring Conduct at least three (3) inspections during a 12 month period with at least one (1) inspection being an underage decoy operation							0.5													
100% Flavored Tobacco Restrictions No exemptions	1	1	1	1	0.5	1	0.5	1	1			0.5	1	1	0.5					
100% Vape Product Restrictions Includes FDA authorized vapes	0.5	0.5			1		0.5		1	0.5		1	1	1	1					
Restricted Retailer Location Near Youth Friendly Areas 1,000ft buffer between tobacco retailers and youth friendly areas	1	1		0.5		0.5	0.5		1	1	1					0.5				
Restricted Proximity to Other Tobacco Retailers 1,000ft buffer between tobacco retailers	0.5	0.5		0.5		1	0.5			0.5	0.5					0.5				
Minimum Price for Tobacco Products At least \$10 per little cigar and/or cigarillo package				1	1			1												
Minimum Pack Size for Tobacco Products Package requirement of at least 20 little cigars & cigarillos	0.5	1		1	0.5	0.5	0.5	0.5				1								
No Tobacco Coupons/Discounts Honored No coupon redemption, no multi-pack discounts, no free or discounted items	0.5	0.5	1		1	0.5	0.5													
Tobacco-Free Pharmacies No license authorizing tobacco retailing in a pharmacy is allowed	1	1	1																	
Population Based Density Cap Set a cap on tobacco retailers to reflect 1 tobacco retailer per 2,500 residents	0.5		1						0.5		0.5									
Explicit Non-Criminalization of PUP No penalizing the purchase, use or possession of a tobacco product by any person not engaged in tobacco retailing, or the clerk			1																	
Total Points by Jurisdiction	6.5	6.5	6	5	5	4.5	4.5	3.5	3.5	3	3	2.5	2	2	1.5	1	1	1	0	0

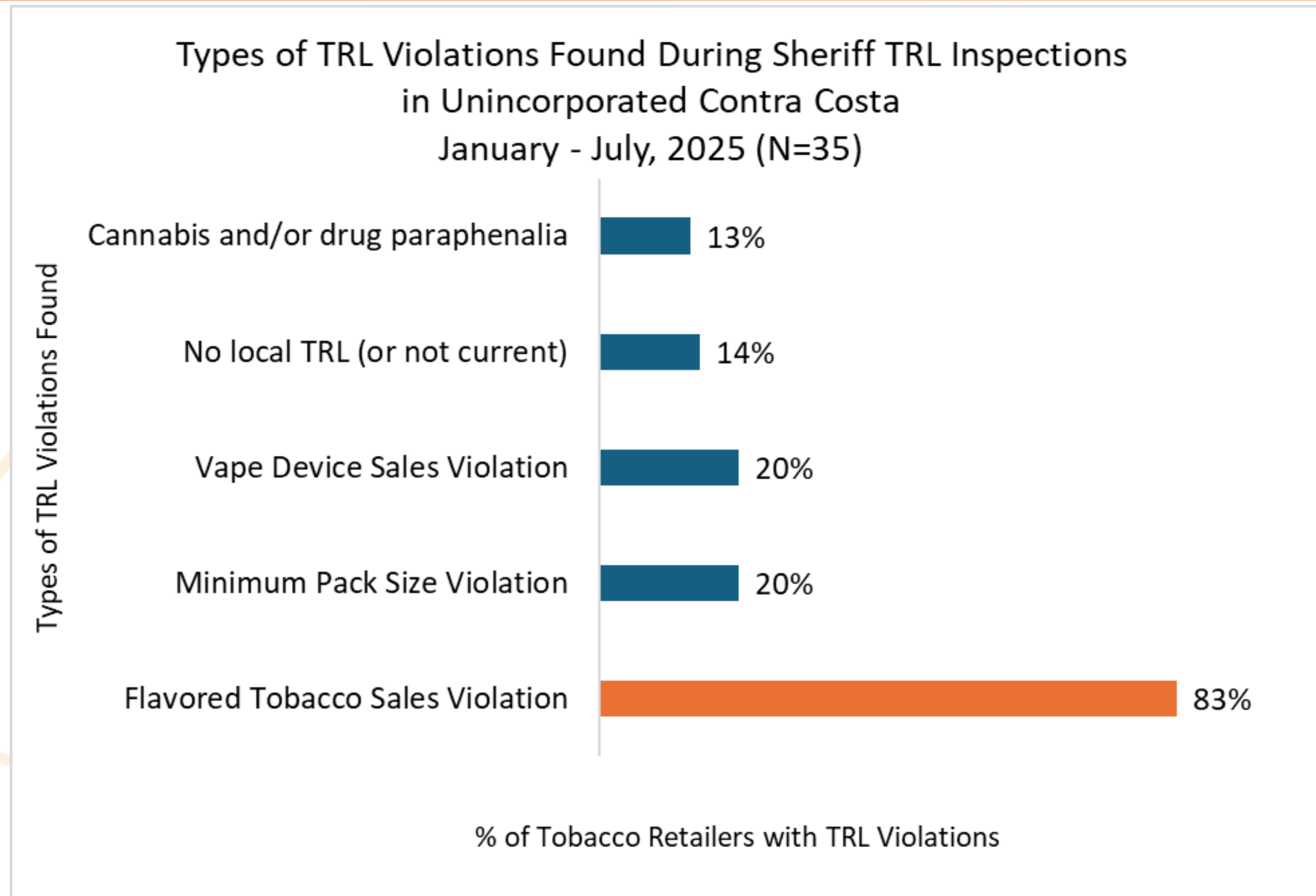
Sources: California Tobacco Control Program LLA SOW; Public Health Law Center Tobacco Retailer License Model Policy December 2020; <https://www.publichealthlawcenter.org/sites/default/files/resources/Comp-Tobacco-Retailer-License.pdf>

