



STATE AND LOCAL POLICIES TO REDUCE FLAVORED TOBACCO USE:

Reversing the Tobacco Tipping Point
Among Hispanic Youth

Executive Summary

6.6%

of Hispanic middle school students reporting current use of e-cigarettes



ISSUE

Menthol cigarettes and other flavored tobacco and nicotine products, such as e-cigarettes, are contributing to the increase in nicotine addiction among Hispanic youth.¹ Brain mapping studies have shown that [adding menthol to tobacco products increases the number of nicotinic receptors in the brain](#). Hispanic middle schoolers use e-cigarettes at higher rates than middle schoolers in most other racial and ethnic groups, with 6.6% of Hispanic middle school students reporting current use, compared to 4.6% of middle school students overall.² While historically, Hispanic adults have been less likely to smoke than other racial or ethnic groups, the prevalence of tobacco use among Hispanic youth has grown tremendously in recent years.³ This recent increase is linked to the introduction of e-cigarettes into the consumer market, with one in ten of all high school students reporting that they currently use e-cigarettes.⁴

OPPORTUNITY

State and local policies limiting environmental exposure and access to flavored tobacco and nicotine products can address fundamental drivers of health inequity.⁵ Such policies provide critical protections from tobacco-related harms that unfairly impact Hispanic youth.⁶ Policies restricting access to flavored tobacco may be adopted at either the state or local level, depending on the jurisdiction and whether and to what extent local governments are prohibited from regulating tobacco.

POLICY INTERVENTION AT THE STATE AND COMMUNITY LEVEL

Non-Punitive Smoke-Free School Policies

An effective smoke-free school policy can be a strategic way to engage with the local school board, educators, parents, and students to deliver information about the harms of vaping and connect students who use tobacco products with cessation services.

Buffer Zones Prohibiting Flavored Product Sales Near Youth-Sensitive Areas

Exposure to tobacco promotion and retailers is common around areas that youth frequent, and research shows positive associations between youth smoking and the number of tobacco retailers near schools.^{7,8}

Point-of-Sale Licensing and Restrictions

A key strategy for local governments to consider is prohibiting the sale of flavored tobacco through a tobacco retailer licensing ordinance,⁹ which conditions a retailer's ability to sell tobacco products within its jurisdiction upon the retailer's adherence to certain requirements.

Ban the Sale of Flavored Products

A comprehensive flavor policy prohibits the sale of all flavored tobacco products within the jurisdiction, with no exceptions made for particular flavors, products, or retailers. Examples of comprehensive flavor policies include those passed in San Francisco, California, Portland, Maine, and Multnomah County, Oregon.^{12,13}

INTRODUCTION

Since the advent of e-cigarettes, data has shown that Hispanic middle school youth use e-cigarettes and other tobacco products at rates higher than their peers.¹⁴ The National Alliance for Hispanic Health has dubbed increases in tobacco and nicotine use among Hispanic youth a critical “[tobacco tipping point](#).”¹⁵ Fortunately, there are effective policy solutions that states and localities can adopt to reverse this trend. The retail environment in particular offers multiple policy opportunities to create healthier community settings and lasting change. Reversing this tipping point requires a health equity focus and multi-faceted, data-driven efforts.¹⁶ To address the tobacco tipping point, this policy brief will focus on key actions to reduce demand and eliminate underage access and will review the projected impact on health equity as well as major legal and policy considerations.



Menthol cigarettes and other flavored tobacco and nicotine products, such as e-cigarettes, are contributing to the increase in nicotine addiction among Hispanic youth.¹⁷ Brain mapping studies have shown that [adding menthol to tobacco products increases the number of nicotinic receptors in the brain](#). Menthol makes the brain even more dependent on the continued use of not just tobacco, but menthol specifically.¹⁸ Furthermore, the chemical components of menthol mask the natural harshness and taste of tobacco, and menthol and other flavors make these products easier to use, harder to quit, and more appealing to youth.¹⁹⁻²² It is not surprising that 89.4% of students who currently use e-cigarettes use flavored products.²³

