



Understanding Tobacco Point of Sale: Issues and Solutions

Clean Air Coalition British Columbia
January 15, 2019

Justin Bailey, MPH



Today we will focus on...

1. What do I mean when I say “point of sale”?
2. Why should we care about the point of sale
3. What we can do: Policy options and case studies
4. Resources



COUNTER TOOLS

Est. 2012

www.countertools.org



“Place”—where we live, work, learn, pray, and play—has a profound impact on our health.



We believe that every person should have the opportunity to live a healthy life in a healthy, equitable place.

...and we're starting with the retail environment.



Empowering communities to become healthier places by...



...providing training
on the impact of the retail environment on
public health



...providing technical assistance

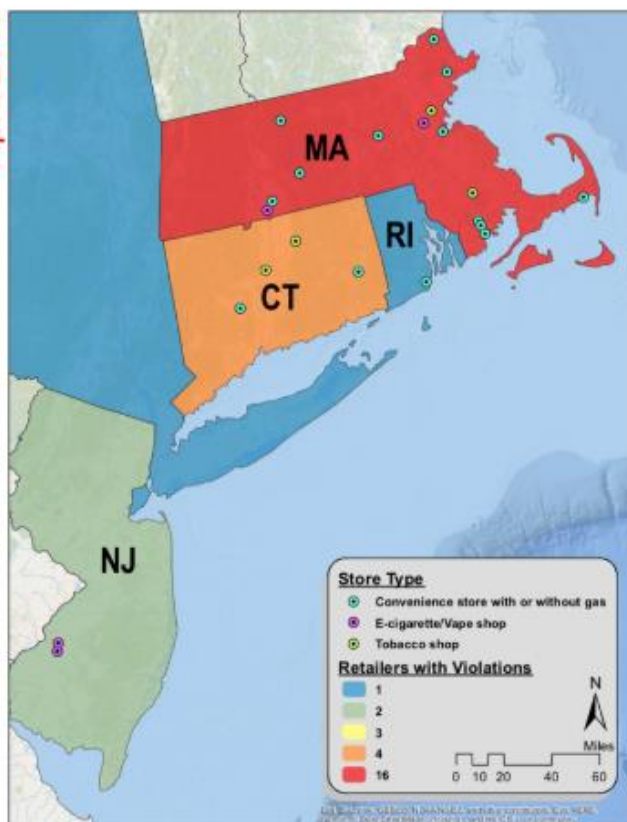


COUNTER
TOOLS

NORTHEAST RETAILERS THAT
ILLEGALLY SOLD JUUL & OTHER
E-CIGARETTE PRODUCTS TO YOUTH

FDA sting operation
April 2018

<https://www.fda.gov/TobaccoProducts/NewsEvents/ucm60527a.htm>



TOBACCO PRODUCT FOCUS: Electronic Cigarettes

E-cigarettes first entered the US market in 2007 and have surged in popularity, quickly becoming a multi-billion-dollar industry. The CDC reports that use of e-cigarettes among youth doubled between 2011-2012, and tripled among youth from 2013-2014. In combination with their variety of devices, flavors and youth appeal, e-cigarettes continue to be of interest in tobacco control areas (www.countertobacco.org). This report focuses on e-cigarette-specific data collected during 2018 in Birmingham, with a focus on youth appeal.



