

RESOLUTION NO. 110592

PASSED May 17, 2012

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE,  
FLORIDA, URGING TOBACCO RETAILERS TO STOP THE SALE AND  
MARKETING OF CANDY FLAVORED TOBACCO PRODUCTS IN  
GAINESVILLE, FLORIDA**

WHEREAS, tobacco use is the leading cause of preventable death in the United States; and

WHEREAS, the Centers for Disease Control and Prevention reports that more than 80-percent of current tobacco users started using before age 18; and

WHEREAS, the Centers for Disease Control and Prevention reports that youth cigarette use has declined since the late 1990's, but youth smokeless tobacco product use has increased in recent years; and

WHEREAS, the latest data for Alachua County shows 7.5-percent of middle school students used a form of tobacco on at least one occasion within the past 30-days and 22.9-percent of high school students used some form of tobacco on at least one occasion within the past 30-days; and

WHEREAS, the Florida Department of Health reports that 2.9-percent of middle school students and 9.8-percent of high school students in the State had smoked a flavored cigar within the past 30-days; and

WHEREAS, the Florida Department of Health reports that 1.5-percent of middle school students and 4.6-percent of high school students in the State had used flavored smokeless tobacco products within the past 30-days; and

WHEREAS, the Food and Drug Administration reports that flavored tobacco products are especially attractive to young tobacco users; and

WHEREAS, the Food and Drug Administration reports that studies of youth expectations of flavored tobacco products such as hookahs have found that young users report choosing flavored products over non-flavored products because they "taste better" and are perceived to be "safer"; and

WHEREAS, flavored tobacco products carry the same health risks to users as their non-flavored counterparts; and

WHEREAS, the City Commission of the City of Gainesville is concerned about the marketing and packaging practices of flavored tobacco manufacturers that may contractually obligate retailers to display youth-oriented flavored tobacco products more prominently in their stores; and

WHEREAS, possession of any tobacco product by a minor (person younger than 18 years old) is a civilly citable offense; and

WHEREAS, the sale of any tobacco product to a minor is a crime; and

WHEREAS, any retailer where sale of tobacco products to a minor takes place may be subject to loss of their tobacco sales license as determined by the Department of Business and Professional Regulations; and

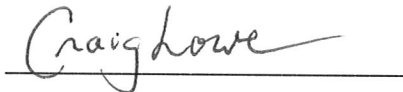
WHEREAS, flavored tobacco products are defined as loose tobacco, snuff tobacco, chewing tobacco, dissolvable tobaccos, snus, cigarillos, cigars, and all other forms of tobacco products that contain any product or additive, either artificial or natural, designed to flavor the tobacco or the byproduct the tobacco produces.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

Section 1. The City Commission of the City of Gainesville, Florida, urges all vendors who sell flavored tobacco products to cease the sale and marketing of all such products in order to reduce the exposure and use of tobacco products to Gainesville youth.

Section 2. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 17th day of May, 2012.



CRAIG LOWE

MAYOR

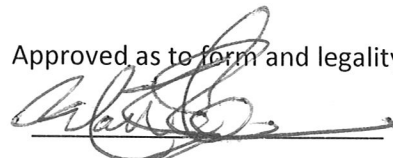
ATTEST:



KURT M. LANNON

CLERK OF THE COMMISSION

Approved as to form and legality



MARION J. RADSON

CITY ATTORNEY

MAY 17 2012