This epidemic has not burdened all communities equally. Hispanic middle schoolers use e-cigarettes at higher rates than middle schoolers in most other racial and ethnic groups, with 6.6% of Hispanic middle school students reporting current use, compared to 4.6% of middle school students overall.²⁴ While historically, Hispanic adults have been less likely to smoke than other racial or ethnic groups, the prevalence of tobacco use among Hispanic youth has grown tremendously in recent years.²⁵ This recent increase is linked to the introduction of e-cigarettes into the consumer market, with one in ten of all high school students reporting that they currently use e-cigarettes.²⁶ Analysis of recent years’ National Youth Tobacco Survey results reveal that Hispanic youth are also more curious about and susceptible to future tobacco use (e-cigarettes, cigarettes, and cigars) than their peers.²⁷ Without tobacco control interventions, the historically low smoking rates among Hispanic adults will inevitably begin to shift as today’s young people grow into adults and possibly face lifelong nicotine addiction.

OVERVIEW OF KEY POLICIES

State and local policies limiting environmental exposure and access to flavored tobacco and nicotine products can address fundamental drivers of health inequity.²⁸ Such policies provide critical protections from tobacco-related harms that unfairly impact Hispanic youth.²⁹ In 2021, the U.S. Food and Drug Administration (FDA) proposed rules to close an exemption created by the Family Smoking Prevention and Tobacco Control Act (TCA)³⁰ by banning the sale of menthol cigarettes and flavored cigars.³¹ However, the rules remain in review by the [White House](#) Office of Management and Budget and U.S. House appropriators have sought to prohibit FDA from using appropriated funds to institute such bans. As the federal rulemaking process typically takes years to complete, state and local policymakers can and should continue advancing policies within their jurisdiction. While these proposed rules address menthol cigarettes and flavored cigars, they do not prohibit all flavored products that communities may wish to ban (e.g., e-cigarettes).



\$1 million

per hour is roughly spent by the tobacco industry on retailer advertising and discounts

The tobacco industry spends roughly \$1million per hour on retailer advertising and discounts,³² and channels more advertising and discounts into neighborhoods with lower incomes and with higher concentrations of racial and ethnic communities.³³ That is why it is essential to have policies restricting access to flavored tobacco. These policies may be adopted at either the state or local level, depending on the jurisdiction and whether and to what extent local governments are prohibited from regulating tobacco. Already, at least seven states and more than 375 localities³⁴ have adopted policies to restrict the sale of flavored tobacco products.

7 states

375 localities

have adopted policies to restrict the sale of flavored tobacco products

As was learned from conventional tobacco, tobacco use among people with lower incomes and youth is particularly price-sensitive.³⁵ The following four policies and associated resources on page 12, including model policy language, provide a comprehensive approach for state and local policymakers to reverse the Hispanic youth tobacco tipping point and fight attempts by Big Tobacco to addict a new generation with menthol and other flavored products.

1 Non-Punitive Smoke-Free School Policies

Schools play a key role in reversing tobacco use among Hispanic youth. An effective smoke-free school policy can be a strategic way to engage with the local school board, educators, parents, and students to deliver information about the harms of vaping and connect students who use tobacco products with cessation services. This policy can also be critical for localities who are otherwise preempted from advancing other types of flavored tobacco policies. The Public Health Law Center released a model policy for tobacco-free schools, which emphasizes the importance of alternative enforcement mechanisms that do not rely on exclusionary discipline,³⁶ which is disproportionately used against students from racial and ethnic communities and students with disabilities.³⁷

2 Buffer Zones Prohibiting Flavored Product Sales Near Youth-Sensitive Areas

Exposure to tobacco promotion and retailers is common around areas that youth frequent, and research shows positive associations between youth smoking and the number of tobacco retailers near schools.^{38,39} A recent study found that, on average, the number of tobacco retailers per square mile is nearly 5 times more in the lowest-income neighborhoods than the highest income neighborhoods, and that 70% of all residents in cities studied live within a ten minute walk of a tobacco retailer.⁴⁰ A buffer zone policy places location-based restrictions on the sale of flavored tobacco products by banning their sale within a specified distance of youth-sensitive areas such as schools and parks. This policy is notably adaptable to state and local land use or zoning mechanisms, where flavored product bans or retailer density limitations are not feasible via licensing.