100%

Of stores had flavored e-cigarettes



4%

Of stores had e-cigarettes in self-service displays

13%

Of stores had e-cigarettes within 12 inches of a youth product



17%

Of stores had e-cigarette ads within 3ft of floor

Product Highlight:
Blu Menthol Disposable e-cigarette



83%

Of stores sold Blu menthol disposable e-cigarettes

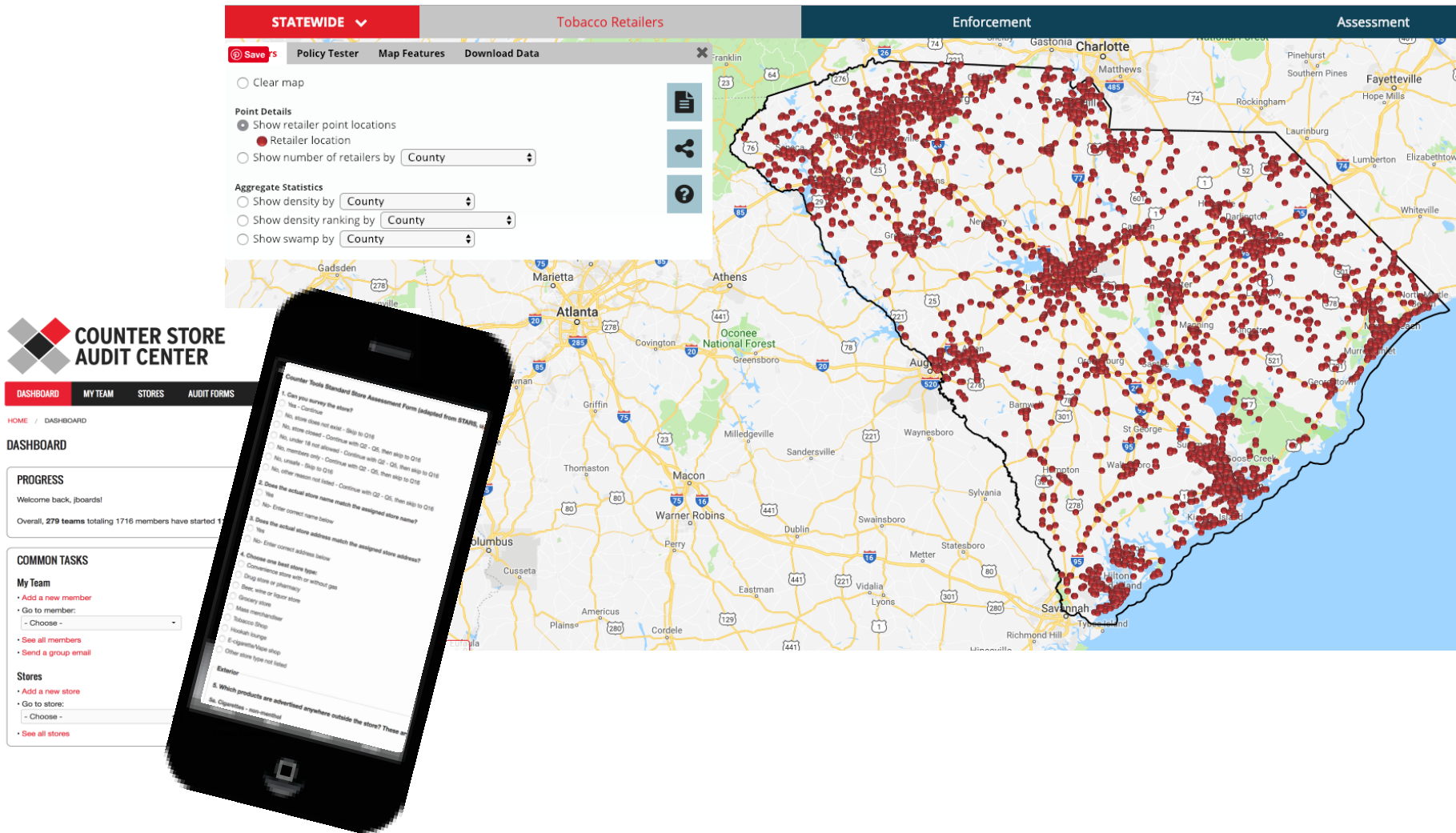


Average price of Blu menthol disposable e-Cigarettes in Birmingham: \$10.34
(as compared to \$9.15 across all cities assessed in 2018)



Assessment data was collected in 2018 by mini-grantees in Birmingham. Data analysis was completed by Counter Tools. Pairwise deletion methodology (i.e. assessed available store data rather than only complete store data) were utilized; therefore, the total number of assessments summarized for each assessment item may vary depending on the amount of data that was available (or missing) for the particular assessment item.

...providing mission-driven software tools



...connecting thought-leaders, experts, and practitioners



...supporting advocacy efforts



July 19, 2018

Dockets Management Staff [HFA-305]
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Re: Regulation of Flavors in Tobacco Products. Advance notice of proposed rulemaking.
Docket No. FDA-2017-N-6565

The undersigned organizations submit these comments in the above-designated docket regarding the regulation by FDA of flavored tobacco products.

INTRODUCTION

When Congress enacted the Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act or TCA), it prohibited the use of characterizing flavors, other than menthol, in cigarettes because Congress concluded that flavors in cigarettes made the products appealing to adolescents. The TCA also directed FDA to consider the need for a prohibition on menthol as a characterizing flavor in cigarettes as well. The TCA's elimination of flavors in cigarettes contributed to the reduction in youth usage of cigarettes.¹ However, the same kid-friendly flavors that had been prohibited in cigarettes—plus thousands more—have proliferated in other combusted and non-combusted tobacco products, enhancing the popularity of these

¹ Courtemanche, CJ, et al., "Influence of the Flavored Cigarette Ban on Adolescent Tobacco Use," *American Journal of Preventive Medicine*, published online January 9, 2017.

**...sharing research, stories from the field,
and best practices**



1. Counter Tools Blog



2. CounterTobacco.org



3. Healthy POS Webinar Series



4. CounterTobacco.org Podcast

Created by Vicons Design
from Noun Project

CounterTobacco.org

a project of Counter Tools



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THE TOBACCO INDUSTRY SPENDS

**\$1
MILLION
PER
HOUR**

ON ADVERTISING AND MARKETING,
MOST OF IT AT THE POINT OF SALE



COUNTERTOBACCO.ORG IS THE FIRST COMPREHENSIVE RESOURCE FOR LOCAL, STATE, AND FEDERAL ORGANIZATIONS WORKING TO COUNTERACT TOBACCO PRODUCT SALES AND MARKETING AT THE POINT OF SALE.

RECENT NEWS

[Announcing CounterTobacco.org's 2018 POS Tobacco Photo Contest](#)

Today marks the start of CounterTobacco.org's 7th annual Point of Sale Tobacco Photo Contest. The tobacco industry

POLICY SOLUTIONS

[Licensing, Zoning, and Retailer Density »](#)

[Tobacco 21 »](#)



