Center for Public Health Systems Science

GEORGE WARREN BROWN SCHOOL OF SOCIAL WORK

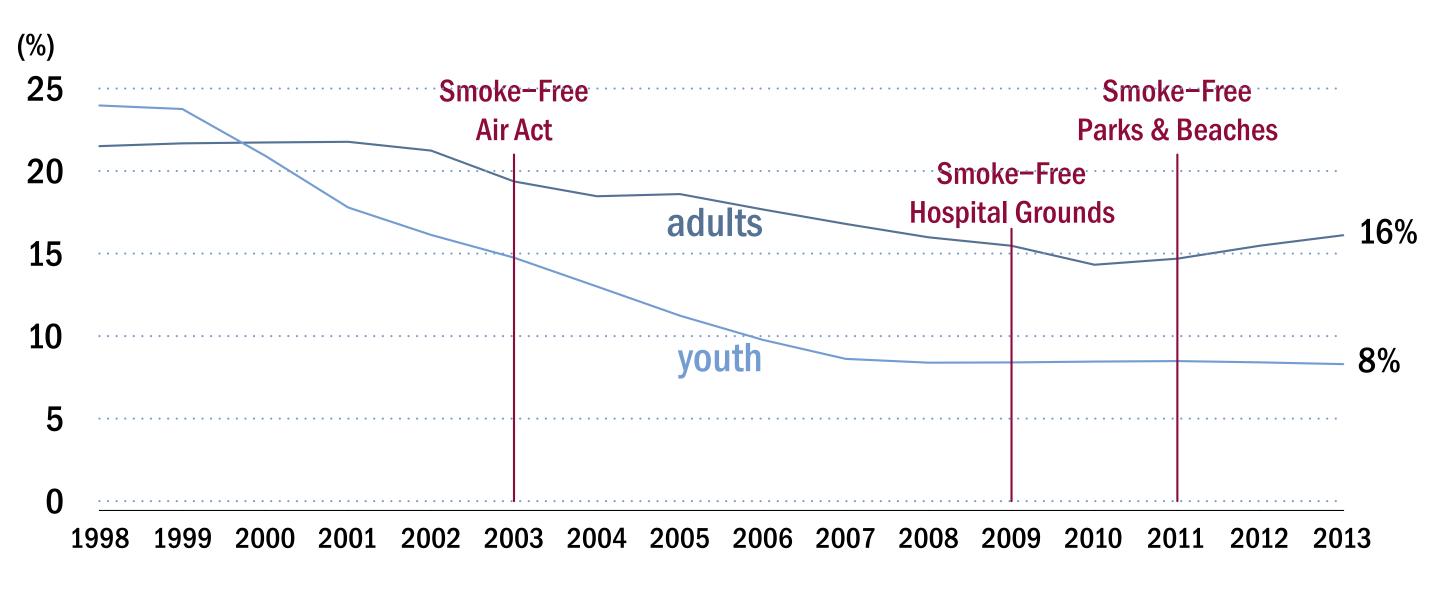
BACKGROUND

Over the last decade, New York City (NYC) has made significant progress in the core areas of tobacco control and has now begun to prioritize point-of-sale policies. Recent tobacco control successes include:

- Raising the cigarette excise tax to \$1.50 (2002)
- Strengthening the 2003 smoke-free air law to cover hospital grounds (2009), and include e-cigarettes (2014)
- Making parks, beaches, and pedestrian plazas smoke-free (2011)
- Banning the sale of flavored other tobacco products (2013)

Local data shows problem

- Youth smoking rates stopped decreasing in 2007 and remained flat at 8% through 2013
- Community Health Survey data showed frequent use of coupons and discounts
- YRBS data showed that youth use of cheap cigarillos and little cigars tripled from 2001-2009



Comprehensive solution

Policy #1:Tobacco 21

• Prohibits the sale of tobacco products and e-cigarettes to persons under 21

Policy #2: Sensible Tobacco Enforcement

- Prohibits retailers from redeeming coupons, multi-pack deals, buy-one get-one deals, and any other price-reduction promotions
- Establishes a minimum price for cigarettes and little cigars of \$10.50
- Requires a minimum pack size for cheap, and little cigars
- Increases enforcement of tobacco laws, and increases fines and penalties for violations

Case study development

We conducted semi-structured, qualitative interviews with five members of the NYC Department of Health and Mental Hygiene, and integral local partners, including a health coalition, and two nonprofits. We also reviewed relevant tobacco control literature, legal documents, public hearing testimony, and news articles.

How New York City Raised the MLSA to 21 and Fought **Cheap Tobacco: a Case Study**



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- Technical assistance
- Additional components to strengthen the policies
- Evidence of policies' effectiveness

"Knowing that discounts could not bring the price lower than the \$10.50 price floor would make enforcing the law much clearer."

"...we both knew that by working together we'd be able to sell our ideas more effectively than either of us could separately."