5 times
more tobacco
retailers per
sq. mile in the
lowest-income
neighborhoods



70%
of all residents in cities
studied live within a
ten minute walk of a
tobacco retailer

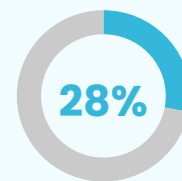
3 Point-of-Sale Licensing and Restrictions

A key strategy for local governments to consider is prohibiting the sale of flavored tobacco through a tobacco retailer licensing ordinance,⁴¹ which conditions a retailer's ability to sell tobacco products within its jurisdiction upon the retailer's adherence to certain requirements. In places with restrictions on tobacco retailer licensing, some of these policies can also be implemented through land use policies or stand-alone ordinances.⁴²

Requiring a license for tobacco retailers lets states and localities have a comprehensive picture of who is selling tobacco products, allowing states and localities to effectively enact and enforce policies that help prevent youth tobacco use and access and support community health by limiting the number of stores that sell tobacco in a community.⁴³ All states have the legal authority to require tobacco retailers to obtain a license before selling tobacco products.⁴⁴ Licensing fees can cover the costs of administering the licensing program and enforcing tobacco retail policies.⁴⁵ Furthermore, it is critical for any licensing program to not only consider brick and mortar retailers but also delivery services operating locally to fully have a view of retailer density and ensure compliance with age of purchase restrictions.

4 Ban the Sale of Flavored Products

A comprehensive flavor policy prohibits the sale of all flavored tobacco products within the jurisdiction, with no exceptions made for particular flavors, products, or retailers. Examples of comprehensive flavor policies include those passed in San Francisco, California,⁴⁶ Portland, Maine,⁴⁷ and Multnomah County, Oregon.^{48,49} More than a quarter (28.8%) of middle and high school students who reported current use of e-cigarettes in 2021 said they had someone else purchase the products for them.



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Therefore, bans that exempt retailers who are age-restricted, while they may be more politically feasible to pass, will not have the intended effect of significantly limiting youth access. It is critical that flavor policies be comprehensive across all age groups, products, and retailers to effectively protect youth.

Furthermore, policymakers seeking to end the sale of flavored tobacco products in their jurisdiction should pay careful attention to how the policy defines “flavored tobacco product” to avoid leaving the door open for tobacco companies to evade the new law through product marketing adjustments. The Public Health Law Center suggests a model definition that focuses on the taste or smell of the product (rather than the product’s name or description), as distinguishable by an ordinary consumer.⁵⁰ This “reasonable person” standard also helps with enforcement feasibility and cost of implementation, because no special equipment is required to determine whether an ordinary person could distinguish the product in question from an unflavored or tobacco-flavored product.⁵¹

EVIDENCE BASE AND HEALTH BENEFITS OF THE KEY POLICIES

3.1% ▶ 1.6%
drop of cigarette smoking
among high school
students after the ban



10.9% ▶ 8.2%
drop of e-cigarette use
following the ban

Empirical research suggests the likely effectiveness of flavored tobacco and nicotine policies, finding that restrictions of flavored tobacco products are associated with decreased youth tobacco use. The 2019–20 California Student Tobacco Survey⁵² found that both cigarette smoking and e-cigarette use among San Francisco area⁵³ high school students dropped following the passage and implementation of San Francisco’s comprehensive flavored tobacco ban. Cigarette smoking among high school students fell by nearly half — from 3.1%⁵⁴ to 1.6%⁵⁵ — and e-cigarette use fell from 10.9% to 8.2% following the ban.⁵⁶ Analysis of retail sales in San Francisco following implementation of the flavored tobacco ban showed the virtual elimination of flavored tobacco sales, and decreased tobacco sales overall.⁵⁷ The study also found no evidence of tobacco users switching to concept-flavored products, which are vaguely named flavored products⁵⁸ (e.g., “Arctic”) developed to evade restrictions on products with characterizing flavors.⁵⁹ In summary, policies restricting access to flavored tobacco and nicotine products have the potential to reduce youth uptake, use, and addiction; decrease use rates broadly; increase quit-success rates; and, save hundreds of thousands of lives.