Overview of Sheriff TRL Inspections in Unincorporated Contra Costa, January - July, 2025.



January – July 2025

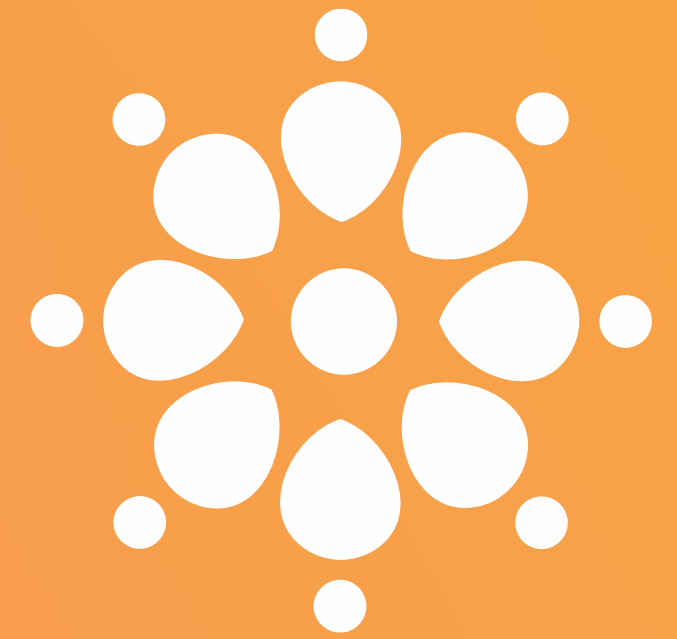
Implementation: Unincorporated Tobacco Retail Store Inspections Findings



January – July 2025

- A transition plan for the tobacco retail license program is in development.
- EH has extensive experience conducting inspections and enforcing County business and restaurant regulations.
- EH plans to bolster tobacco retail enforcement through annual retailer inspection visits, administrative penalty structures, and updated tobacco retailer fee schedule.
- Within Contra Costa County, each jurisdiction assigns a fee for tobacco retailers; these fees range from \$29-\$1,602 annually, many of which were set prior to the adoption of local tobacco laws.
- In Unincorporated Contra Costa, the annual fee to retail tobacco is \$287 (prior to the implementation and enforcement of Ordinance 2019-34).