Part of a comprehensive tobacco control & prevention program

1. Taxes/Price Increases



2. Clean Air Policies



3. Cessation Access



4. Media Campaigns



5. Retail Environment

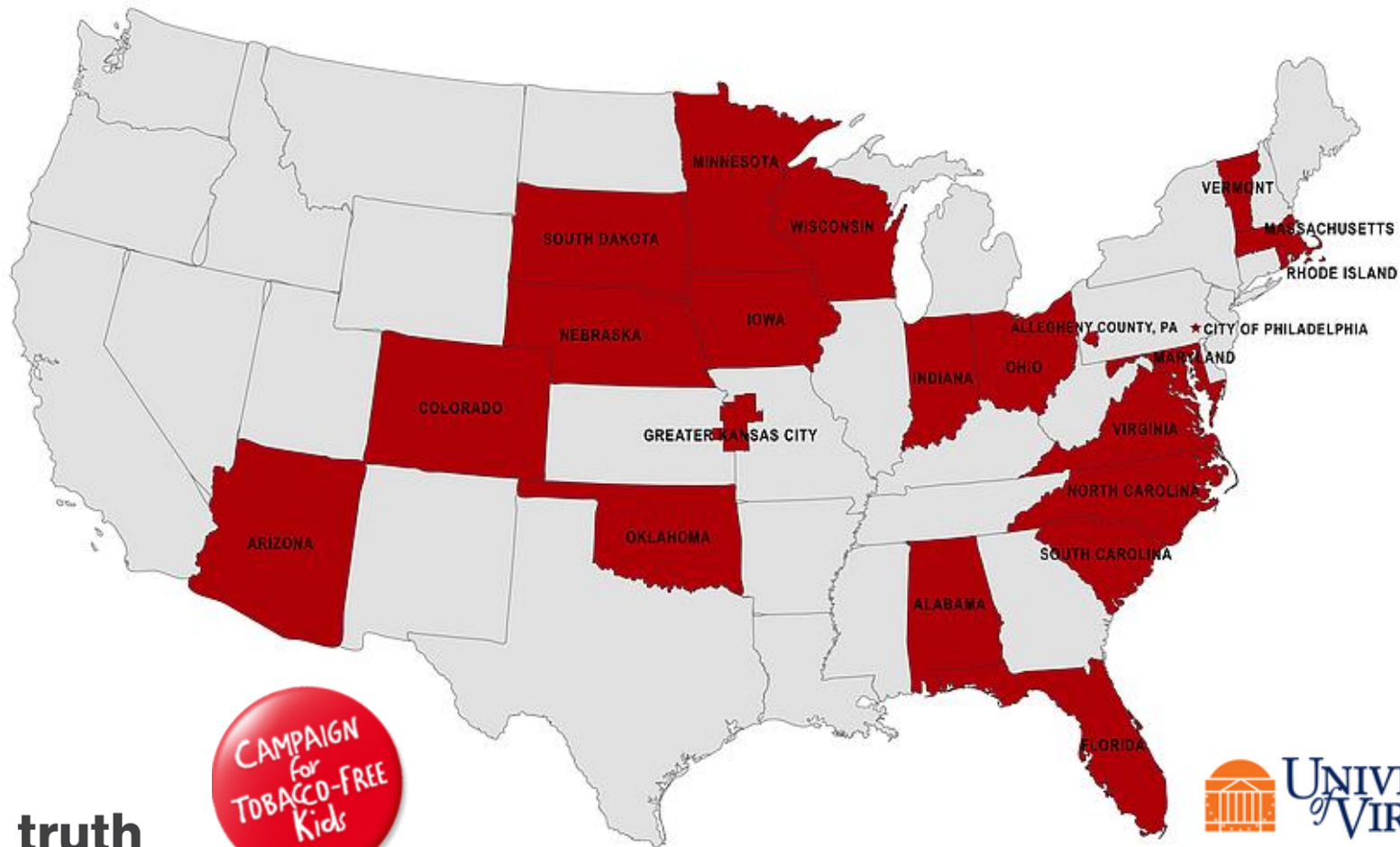


More than just tobacco or tobacco prevention



Partnerships

current and recent



THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL





What is the retail environment
or the “point of sale”?



Photo credit: sanfranciscotobaccofreeproject.org





2018 Grand Prize Winner



"The game has changed" taken by Megan Tulikangas & Alexa Furek on July 8, 2018 in Carnegie, PA

Tobacco is still the leading cause of preventable death in the world



6,000,000 people/year

[^]from smoking and SHS



480,000 people/year

[^]from smoking and SHS



14,200 adults/year

[^]From their own smoking

4 Reasons Why POS Matters



1. Industry
marketing
spending



2. Youth tobacco
use initiation



3. Quit attempts
more difficult



4. Density and
proximity



1. Industry Marketing Spending

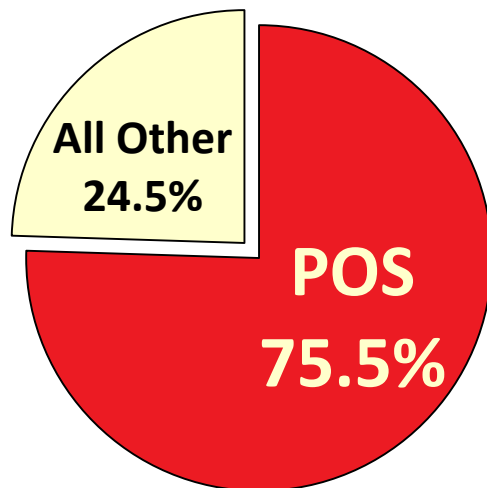
4 Reasons Why Point of Sale Matters

Tobacco Industry Marketing Expenditures

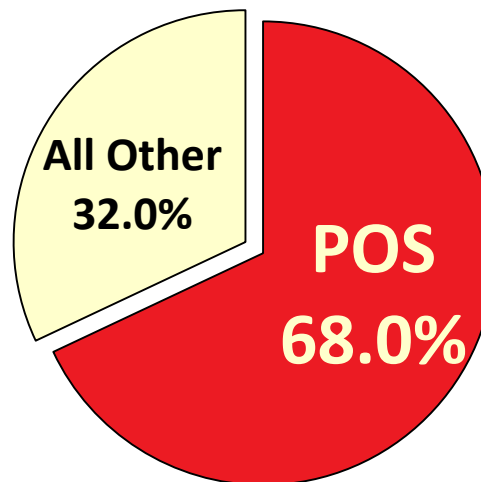
\$7.1 Billion

Spent in 2016 on cigarette and smokeless tobacco marketing at the point of sale

Cigarettes



Smokeless Tobacco



Federal Trade Commission
Cigarette and Smokeless
Tobacco Reports



Why?