The U.S. Food and Drug Administration conducted a literature review of research on the efficacy of flavored tobacco policies, and found that as of April 2022, nine studies had evaluated the impact of such policies on youth tobacco use.⁶⁰ Some examples of findings include:

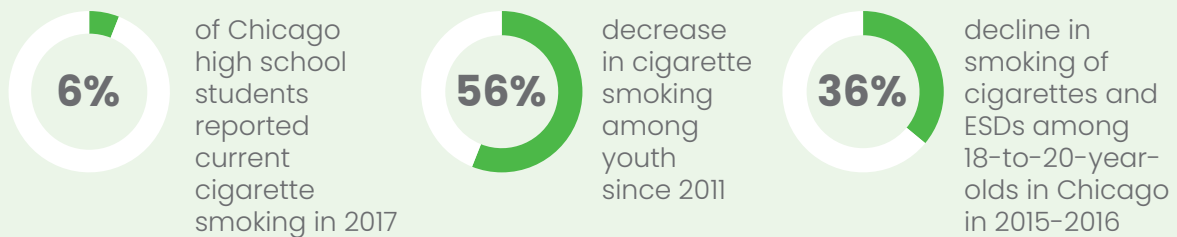
Following the federal ban on flavored cigarette products (except menthol), tobacco use by youth decreased by 6% and the likelihood of a youth becoming a cigarette smoker fell by 17%.⁶¹



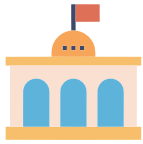
An evaluation of New York City’s law, which restricted the sale of all non-menthol flavored tobacco products, found that it lowered the odds of youth ever trying flavored tobacco products and ever using *any* type of tobacco by 37% and 28%, respectively.⁶²



Data show that Chicago’s comprehensive approach to reducing tobacco use, which included restricting the sale of flavored tobacco products and regulating electronic smoking devices, has successfully reduced smoking.⁶³ In 2017, only 6% of Chicago high school students reported current cigarette smoking, an all-time low and a 56% decrease in cigarette smoking among youth since 2011.⁶⁴ Current smoking of cigarettes and ESDs among 18-to-20-year-olds in Chicago declined by more than 36% between 2015 and 2016, from 15.2% to 9.7%.⁶⁵



LEGAL RESTRICTIONS, POLICY DESIGN, AND POLICY DEVELOPMENT CONSIDERATIONS



Federal Preemption

Federal law does not preempt state or local flavored tobacco and nicotine policies. The TCA preserves state and local authority to restrict or prohibit the sale of tobacco products,⁶⁶ and federal courts have repeatedly reaffirmed this authority. Federal appellate courts upheld flavored tobacco sales restrictions enacted by New York City⁶⁷ and Providence, Rhode Island,⁶⁸ and a federal district court upheld a Chicago ordinance restricting the sale of flavored tobacco products, including menthol cigarettes.⁶⁹ More recently, the Ninth Circuit Court of Appeals upheld a district court's opinion that the TCA did not preempt Los Angeles County's flavored tobacco sales ban.⁷⁰ The Plaintiffs in that case then requested that the U.S. Supreme Court issue an emergency injunction to stop California's ban on flavored tobacco products from going into effect,⁷¹ which the Court denied.⁷² In January 2024, the U.S. Supreme Court also denied R.J. Reynolds's request to review whether California's flavor law violates the TCA.