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Recommendations

Proposed amendments to Ordinance 2019-34

Alignment of County with State Definition of Characterizing Flavor and Nicotine

Increase Minimum Pack Size from 10 to 20 Little Cigars/Cigarillos

Set Minimum Floor Price Per Pack

Prohibit Use of Discounts or Coupon Redemption

Include anti-PUP clause

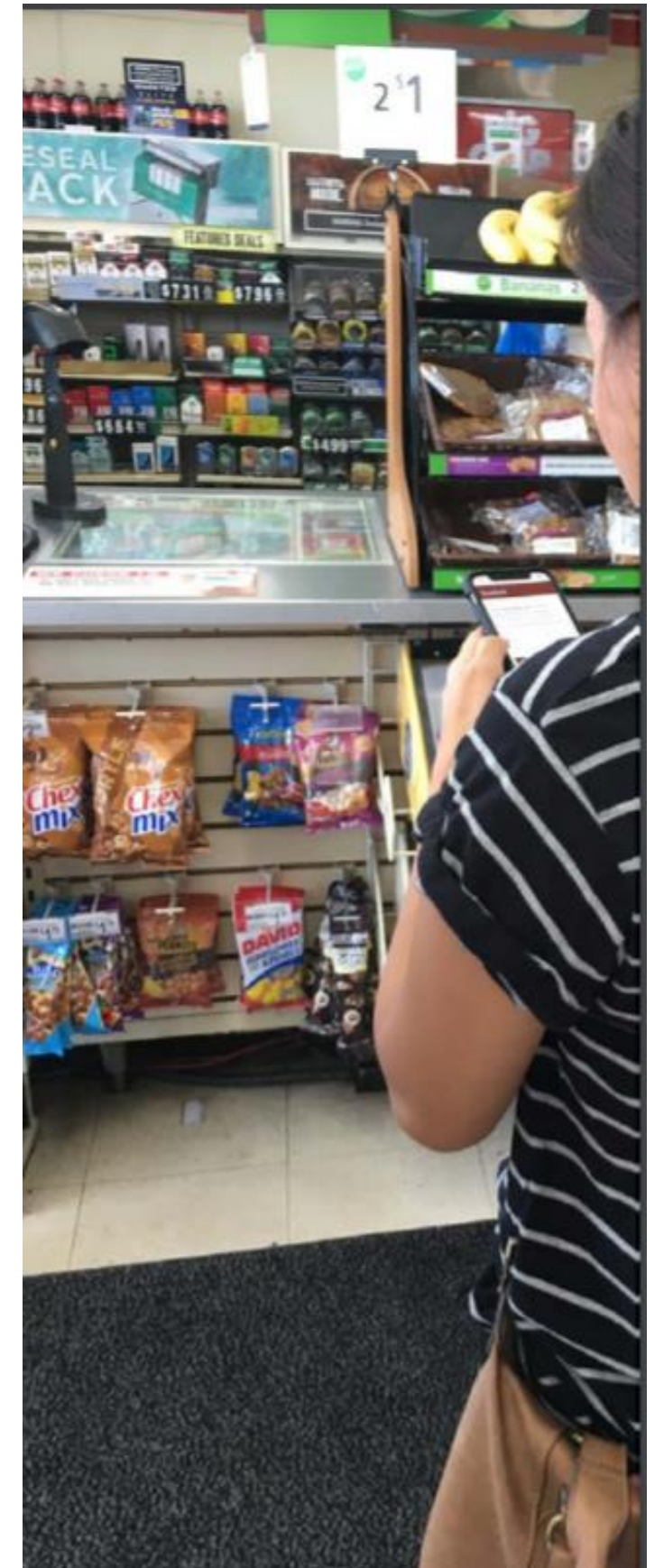
Update Tobacco Retail License Inspection Fee

Recommendation: Increase Minimum Pack Size to 20 Little Cigars/Cigarillos

- Currently the County ordinance has a minimum pack size of 10
- Best practice supports minimum pack size of 20

Example: 20 municipalities in California that require a minimum pack of twenty (20) LCCs with six (6) also setting a minimum price

