

Lowell Tobacco Control Monthly Report

April/2019

Prepared by: Cesar Pungirum, M.M., J.D.
Program Director

Lowell

Inspections

Twenty-nine routine inspections have been conducted this month so far. There have been only signage violations.

Pricing Surveys

I've conducted pricing surveys at 18 establishments this month, so far.

Compliance Checks

I've already started compliance checks in Lawrence but I'm still waiting for signed consent forms before resuming them in Lowell.

7-Eleven 33097A - 55 Chelmsford St – Resolved

Store manager paid the \$100 ticket as ordered by the Lowell District Court.

New Vape Store to Open – 479 Broadway

The owner of Yaya Cigars and Vapes has submitted an application for a Tobacco Product Sales Permit. Owner's still remodeling the place and plans on opening it up within the next two weeks. He said he will use a similar setup as the original Yaya store, with a vestibule, window and a buzzer system.

Article

Healy urges taxes, limits on vape products. Article attached



Metro

Healey urges taxes, limits on vape products



EVA HAMBACH/AFP/GETTY IMAGES/FILE

AG Maura Healey has moved aggressively to crack down on the marketing of electronic vaping products to minors,

By Matt Murphy

STATE HOUSE NEWS SERVICE APRIL 12, 2019

Attorney General Maura Healey joined the growing number of elected officials to call for taxing e-cigarettes and banning flavored vaping products this week, just as House leaders said they needed more time to consider whether to tax electronic smoking products or take additional steps to curb vaping by teenagers.

Healey, in a speech to business leaders at Bank of America in Boston, said her efforts to go after vaping companies for marketing and selling nicotine products to minors can only accomplish so much to curb youth smoking.

“I think it’s important that we update our law to address and try to curb this epidemic. I’d like to start by treating these products as we treat other tobacco products. Ban flavors and tax them,” Healey said.

Healey’s speech to the New England Council came just before House leaders unveiled a annual budget plan that did not include Governor Charlie Baker’s proposal to raise \$6 million in new revenues by taxing e-cigarettes and applying a 40 percent excise tax on wholesale vapor products.

“That does not mean it’s not up for further discussion,” House Speaker Robert DeLeo said. “I think what we had found was some had various ideas in terms of how to address the issue, not only about the tax situation, but e-cigarettes as a whole, so I think that’s something that we can discuss at a later date.”

Healey has moved aggressively over the past year to crack down on the marketing of electronic vaping products to minors, launching an investigation last summer of Juul, the largest vaping company in the country, to determine whether it intentionally markets to minors and whether it tracks underage use of its products.

The attorney general has also sent cease-and-desist letters to online e-cigarette retailers that state investigators determined to be selling products into Massachusetts without verifying the ages of buyers.

Users of nicotine and tobacco products must be 21 year old to purchase in Massachusetts.

“Just because something is legal for adults doesn’t means that it’s safe and that’s part of the message we have to really drive home here,” Healey told business leaders on Wednesday.

“Nicotine and these products are highly addictive and they’re not good for developing lungs, minds and brains.”

In 2017, the Massachusetts Youth Risk Behavior Survey showed that 24.6 percent of high school students reported using any tobacco, including e-cigarettes, in the past 30 days, down from 29.3 percent in 2015.

Over 40 percent of students in that same survey reported ever using “electronic vapor products,” down from 44.8 percent in 2015.

Nationally, however, vaping among high-schoolers is on the rise, according to the Centers for Disease Control.

Healey said she’s heard from superintendents, teachers, parents, and students about the pervasiveness of vaping in schools. One student, she said, told her about receiving a pop-up ad on her phone for vaping products while using an app designed to help her with algebra homework.

Healey said flavors like sour-patch, cotton candy and bubble gum are “directed to a younger audience” to create a new market as smoking of tobacco-based cigarettes is on the decline. Altria, the parent company of Marlboro, recently bought a 35 percent stake in Juul for \$12.8 billion.

The push to tax electronic cigarettes and ban flavored vaping products has appeared to gain momentum on Beacon Hill this year after the Legislature last session passed the law raising the statewide age to purchase tobacco and nicotine products to 21.

The Cancer Action Network held a lobbying day at the State House earlier this month where multiple lawmakers spoke in favor of expanding the cigarette excise, including Representative Marjorie Decker of Cambridge.

Decker said at that event that she intended to file amendments for higher tobacco taxes as part of the budget process.

“There is no excise tax on e-cigarettes and it doesn’t make sense that we don’t treat it the same way as cigarettes, cigars, and other tobacco products,” Decker said.