State Preemption

Some state laws preempt local governments from passing tobacco regulations. Jurisdictions exploring flavored tobacco policies should first conduct research into their authority to do so, and ascertain the existence, scope, and applicability of state preemption.⁷³ State preemption restricts local governments' authority to pass certain types of laws or regulate certain industries.⁷⁴ Preemption may be established in state constitutions, statutes, regulations, executive orders, or judicial decisions. State preemption laws pose a common challenge to tobacco prevention and control efforts,⁷⁵ as twenty-five states have preemption laws on the books disallowing local governments from enacting laws relating to youth access to tobacco.⁷⁶ These laws can quickly reverse decades of progress by invalidating local public health policies, and silence community voice by forcing prospective change to go through a less accessible state-level legislative process.

Whether a state preempts local tobacco restrictions may first hinge on whether the state recognizes Dillon's Rule or Home Rule, defined by whether the state requires local governments to be granted explicit authority (Dillon's Rule) or allows local governments extensive autonomy to enact laws without relying on express authority (Home Rule).⁷⁷ Jurisdictions should seek out information as to which is recognized in their state.



Assessment Considerations

The potential impact of policies and specific policy provisions, such as tobacco retailer licensing laws and buffer zones, will vary depending on factors such as existing retailer density or the number of youth-sensitive areas. Therefore, in assessing the potential impact of these policies, a jurisdiction may wish to utilize geographic information systems (GIS) mapping,⁷⁸ which is a tool to present special data. This can be helpful in showing a community's current tobacco retailer landscape (e.g.,

store locations and proximity to schools or other points of interest) and measuring retailer density in different neighborhoods.⁷⁹ Community-embedded assessments are complementary tools to understand the practical, financial, cultural, and health implications of a policy affecting local retailers.⁸⁰



Health Equity Impacts

Policies restricting the sale of flavored tobacco products are likely to disproportionately benefit youth, racial and ethnic communities, people with low incomes, and people who identify as LGBTQ+, given that these groups experience disparate harm from flavored products. For example, one study modeling the effects of a nationwide menthol ban found that the policy would save nearly a quarter million Black lives.⁸¹ These equity benefits are most likely when flavored product policies include menthol cigarettes and flavored little cigars. Although policies restricting or prohibiting non-menthol flavored tobacco products will likely improve population-level health, the failure to include menthol cigarettes and flavored little cigars is likely to *increase* disparities in tobacco use and tobacco-related harm among underserved communities, including Hispanic youth. Given the tobacco industry's targeting of Hispanic communities and other underserved and marginalized groups, along with the tobacco control movement's historical shortcomings in addressing tobacco-related health inequities, policies that create carve-outs for menthol cigarettes and flavored little cigars are not an equitable tobacco control policy because they fail to address the products responsible for so many health inequities.



Community Partnerships

One of the most effective ways to ensure that a new policy is driven by unique community strengths and goals is to directly engage, throughout policy development, passage, and implementation, the underserved communities most impacted by tobacco-related harms.⁸² By partnering with community members and other local groups whose work and lives will be affected by the policy, policymakers and public health practitioners can strengthen the effectiveness and durability of any proposed policy, and foster trust with communities that will directly benefit from its enactment.

Intentional community partnership and engagement can also help prevent a policy from unintentionally perpetuating harm against racial and ethnic communities. Historically, tobacco companies have secured footholds within many of the communities that are most impacted by tobacco-related harm through strategic partnerships and contributions to community organizations. Large tobacco companies have contributed to Black and Hispanic organizations to garner trust and loyalty, while knowingly marketing products that destroy people's health.⁸³ This targeted relationship-building, has led organizations like Reverend Al Sharpton's to oppose menthol bans with a stated concern that they will lead to increased interaction between racial and ethnic communities and law enforcement.⁸⁴ The strategy of major tobacco industry companies is to create division within communities.

