

EXECUTIVE SUMMARY

The American Lung Association *State of Tobacco Control 2015* report tracks progress on key tobacco control policies at the state and federal levels. The report assigns grades to every state in four key areas: Tobacco Prevention and Control Program Funding, Smokefree Air, Tobacco Taxes and Access to Cessation Services. This year, state grades were calculated using a revised national methodology that captures policy improvements made in these core areas. The grades are based on tobacco control laws and regulations in effect as of January 2, 2015.

Once a proactive leader of tobacco control efforts, California is at a crossroads regarding tobacco policies in the state. With an increasingly difficult climate at the State Capitol, advances in California-wide tobacco policies have stagnated, while other states have taken considerably more actionable steps toward reducing tobacco use. Previously a leader in the area of Smokefree Air, California is now surpassed by 23 other states and the District of Columbia. In fact, the new national methodology more precisely addresses California's failure to close its loopholes in the smokefree workplace laws. This leaves approximately 1.5 million California workers at risk of exposure to secondhand smoke in their place of employment. California also saw its Tobacco Tax grade drop to an F, which, at \$0.87, ranks 33rd in the nation. Combined with its F grade in the area of Tobacco Prevention and Control Program Funding, it's clear that state policies need attention if California is to regain its footing as a national leader in tobacco control.



“As a pediatric asthma physician, I see the daily impact that tobacco has on the health of children as well as residents in my community. The dangerous effects of tobacco use, including the risk of asthma and lung cancer, have been well documented by the U.S. Surgeon General. I am excited and proud to see the steps that multiple communities around California have taken to fight tobacco and its devastating impact. We must continue to encourage communities to adopt these proven policies to address the number one preventable cause of death, tobacco.”

Sonal Patel, MD, Pediatric asthma physician, Los Angeles

In contrast, local cities and counties in California have enacted strong policies in tobacco control over this same period. In coordination with the national report, the American Lung Association in California releases its *State of Tobacco Control 2015 – California Local Grades* report to track how well California municipalities protect their citizens from the burden of tobacco. The *State of Tobacco Control 2015 – California Local Grades* report is based on a review of county and municipal codes in four key areas for all 58 counties (which cover the unincorporated areas of the county) and 482 incorporated cities and towns in the state. Since the first statewide report, the number of communities with an overall A or B grade has increased dramatically.

While poor state grades reflect important issues that California should address, there is much that can be done locally. Millions of people in California are still affected by tobacco, tens of thousands of youth in California become smokers each year and untold numbers of Californians are impacted by secondhand smoke. Leadership on key issues and solutions to these difficult problems can come from every level of government. Local elected officials can, and should, take steps to protect residents of their communities from tobacco and secondhand smoke by passing policies to restrict smoking in parks and other outdoor areas, require multi-unit housing to be smokefree and prevent illegal sales of tobacco products to youth.

The purpose of the *State of Tobacco Control 2015 – California Local Grades* report is to increase public knowledge about local laws that protect residents from the deadly toll of tobacco and to encourage local leadership to take action where improvement is needed. Grades are not intended to reflect the efforts of local tobacco control coalitions, the broader public health community or organizations working to advance local tobacco control policies. Instead, responsibility for enacting these life- and revenue-saving policies falls to elected officials in each community.

METHODOLOGY UPDATE

Since this report was first released six years ago, the same methodology has been used for grading local cities and counties. This year, the *State of Tobacco Control 2015 – California Local Grades* features a new, updated grading methodology. The updated grading methodology reflects best practices as communities adopt stronger, more health-protective policies that will improve the wellbeing of California residents.

In this report, grades are awarded in three categories: Smokefree Outdoor Air; Smokefree Housing; and Reducing Sales of Tobacco Products. Bonus points are provided in a new fourth category: Emerging Issues. These three grades, plus the new bonus point category, are used to calculate one Overall Tobacco Control grade. (See page 21 for more details.)

The most significant change to the grading methodology is in the Smokefree Housing section, an issue area that was just emerging six years ago. The intervening years have seen a fair amount of policymaking and learning in this area, and the section is now more accurately based on the strong policies being passed throughout the state that are effectively improving the public health of those living in multi-unit housing. The new methodology differentiates between new and existing units, as well as apartments and condominiums, and there is a 75% threshold to be awarded points in this area.

The Reducing Sales of Tobacco Products grade is now solely based on Tobacco Retailer Licensing because this is the most effective way to reduce youth access to these products. Prior methodology was similar, however, there were bonus points which have now moved into Emerging Issues to capture new and expanded policy areas being addressed.

The new section, Emerging Issues, reflects issues and policies that are difficult to pass such as emerging products definitions and a ban on flavored tobacco products. A jurisdiction must have four points in this section in order to add one bonus point to their Overall Tobacco Control Grade.