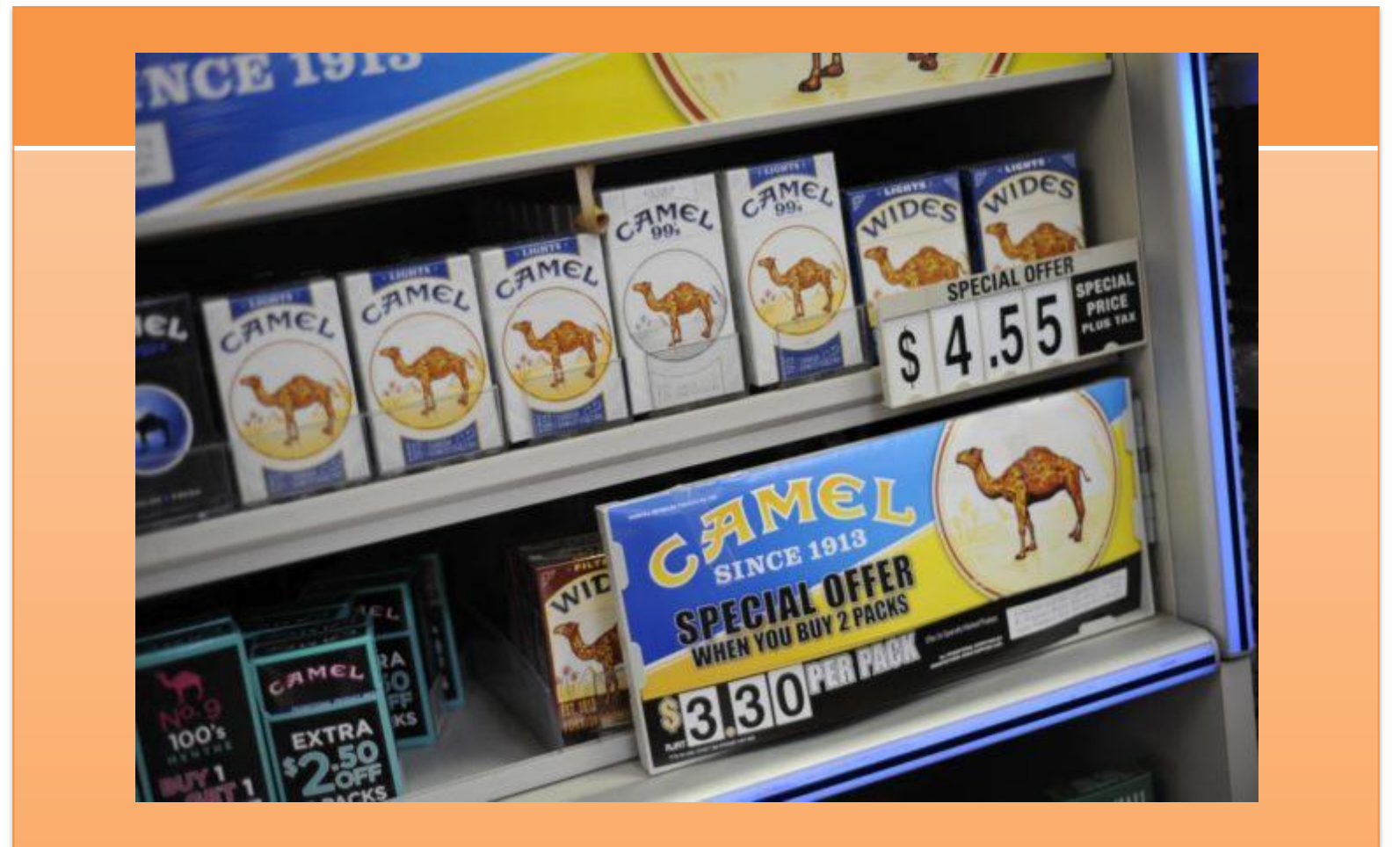
- ✓ Alameda County
- ✓ City of Richmond
- ✓ City of San Pablo
- ✓ Los Angeles County
- ✓ San Diego County



- Minimum price laws are most effective if used as a complement to high tobacco taxes, restricting coupons and multi-pack discounts, and can work to keep tobacco prices high and discourage consumption

Example: San Pablo, Concord, and Pinole. Among other jurisdictions in the Bay Area, research of city of Oakland's minimum price floor of \$8 per pack of cigarettes and cigars has lead to a 15% decrease in overall cigarette sales and a 25% reduction in the sale of lower priced cigarettes within the first 17 months of implementation.