Strong community partnerships are intentional, respectful, reciprocal, and sustained, and there have been several policy campaigns in recent years that meaningfully engaged Hispanic community partners and may serve as positive examples for future efforts. One such example is [Smoke-Free Oregon's Stronger Together](#) campaign's partnership with local business owners and community members who provided testimonials in support of the campaign.⁸⁵ Another key example is the [Sabores Que Enganchan](#) Phoenix campaign that partnered with local media to stop the sale of flavored tobacco products.⁸⁶ Those wishing to advance flavored tobacco policies must start by engaging communities not only to add to the evidence base in favor of the policy, or to identify existing community concerns and fears, but also to build on existing community efforts, strengths, and goals. In Multnomah County, for example, a health equity assessment raised concerns about financial strain on neighborhood stores run by people from racial and ethnic communities, the potential inequitable enforcement of restrictions, and the effect of policies on tobacco retail stores that serve as community hubs.⁸⁷ By identifying these concerns early on, policymakers and public health practitioners can more effectively partner with their community to craft novel and tailored solutions to address them.



Comprehensive Policies Without Exemptions

Although comprehensive flavored tobacco sales bans may be more difficult to pass due to political pressures and lobbying by the industry, flavor ban policy exemptions that exclude menthol or certain tobacco products will significantly weaken any potential health equity impact of the policy and may even widen existing health inequities. Exemptions for menthol cigarettes, for example, could worsen existing inequities if youth switch from newly banned mentholated e-cigarettes to menthol combustible cigarettes. Exemptions also leave gaps to be further exploited by the tobacco industry. In addition to pushing for flavor or product exemptions, tobacco industry lobbyists have also pushed in recent years for exemptions for any product granted a marketing order through the FDA's Premarket Tobacco Application⁸⁸ process, which would, at a minimum, allow the sale of any flavored e-cigarette that is approved in the future.⁸⁹



Equitable Enforcement

As with all policies, how a jurisdiction enforces its flavored tobacco policy will have a major effect on whom the policy impacts and whether that impact will be fair and proportionate. This applies both to the enforcement mechanisms written into the policy as well as how these mechanisms are implemented. States and localities considering flavored tobacco policies must therefore carefully consider their enforcement protocols to ensure that the policies do not create new or exacerbate existing inequities.⁹⁰ Equitable flavored tobacco policies, including those outlined in this brief, restrict sales by retailers rather than the purchase, use, or possession of flavored tobacco products by individuals. An equitable enforcement approach may also wish to reconsider any criminal penalties for violations, as utilizing the criminal legal system for enforcement may perpetuate systems that harm racial and ethnic communities.⁹¹

CONCLUSIONS

State and local policies to limit access and exposure to flavored tobacco and nicotine hold the promise to reverse the tobacco tipping point for Hispanic youth. Tobacco control advocates and public health practitioners have vocal, smart, and powerful partners on our side whose educational campaigns⁹² have already returned dividends in counteracting harmful industry practices. Such policies are not preempted at the federal level, and at the state level localities can use the policy options outlined in this brief to comply with their own preemptive status. If statewide change is not feasible, policies like ending the sale of flavored tobacco and tobacco-free schools can be implemented through legal tools like retailer licensing restrictions, land use and zoning updates, or stand-alone ordinances. In policy campaign design, early and consistent engagement with the communities most affected by the proposed policy will foster trust, offer insight into any community concerns about the policy, and lead to a stronger policy with more equitable implementation.

Prohibiting menthol and other flavored products is an urgent public health issue. For decades, the tobacco industry has targeted women, Hispanics, non-Hispanic Blacks, and LGBTQIA+ communities. The evidence is clear — banning all flavors in all tobacco products will reduce smoking initiation and support health and well-being in all communities. Action today by state and local policymakers is core to advancing the health of the Nation.



We are here to help. If you would like to learn more about the policies outlined in this brief please contact Adolph P. Falcón, MPP, Executive Vice President of the Healthy Americas Foundation at afalcon@healthyamericasfund.org. If you or any members of your community need support quitting smoking contact the National Alliance for Hispanic Health bilingual (Spanish and English) toll-free *Su Familia* Helpline at 1-866-783-2645 for information in the caller's community on cessation resources including financial access to quitting support.