1969 – The Public Health Cigarette Smoking Act was passed, which prohibited cigarette advertising on TV or radio

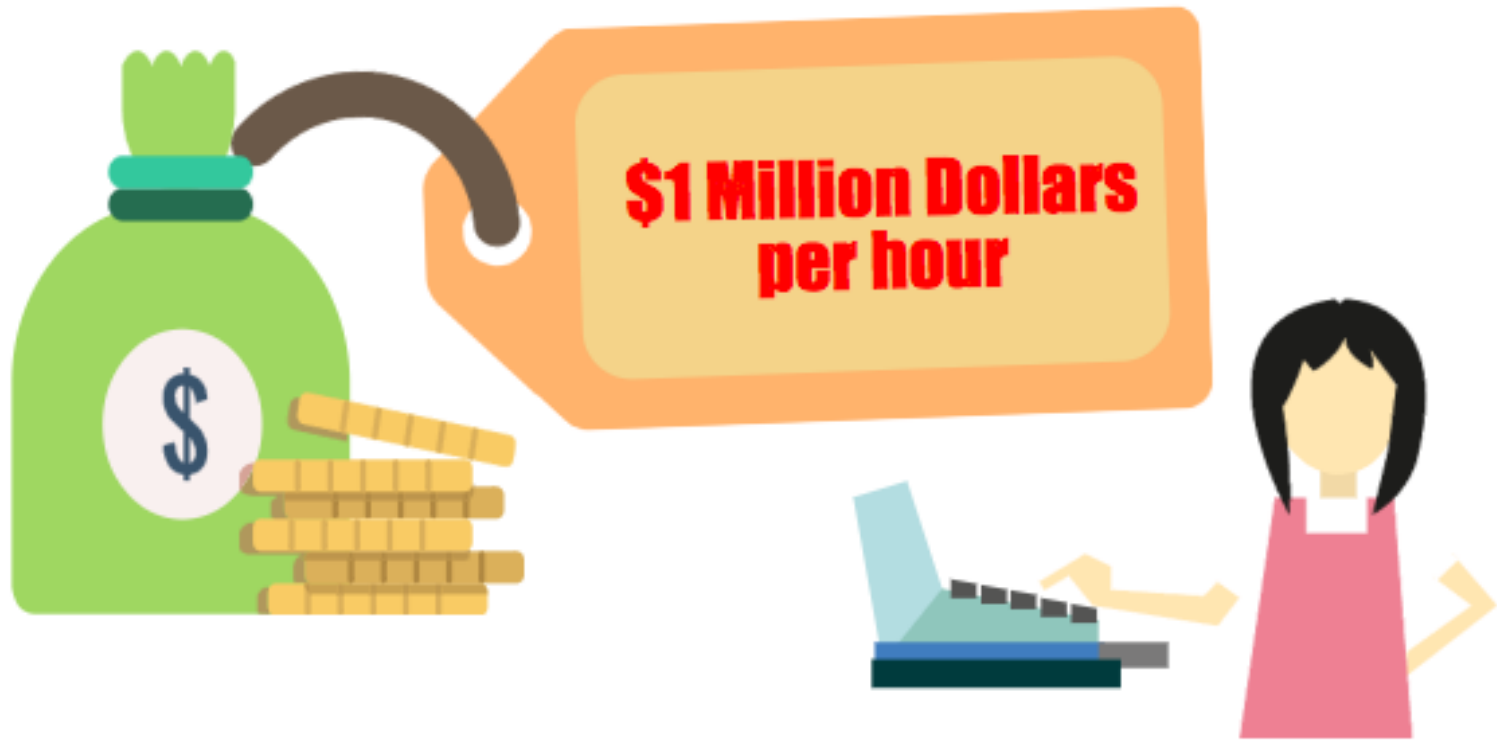
1993 – The “War in the Store” begins with price discounting battles between RJ Reynolds and Philip Morris

1998 – The Master Settlement Agreement - prohibited cigarette advertisements on billboards and limited advertising in magazines to limit youth exposure.



What's left?
The Retail Environment!

The retail store is where tobacco enters your community!





2. Youth Tobacco Use Initiation

4 Reasons Why Point of Sale Matters



© 2013 California Department of Public Health



Photo credit: California Department of Public Health

Kids are frequent c-store shoppers

- 2011-12 nationally representative sample of 13-16 year olds: Almost half (48%) visit at least once a week¹
- C-stores have more tobacco marketing materials than other store types²⁻⁵



Bottom line: Kids visit convenience stores often and convenience stores have the most marketing materials. What does this mean for brand impressions?

Exterior Advertising



Exposure to in-store marketing linked to tobacco use initiation



Children and adolescents more frequently exposed to POS tobacco promotion have **~1.6 times higher odds of having tried smoking** and **~1.3 times higher odds of being susceptible to future smoking** compared to those less frequently exposed.