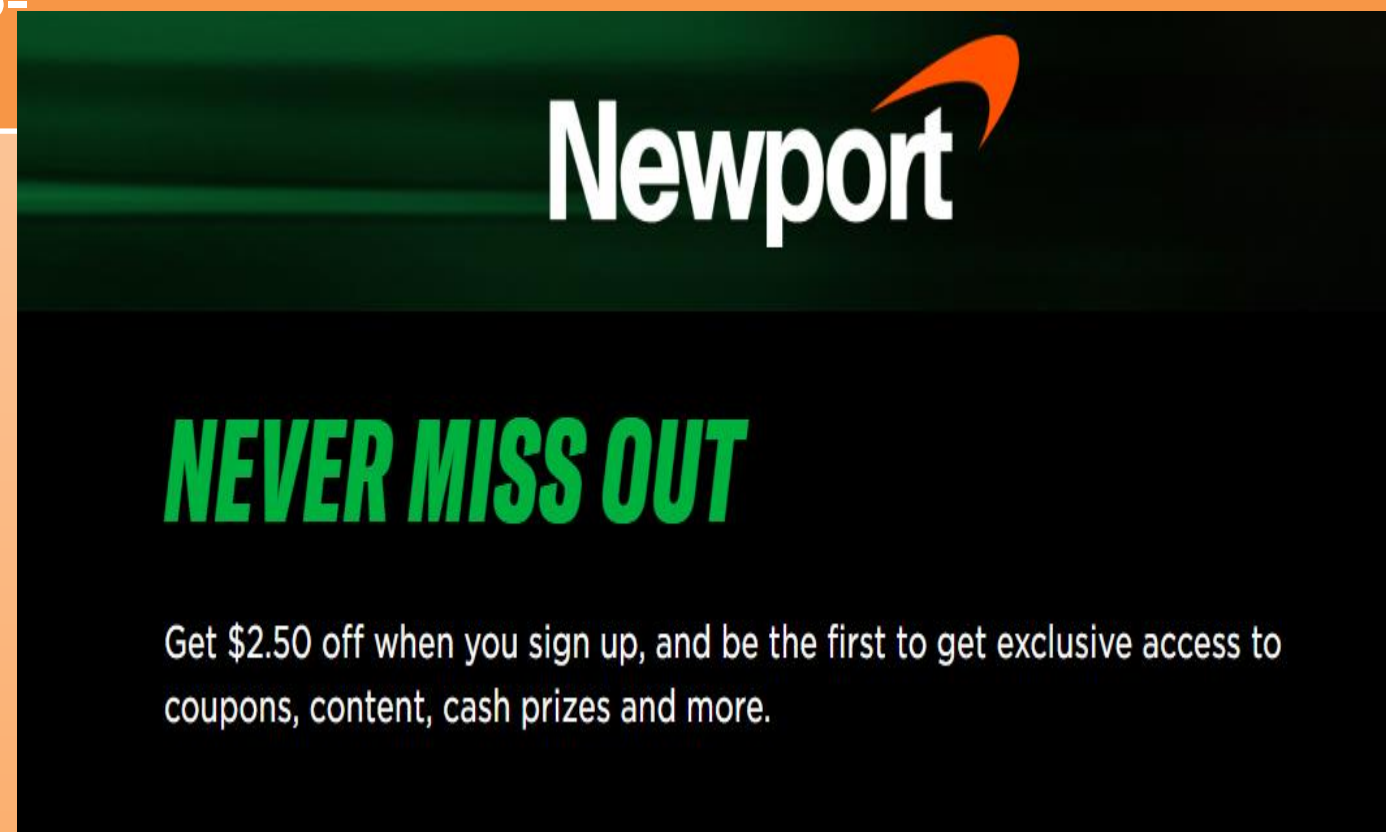
Suggesting that minimum price laws can effectively reduce tobacco consumption.