RESOURCES FOR FURTHER ACTION AND LEARNING

General Resources

- [Flavored Tobacco Products](#)
- [Addressing Tobacco-Related Health Inequities](#)
- [Blueprint for Changemakers](#)
- [Equitable Enforcement to Achieve Health Equity](#)
- [Point-of-Sale Playbook](#)
- [Point-of-Sale Tobacco Pricing Policies](#)
- [PUP in Smoke](#)
- [Decriminalizing Commercial Tobacco: Addressing systemic racism in the enforcement of commercial tobacco control](#)
- [FDA Menthol Timeline](#)
- [E-cigarette use among Hispanics: Reducing risk or recruiting new tobacco users?](#)

Preemption Resources

- [CDC Fact Sheet: Preemption](#)
- [Point-of-Sale](#)
- [Preemption Playbook](#)

Hispanic Community Cessation Resources

- [Decidetexto Cessation Interactive Mobile Support](#)
- [Workplace Cessation Support for Hispanic Construction Workers](#)

Model Policy Language

Policy #1: – Ban the Sale of Flavored Products

- [California Comprehensive Tobacco Retailer Licensing: Model ordinance, checklist & supplemental plug-ins](#)
- [Flavored Tobacco Sales Prohibitions, Enforcement Option](#)

Policy #2: – Buffer Zones Prohibiting Flavored Product Sales Near Youth-Sensitive Areas

- [California Comprehensive Tobacco Retailer Licensing: Model ordinance, checklist & supplemental plug-ins](#)

Policy #3 – Non-Punitive Smoke-Free School Policies

- [Commercial Tobacco-Free K-12 School Model Policy.](#)

Policy #4 – Point-of-Sale Licensing and Restrictions

- [Point-of-Sale Playbook](#)

Endnotes

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- ² Birdsey J, Cornelius M, Jamal A, et al. *Tobacco Product Use Among U.S. Middle and High School Students – National Youth Tobacco Survey, 2023*. MMWR Morb Mortal Wkly Rep 2023;72:1173–1182. DOI: <http://dx.doi.org/10.15585/mmwr.mm7244a1>
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- ⁴ Id.
- ⁵ Libman K, Calloway E. *A Blueprint for Changemakers: Achieving Health Equity Through Law & Policy*. Oakland, CA: ChangeLab Solutions; 2019. https://www.changelabsolutions.org/sites/default/files/2019-04/Blueprint-For-Changemakers_FINAL_201904.pdf
- ⁶ ChangeLab Solutions. *Addressing Tobacco-Related Health Inequities Resources to Inform Point-of-Sale Policies*. Oakland, CA: ChangeLab Solutions; 2021. https://www.changelabsolutions.org/sites/default/files/2021-04/CLS-BG246-POS-Equity-fact-sheet_accessible_FINAL_20210422.pdf
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- ¹² Multnomah County. *Measure Amending Multnomah County Code Sections 21.513 to 21.515, 21.550, 21.560 and Section 21.563*. Oregon: Board of County Commissioners.
- ¹³ Multnomah County. Board Unanimously approves final reading of ordinance banning the sale of flavored tobacco and nicotine products. Multnomah County. December 15, 2022. <https://www.multco.us/multnomah-county/news/board-unanimously-approves-final-reading-ordinance-banning-sale-flavored#:~:text=The%20Board%20of%20Commissioners%20on,smoking%20crisis%20among%20young%20people>
- ¹⁴ Birdsey J, Cornelius M, Jamal A, et al. *Tobacco Product Use Among U.S. Middle and High School Students – National Youth Tobacco Survey, 2023*. MMWR Morb Mortal Wkly Rep 2023;72:1173–1182. DOI: <http://dx.doi.org/10.15585/mmwr.mm7244a1>
- ¹⁵ National Alliance for Hispanic Health. *The Tobacco Tipping Point: Ending the Vaping Threat to Hispanic Youth*; [in press 2024].
- ¹⁶ Id.
- ¹⁷ Id.
- ¹⁸ Robert J Wickham, The Biological Impact of Menthol on Tobacco Dependence, *Nicotine & Tobacco Research*, Volume 22, Issue 10, October 2020, Pages 1676–1684, <https://doi.org/10.1093/ntr/ntz239>
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- ²⁵ Id.
- ²⁶ Id.

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