Bottom Line: Exposure to marketing works! Youth who see more ads are more likely to start smoking

Robertson, et. al. Point-of-sale tobacco promotion and youth smoking: a meta-analysis. *Tobacco Control*, 2016



3. Quit Attempts More Difficult

4 Reasons why Point of Sale Matters

Trying to quit while driving in the neighborhood...



Exposure to retail marketing associated with impulse purchase



Slater, et al., 2007; Wakefield, 2008



4. Proximity and Density Double Whammy!

4 Reasons Why Point of Sale Matters

Proximity and Density:

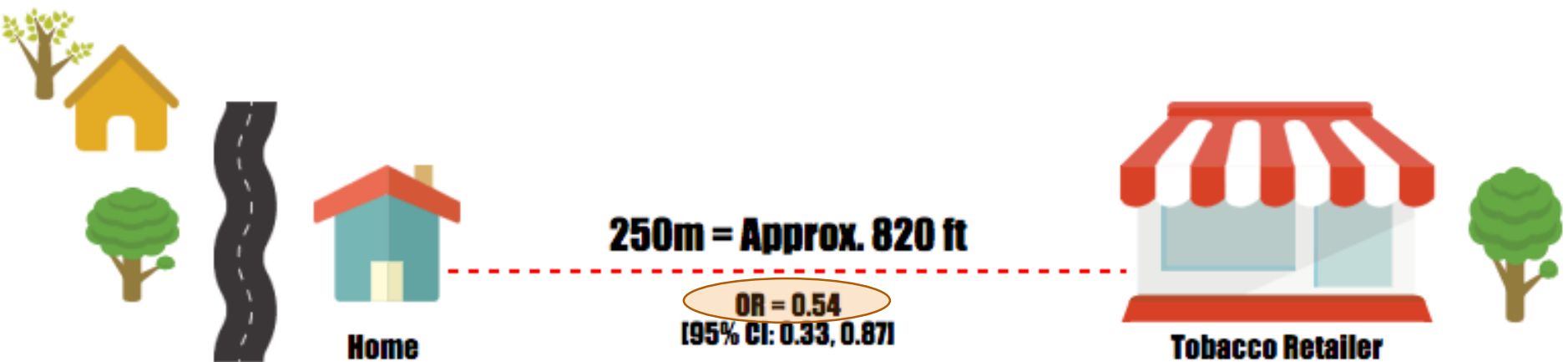
Proximity

- A measure of the distance to nearest tobacco retailers in an area;
- Measured in feet, miles or km; radial or network buffers

Density

- A measure of the concentration or clustering of tobacco retailers in an area;
- Measured as number per 1,000 population, e.g., 1.2 retailers per 1,000 people

Close proximity associated with less long term quit success

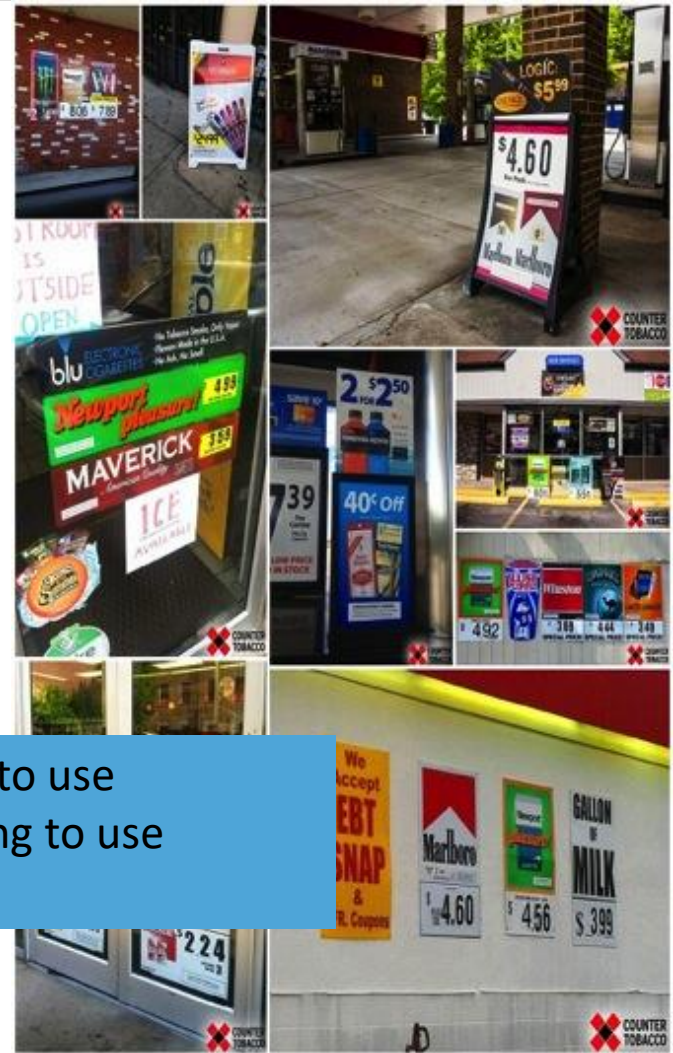


Bottom Line: Do you live closer to a retailer? Your odds of quitting are half of someone who doesn't live as close.

