

# CUYAHOGA COUNTY BOARD OF HEALTH

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December 16, 2022

Dear Governor DeWine:

On behalf of the Cuyahoga County Board of Health, I would respectfully request a veto of Sub. H.B. 513. This bill removes all local control over tobacco policies including implementing local tobacco retail licensure programs, conducting local compliance to ensure retailers are not selling to kids, and furthering policies to end the sale of flavored tobacco products designed to attract kids.

Tobacco use remains this nation's number one preventable cause of premature death and disease, killing 20,200 Ohioans each year. Ohio has some of the worst tobacco use rates in the country – 1 in 5 adults currently smoke cigarettes and nearly 1 in 3 (29.8%) Ohio high school students are using e-cigarettes. Flavored products are driving this epidemic. In fact, 85% of youth e-cigarette users use flavored products. Unless we take action to reduce tobacco use, 259,000 of the youth alive today in Ohio will die early from a tobacco-related disease. It is incumbent on us to do what we can to help minimize the use of tobacco among young people.

The economic impact of tobacco use in Ohio is staggering. In addition to this enormous health burden, tobacco use also imposes a major economic burden on society costing Ohio \$6.56 billion in annual health costs and \$8.04 billion in lost productivity due to smoking-caused related illnesses.

Ohio has taken positive steps to improve the health of people across the state, but often the most effective tobacco control policies have originated at the local level. When you signed Tobacco 21 into law in 2019, you permitted municipalities to maintain local programs and thus allowed them to do more to protect their kids. Sub. H.B. 513 will undo all the good work that has been done at the local level and will potentially cause a proliferation of more tobacco retailers, more access to kids, and more new users of tobacco products.

Maintaining some level of local control allows communities to play the role of innovators, adopting and implementing important public health policies and demonstrating they are feasible and effective. Prior to the State of Ohio raising the age of tobacco sales to age 21, local communities led the way. Currently, locals continue to lead through the implementation of effective strategies, which often include compliance checks of retailers and tobacco retailer licensing programs. The General Assembly has now undone all of that without any public input from these same communities.



**Roderick Harris, DrPH Health Commissioner**

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Given the devastating impact of tobacco use on our children, we must make sure Ohio's cities, towns and counties continue to have the option to enact local ordinances that support, and in no way conflict with, statewide legislation and authority. Nine communities in our health jurisdiction have enacted local Tobacco 21 ordinances that are directly aligned with and support statewide law and efforts to ensure tobacco products are sold to those age 21 or older. On behalf of these communities, the Board of Health conducts a licensing and inspection program that allows for annual inspection of retail facilities that sell tobacco products. During these inspections, our sanitarians have the opportunity to discuss with business owners, managers and employees, the importance of selling tobacco products only to those age 21 or older. We ensure that the proper tobacco sales signage is displayed in a conspicuous location at the point of sale.

Under these local ordinances, our office also conducts periodic compliance checks of these facilities to help make sure that employees are in fact validating the age of the customer and selling tobacco products only to those of proper age. None of these activities conflict in any way with the state's laws or program requirements. As a matter of fact, these periodic local compliance checks may be the only ones that occur at these retail locations for many months or years, since those conducted by the state occur so infrequently.

With this in mind, I respectfully request that you consider a veto of Sub. H.B. 513. Thank you for your time and consideration.

Sincerely,



Roderick Harris, DrPH  
Health Commissioner  
Cuyahoga County Board of Health



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