“Our city was concerned about not having any secondhand smoke protections for our residents. The State of Tobacco Control report allowed us to identify where we could add protections and create safer environments for our community members. As a result, we added comprehensive secondhand smoke restrictions in outdoor spaces, apartment buildings and condominiums, protecting many of our El Cerrito residents. Our grades went from “F’s” to “A’s” and I know that other cities and counties can do the same.”

Mark Friedman, El Cerrito Mayor

HIGHLIGHTS OF THE REPORT

40 CITIES AND COUNTIES RAISED THEIR POINTS IN 2014

In 2014, 40 municipalities adopted local ordinances in at least one of the three graded categories included in the *State of Tobacco Control 2015 – California Local Grades* report. Elected officials in these cities and counties demonstrated great leadership in adopting policies to protect their residents and improving the health of their communities. Policies passed in 2014 include 13 ordinances to prohibit smoking in multi-unit housing, 31 ordinances to restrict smoking in outdoor areas and six ordinances that require tobacco retailers to obtain a license to sell tobacco products. See the “Cities and Counties on the Rise” section of the report (page 11) for the full list of municipalities that passed policies in 2014.

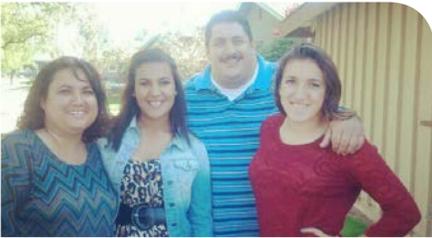
11 CITIES IMPROVED THEIR GRADE FROM AN F TO AN A IN AT LEAST ONE POLICY CATEGORY

Culver City, Foster City, Gilroy, Goleta, Healdsburg, Monterey, Morgan Hill, Oakley, Piedmont and Rancho Cordova improved their grade from an F to an A in at least one category in 2014. These cities have displayed strong leadership by passing robust tobacco control ordinances in at least one category. One additional city, El Cerrito, improved from an F to an A in two categories – Smokefree Outdoor Air and Smokefree Housing – resulting in an overall B grade.

SMOKEFREE RECREATION AREAS POLICIES NOW PROTECT 80% OF CALIFORNIANS

Cities and counties have been very active in passing policies that protect their residents from secondhand smoke in outdoor settings. Specifically, in 2014, 20 communities passed policies restricting smoking at parks, beaches, trails and other similar recreation areas, joining the other 328 cities and counties that represent 80 percent of California’s total population. Furthermore, policies in service areas have tripled in comparison to

two years ago, as communities restricted smoking in outdoor locations where people stand or wait in-line for services. Also, cities and counties continued their consistent growth by restricting smoking in outdoor dining areas at restaurants and bars, now covering about 40 percent of the total population in California.



“In September 2012 after a lung biopsy, I was told that I had an incurable lung disease called bronchiolitis obliterans. While this disease has physically slowed me down and my ability to do some of the everyday things I once enjoyed, like swimming, walking, going to the beach, or even climbing the bleachers at my daughter’s soccer and cheer events, I do not want it to define who I am and how I live my life. I will continue to live life to the fullest and enjoy every moment, and I am aided in this when cities and counties pass strong policies that protect my right to breathe clean air.”

Jill Arteaga, LUNG FORCE Hero

LOCAL REGULATION OF ELECTRONIC CIGARETTES IS EXPANDING

Cities and counties across California are taking steps to protect children from new and emerging tobacco products. One such product that has seen an increase in use and advertising is electronic cigarettes, or e-cigarettes. In 2014, the number of cities and counties that have implemented secondhand smoke and tobacco retailer licensing policies which incorporate e-cigarettes has climbed from 94 cities and counties to 169 municipalities today. This equates to over 40 percent of the total state population being covered by e-cigarette policies (See page 15).

PROHIBITING TOBACCO SALES IN PHARMACIES INCREASED

After holding steady in this area over the past two years, 2014 saw several municipalities take action to restrict pharmacies from selling tobacco products in their communities. Berkeley, Healdsburg and Marin County all exhibited strong leadership in passing these policies, recognizing that pharmacies are wellness and health resources, and shouldn’t encourage smoking in consumers and patients who may be most at-risk from using these products.

NEARLY TWO-THIRDS OF ALL MUNICIPALITIES STILL RECEIVE AN F GRADE

Despite the fact that many cities and counties adopted strong tobacco control policies this past year, a majority of cities and counties in California still fail to protect their residents from the dangers of tobacco use. In total, 323 municipalities (60 percent of all municipalities) receive an F for their Overall Tobacco Control grade.