Higher density associated with initiation among US young adults

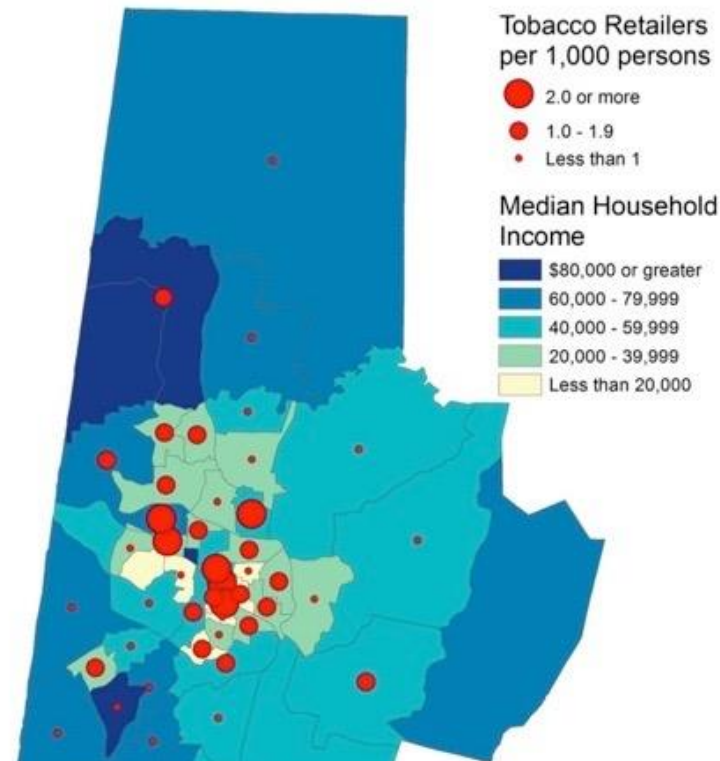
- Higher retailer density associated with higher likelihood of *initiating* cigarette use among 25-34 year olds (OR=3.75, 95% CI 1.18, 11.90)
- Higher retailer density **associated with higher likelihood of *initiating* non-cigarette combustible use among 18-24 year olds** (OR=3.16, 95% CI 1.03, 9.74)

Bottom Line: Higher density = higher chance of starting to use cigarettes (25-34 year olds) AND higher chance of starting to use products like cigarillos (18-24 year olds)



Higher density found in low income and high minority communities

- Higher in communities with lower median household income¹⁻³
- Higher in communities with higher percentage of African American^{1,2} or Latino families¹



Bottom Line: Lower-income, minority communities see higher density, resulting in greater marketing exposure and more tobacco use. Even worse, retailers in these areas often have more ads and cheaper prices.

4 Reasons Why POS Matters



1. Industry
marketing
spending



2. Youth tobacco
use initiation



3. Quit attempts
more difficult



4. Density and
proximity

What We Can Do About POS

Five Core Integration Processes for Evidence-Based Policy Interventions

PROBLEM STREAM:
Problem Identification

1. Document local problems

POLICY STREAM:
Specific Policy Solution

2. Formulate policy solutions by applying data on the local problem and existing policy to select the most promising EBPIs

POLITICS STREAM:
Political Support

3. Engage strategic partners
4. Raise awareness
5. Persuade decision-makers

Collect High Quality Local Data

Elementary School



BP Gas Station



Exxon Gas Station



Citgo Gas Station



Store Assessments

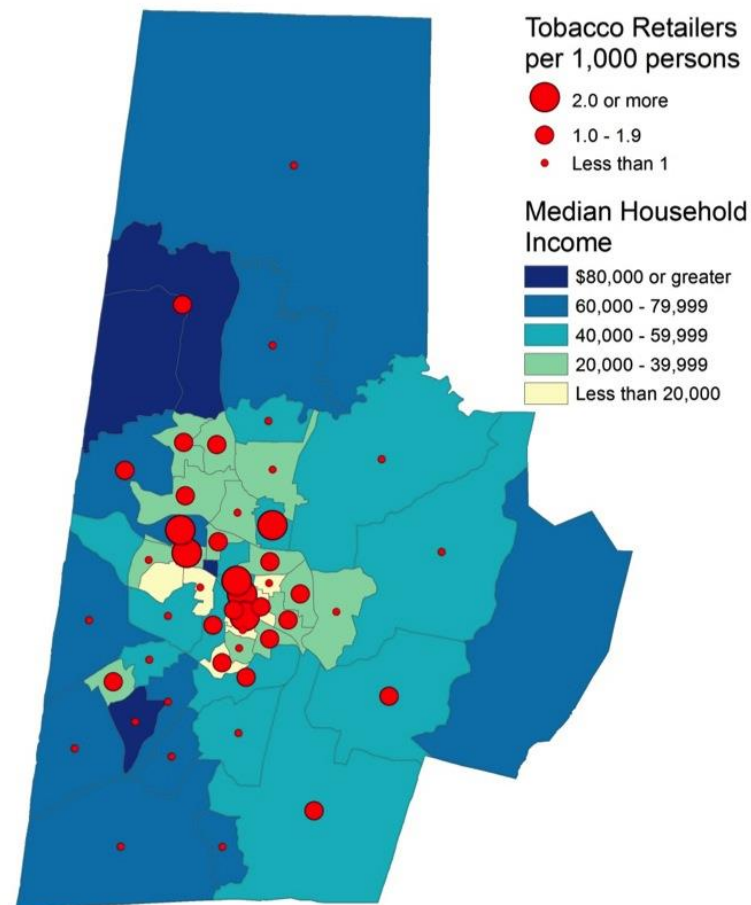


- ✓ Store type
- ✓ Exterior ads
- ✓ Availability of:
 - ✓ All tobacco products
 - ✓ Alcohol
 - ✓ Flavored products
 - ✓ Singles
- ✓ Pharmacy counter?
- ✓ Price of cheapest cigarette pack
- ✓ WIC/SNAP
- ✓ Advertised <\$1
- ✓ Price promotions

