

# CANDY-FLAVORED TOBACCO POLICIES



## What is the problem with candy-flavored tobacco?

- Candy-flavored tobacco targets new users, the majority of which are kids.
- Studies show that 17-year-old smokers are three times as likely to use flavored cigarettes as smokers over the age of 25.
- Almost 90 percent of adult smokers began smoking as teenagers.



## What is not banned by the FDA?

- Candy-flavored spit tobacco.
- Candy-flavored cigars and cigarillos.
- Snus (rhymes with "noose"): small packets of tobacco resembling tea bags that are kept in the mouth. The excess juice can be swallowed instead of spat.
- New dissolvable products: pellets (Camel Orbs), a twisted stick the size of a toothpick (Camel Sticks), and a film strip for the tongue (Camel Strips), all of which are made from finely ground flavored tobacco.

# Candy-Flavored Tobacco

## Our Goal For This Policy:

Candy-flavored cigarettes are banned in the United States, but deadly tobacco products are still sold packed with candy and fruit flavors that attract youth, including berry-flavored spit tobacco and grape-flavored cigars. We want to prevent our youth from beginning to use these cancer-causing products by getting them off the shelves.

This policy is **not** aimed at the few adult users of these products, who can easily switch to other tobacco products, but at protecting our youth.



## Some facts:

20 percent of smokers ages 17 to 19 smoked flavored cigarettes while only 6 percent of smokers over age 25 reported smoking flavored cigarettes.

80% of smokers started before the age of 18.

This ban will help stop the more than 3,600 young people who start smoking daily.

New York City has banned the sale of all flavored tobacco products, and successfully won legal challenges to the law.

Both Wisconsin and Illinois are in the process of attempting to ban the sale of any candy or alcohol flavored tobacco products.

## Model ordinance language:

### SECTION 2. DEFINITIONS

... contain, as a constituent (including a smoke constituent) or additive, an artificial or natural flavor (other than tobacco or menthol) or an herb or spice, including but not limited to, strawberry, grape, orange, clove, cinnamon, pineapple, vanilla, coconut, licorice, cocoa, chocolate, cherry, coffee, or alcohol flavors, that is a characterizing flavor of the tobacco product or tobacco smoke.

### SECTION 3. SALE OR DISTRIBUTION OF FLAVORED TOBACCO PRODUCTS PROHIBITED

No person, business, tobacco retailer, or other establishment subject to this ordinance shall sell, permit to be sold, offer for sale, display for sale or distribute by any means including, but not limited to free sample or coupon, any flavored tobacco products.

### SECTION 5. PENALTIES

A. Any person or business who violates this ordinance, shall upon conviction, be guilty of a violation of a second degree misdemeanor; punishable as provided by law.

B. The penalty for a second conviction of this ordinance shall be at least double the penalty for the first conviction, except that any penalty shall not exceed the maximum penalty set by law for a misdemeanor of the second degree.

C. All convictions for violation of this Ordinance shall be reported to the State of Florida, Division of Tobacco and Alcoholic Beverages.