- Low prices combined with coupons or other tobacco price discounts, encourage youth to move from experimentation to regular tobacco use.
- Additionally, these coupons and price discounts undermine quit attempts among adults who smoke.
- 45 municipalities (including some partially) require full price for tobacco-leaf products

Examples: Lafayette, Albany, Berkeley, Alameda County, and Santa Barbara County require full price for tobacco products

August 2025- Discounts



July 2025- Mobile coupons

**GET \$2.50
OFF A
JUULPOD 4-PACK**

**GET \$3.00
OFF A
JUULPOD 4-PACK**



Enjoy instant savings at a store near you.

Now redeemable at retail locations nationwide, JUUL Mobile Coupons offer weekly savings on JUULpods and monthly savings on JUUL Devices.

This week's savings:

- \$3.00 off a JUULpod 4-pack
- \$2.50 off a second JUULpod 4-pack
- \$1.50 off a JUUL Device

- While the County does not have a purchase, use, or possession laws , it is important to include a clause that ensures youth are not criminalized. An Anti-PUP clause would ensure no underage youth are punished or penalized.

Examples:

City of Lafayette ¹ (Ord. No. 675, § 1, 5-28-2019)	"The city council does not intend and nothing in this chapter shall be interpreted to penalize the purchase, use, possession, or attempted purchase, use, or possession of tobacco products or tobacco paraphernalia by persons under 21 years of age; provided, however, that persons under 21 years of age remain subject to generally applicable laws regulating such conduct without respect to the person's age."
San Diego County ² (Ord. No. 10699 (N.S.), effective 1-7-21)	"Nothing in this chapter shall be construed to penalize the purchase, use or possession of a tobacco product by any person under the legal age to purchase tobacco."
Alameda County ³ (Ord. No. 2020-4, § 1, 1-14-20)	"Whenever evidence of a violation of this chapter is obtained in any part through the participation of a person under the age of twenty-one (21) years old, such person shall not be required to appear or give testimony in any civil or administrative process brought to enforce this chapter and the alleged violation shall be adjudicated based on the sufficiency and persuasiveness of the evidence presented."
City of San Mateo ⁴ (Ord. No. 2023-7 § 2;)	"Nothing in this Chapter shall be construed to penalize the purchase, use, or possession of a Tobacco Product by any Person not engaged in Tobacco Retailing."
City of San Carlos ⁵ (Ord. 1600 § 3 (Exh. A), 2023;)	" Nothing in this chapter shall be construed to penalize the purchase, use, or possession of a tobacco product by any person not engaged in tobacco retailing"

1. Title 5—HEALTH AND SANITATION | Code of Ordinances | Lafayette, CA | Municode Library. (n.d.). Retrieved June 13, 2024, from https://library.municode.com/ca/lafayette/codes/code_of_ordinances?nodeId=TIT5HESA_CH5-9TORELIRESATOFLTOPR_5-903SAFLTOPRPR

2. CHAPTER 26. TOBACCO RETAILING. (n.d.). Retrieved June 13, 2024, from https://codelibrary.amlegal.com/codes/san_diego/latest/sandiego_regs/0-0-0-101648

3. Chapter 3.58—TOBACCO RETAILERS | Code of Ordinances | Alameda County, CA | Municode Library. (n.d.). Retrieved June 13, 2024, from https://library.municode.com/ca/alameda_county/codes/code_of_ordinances?nodeId=TIT3BULIRE_CH3.58TORE_3.58.180EN

4. 7.41.010 Requirement for a Permit. | City of San Mateo Law Library. (n.d.). Retrieved June 13, 2024, from <https://law.cityofsanmateo.org/us/ca/cities/san-mateo/code/7.41.010>

5. Chapter 8.07 TOBACCO RETAILER PERMIT. (n.d.). Retrieved June 13, 2024, from <https://www.codepublishing.com/CA/SanCarlos/html/SanCarlos08/SanCarlos0807.html#8.07.270>