Engage Community Members



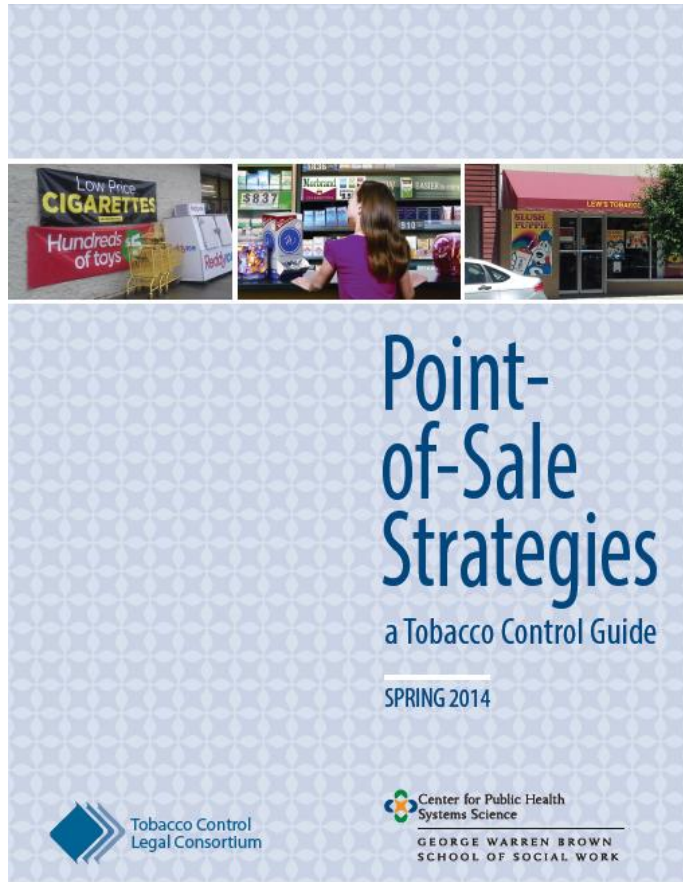
Identify Disparities



Document Industry Targeting



Identify Policy Change Priorities



1. Reducing number, location, density, and types of tobacco retail outlets
2. Increasing the cost of tobacco products through non-tax approaches
3. Implementing prevention and cessation messaging
4. Restricting point-of-sale advertising
5. Restricting product placement
6. Other (flavor, minimum package size)

Tobacco Retailer Licensing

- Licensing is like the binder that holds other tobacco control policies inside
- All tobacco control laws can be *enforced* through TRL ordinance



Strong TRL policies associated with lower youth tobacco use

- Comparing rates of initiation and use among CA youth in areas with strong and weak TRL requirements
- **Youth in strong-TRL areas were less likely to start using cigarettes and e-cigs**
- **Tobacco product use rates were one-third to one-half lower than in weak-TRL areas**
- Strong TRL policies have: Adequate annual license fee covering compliance checks for every store; annual renewal requirement; graduated penalty system for violations, consider violation of any law to be a violation of the TRL