...cheap tobacco from illegal sources "wasn't just a finance issue, but a health issue."

Youth emphasized tobacco's presence in their community through the "Take a Walk in Our Shoes" initiative

at NYC Smoke-Free's rally outside hearing



Tobacco industry's "Save Our Stores" campaign opposed the policies

Washington University in St. Louis

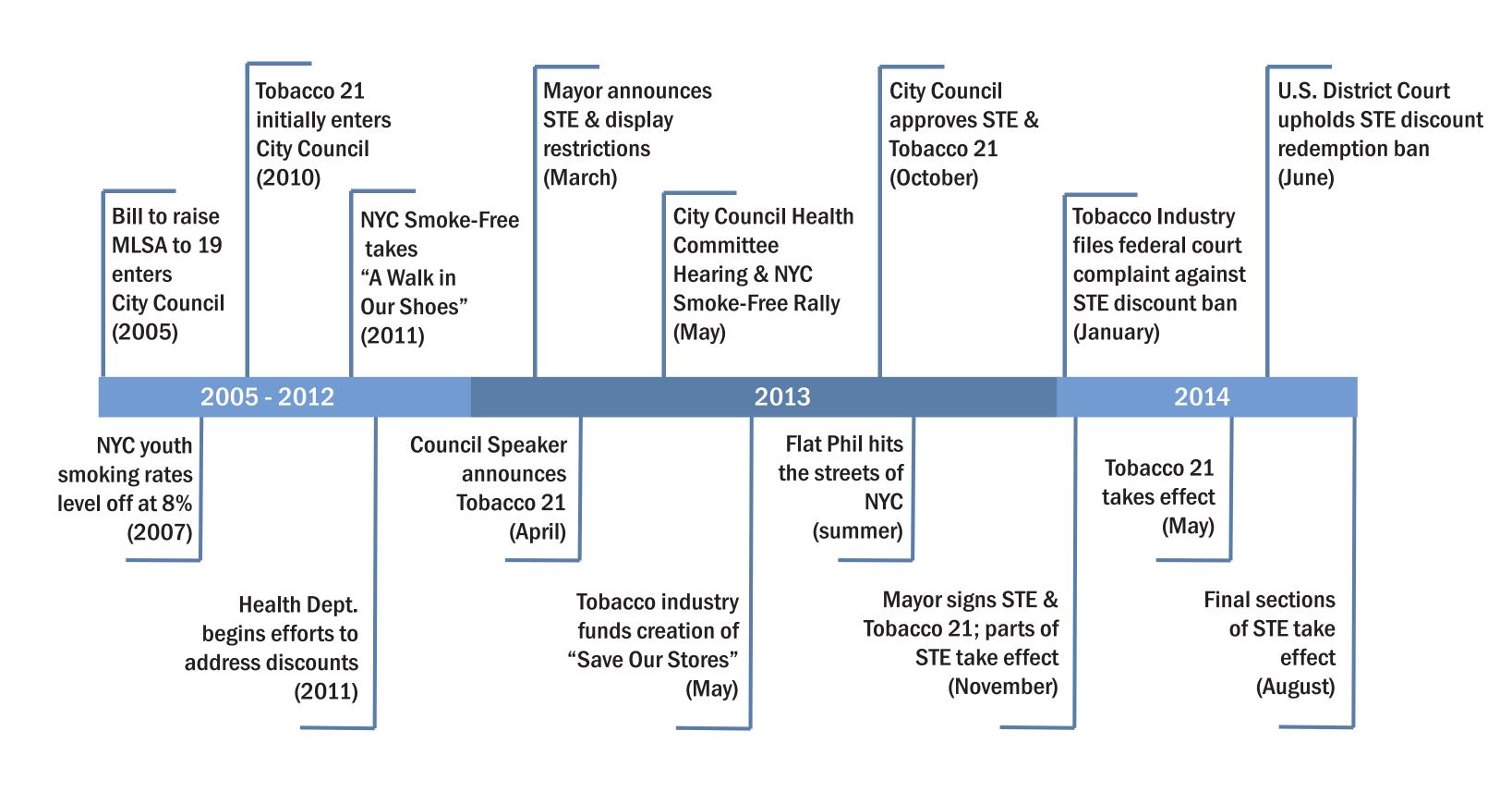




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Legal challenge & implementation

- STE and Tobacco 21 became law (Nov. 2013)
- Legal challenge to price-discounting component of STE (Jan. 2014)
 - Tobacco industry claimed it violated First Amendment commercial
 - speech protections and was preempted by state and federal laws
- Price-discounting ban upheld by a U.S. District Court (June 2014)
- All policy components are in effect by Aug. 2014



- Directly engage policymakers with their constituents
- Engage supportive retailers early on
- Assess existing policies, incorporate existing efforts
- Have a handful of common, simple messages ready
- Reach out to retailers during implementation to facilitate compliance

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