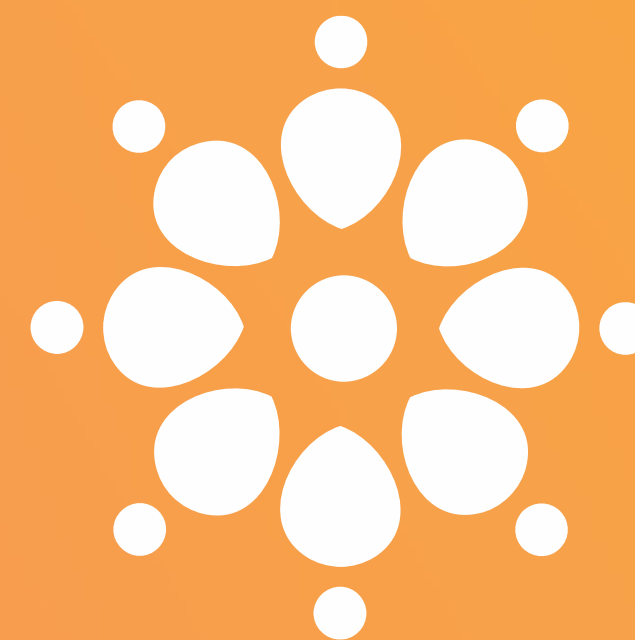
- Environmental Health to oversee business license, application process, and tobacco retail inspections
- A higher yet reasonable fee would be sufficient to offset the regulatory cost and would ensure a reliable and sustainable funding source
- The fee for a license can reimburse the total cost of administration and enforcement of ordinance 2019-34 including but not limited to:
 - ☐ Issuing a license
 - ☐ Administering the license program
 - ☐ Retailer inspection
 - ☐ Compliance checks
 - ☐ Documentation of violations
 - ☐ Suspension hearings for violations

The screenshot displays the Contra Costa Health website. At the top is a navigation bar with links: About Contra Costa Health, Get Care, Health Insurance, Services and Programs, and Health and Safety Information. Below this is a sidebar menu for the Environmental Health division, listing links such as About Us, Application Forms and Handouts, Contact Us - Env Health, Orders and Regulations, Scheduled Fees, and Home Kitchens. A 'CONTACT' section provides the address: Environmental Health Division, 2120 Diamond Boulevard, Suite 100, Concord, CA 94520. The main content area is titled 'ENVIRONMENTAL HEALTH' and includes a description of the program's role in protecting community health through food, water, and waste management. It also features a 'Top Choices' section with three image thumbnails.

1. Direct staff to return to the full Board of Supervisors to present a revised Tobacco Retail License ordinance code, including any necessary updates to align with statutory updates and bolster the licensing, application, and enforcement sections.
2. Direct staff to review the current Tobacco Retail License and inspection fee and return to the full Board of Supervisors with proposed fee increases to recover the reasonable regulatory costs of the administration, implementation, investigation, and enforcement of this program.
3. Accept the report and direct staff to annually inform the FHS Committee and Board of Supervisors about changes in tobacco policies and regulations, and emerging trends in tobacco sales and youth use.
4. TPP requests that the Tobacco Retail License ordinance be updated with evidence-based best practice recommendations that include the definition of characterizing flavor to include sensation products and expand the definition of nicotine.

5. TPP requests that the Tobacco Retail License ordinance be updated with evidence-based best practice recommendations that include increasing the minimum pack size requirements from 10 to 20 little cigars/cigarillos and setting a minimum floor price of per pack to deter youth purchase of tobacco products.
6. TPP requests that the Tobacco Retail License ordinance be updated with evidence-based best practice recommendations that include prohibiting the use of discounts or coupon redemptions to deter youth purchase of tobacco products.
7. TPP requests that the Tobacco Retail License ordinance be updated with evidence-based best practice recommendations that include an anti purchase, use, and possession (PUP) clause to prevent criminalization of youth purchase, use, and possession of tobacco products.
8. Accept the report and direct staff to annually inform the FHS Committee and the Board of Supervisors on the implementation of the Contra Costa County Smokefree Multi-Unit Residences Ordinance.

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Thank You