POS Policy Case Studies

Reducing Disparities in Retailer Density & Proximity

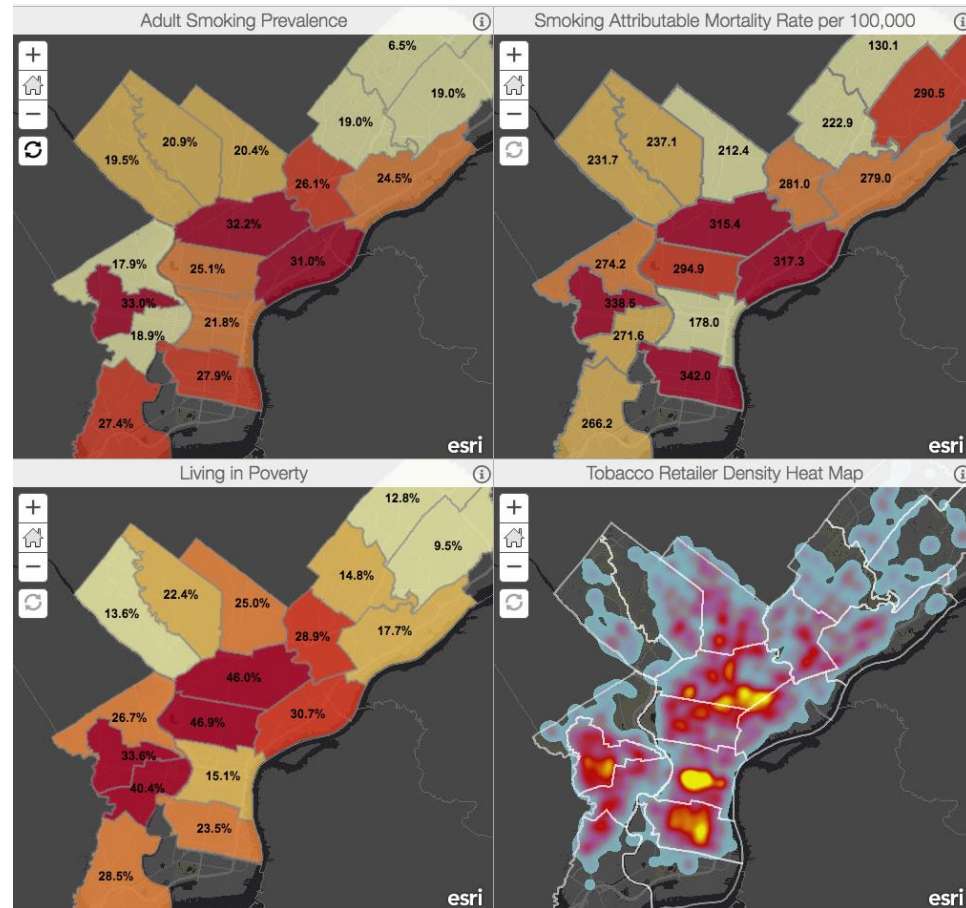
Philadelphia, PA

Tobacco Retail Density Policy

- 1 permit per 1000 people in each planning district
- Tobacco-free school zones
- Increase in annual permit fee
- Standard violation rules
- Will reduce disparities in density, reduce total number of retailers, improve enforcement efforts

Other examples of retailer caps:

- NYC – in half over time
- Huntington Park, CA
- Amherst, MA + 81 other MA municipalities
- IN, UT, HI



Flavor Restrictions

New York City, NY & Providence, RI

- Restricts sale of on all flavored non-cigarette tobacco product to tobacco bars only

Minneapolis & St. Paul, MN

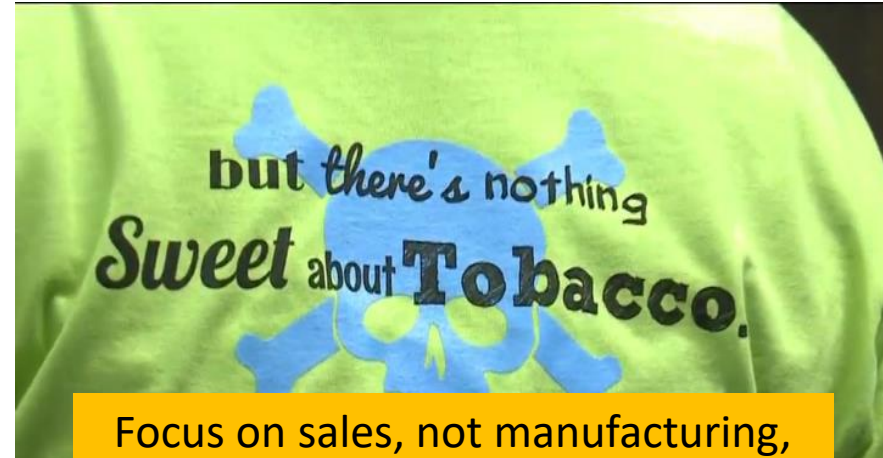
- Restricts sale of flavored tobacco products to adult-only stores – **now includes menthol!**

Chicago, IL & Berkeley, CA

- Restrict flavored products including menthol within a buffer zone around schools

Other examples:

- Maine
- Massachusetts municipalities



Focus on sales, not manufacturing,
not Purchase/Use/Possession



Tobacco 21

Local movement:

- 2005: Needham, MA
- 2013: NYC
- Cleveland, Chicago, Kansas City, now 270+ cities

Statewide

- 2015: Hawaii
- 2016: California
- 2017: New Jersey
- 2017: Maine
- 2017: Oregon
- 2019: Massachusetts



Caution: focus on sales, not PUP; not a silver bullet youth access; consider enforcement

CounterTobacco.org:

A great US POS resource



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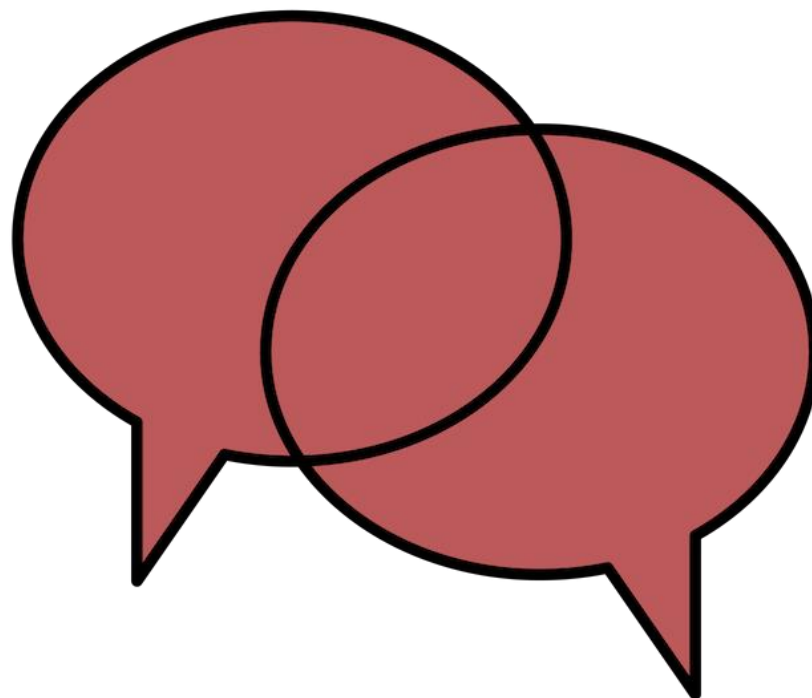




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