



# CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BUREAU OF ENVIRONMENTAL HEALTH



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## **IMPORTANT NOTICE**

May 29, 2020

Dear Tobacco Retail Operator(s):

The Long Beach City Council adopted the Long Beach Municipal Code (LBMC) Chapter 5.94, temporarily prohibiting the sale of certain flavored tobacco products within the City of Long Beach. Under the ordinance, flavored tobacco products including: flavored cigarillos, flavored electronic smoking devices (such as electronic cigarettes, electronic cigars, electronic pipes, electronic hookahs, vapes, vaporizers, and vape pens), flavored electronic smoking device fluid, both nicotine and non-nicotine and menthol cigarettes are prohibited and shall not be sold or distributed. This shall remain into effect for one (1) year from the effective date of January 5, 2020, unless further extended by City Council. A link to the full ordinance can be found at [www.longbeach.gov/TREP](http://www.longbeach.gov/TREP).

This is the second notification letter, all flavored products must be removed on **Thursday, July 2nd, 2020** as defined in LBMC Chapter 5.94, Subsection H.

*H. "Flavor" means an artificial or naturally-occurring substance that contains a taste or smell, other than taste or smell of tobacco, that is imparted either prior to or during the consumption of the product or any byproduct produced by the tobacco product, including, but not limited to, any taste or smell relating to chocolate, coffee, cocoa, menthol, mint, wintergreen, vanilla, honey, coconut, licorice, nuts, fruit, or any candy, dessert, alcoholic or non-alcoholic beverage, herb, spice, or any concept flavor. "Flavor includes flavor in any form, mixed with or otherwise added to any tobacco product, including electronic smoking devices.*

Retailers must comply with federal, state and local tobacco-related laws, including provisions of the City's Tobacco Retail Permit. Information about the City's Tobacco Retail Permit can also be found in Section 5.81 of the Long Beach Municipal Code. Business owners are responsible for ensuring this ordinance is being enforced within their establishments. Non-compliance may result in legal action including administrative citations, grounds for suspension, denial, or revocation of any permit as set forth by LBMC Chapter 5.81.

Implementation and enforcement of this provision will be primarily undertaken by the Long Beach Department of Health and Human Services, Environmental Health Bureau. Expect increased inspections during the effective time via routine and complaint-driven inspections. Attached is a frequently asked questions (FAQ) for your reference. To receive this FAQ and notice in Spanish, Khmer or Tagalog, or for more information, please contact Nicole Lujan at TREP (562) 570-7905.

Sincerely,

A handwritten signature in black ink that reads "Judeth Luong".

Judeth Luong MPH, REHS  
Environmental Health Operations Officer

# FLAVORED TOBACCO

*What you need to know about flavored tobacco products in Long Beach*

## What does the flavored tobacco ordinance say?

In an effort to protect members of the public from health risks associated with flavored tobacco the City of Long Beach approved an ordinance which temporarily, prohibits the sale or distribution of certain flavored tobacco products

## What products does the ordinance temporarily prohibit?

All flavored products must be removed on or before

**Thursday, July 2nd, 2020:**

- Flavored cigarillos
- Menthol cigarettes
- Flavored electronic smoking device fluid  
*(including all nicotine and non-nicotine fluids)*
- Flavored electronic smoking devices  
*(such as electronic cigarettes, electronic cigars, electronic pipes, Electronic hookahs, vapes, vaporizers, and vape pens)*



## Which retailers can sell flavored tobacco products?

No tobacco retailer, or any employee of a tobacco retailer, shall sell or offer for sale, or distribute any prohibited product.

The ordinance does not apply to retailers licensed pursuant to Chapter 5.88 of The City Municipal Code (such as cigar lounges or hookah lounges).

For more information visit [www.longbeach.gov/tobaccoedu](http://www.longbeach.gov/tobaccoedu) or call the Tobacco Retail Enforcement Program at (562) 570-7905.

## When does the ordinance go into effect?

This is a **TEMPORARY BAN** and shall remain into effect for one (1) year from the effective date of January 5, 2020, unless further extended by City Council.

## When is the last day to sell flavored tobacco products?

Retailers have 180-days from the effective date to comply, after which it will be a violation to sell, offer for sale, or distribute any prohibited product. All flavored products must be removed on or before

**Thursday, July 2nd, 2020.**



# Frequently Asked Questions

**Q: Are products like flavored cigar wraps which do not contain tobacco such as hemp, included in this ordinance?**

A: No. The ordinance is specific to tobacco/vape products.

**Q: How is it enforced?**

A: The Long Beach Department of Health and Human Services, Environmental Health Bureau, Tobacco Retail Enforcement Program (TREP), will conduct routine and complaint driven inspections.



**Q: What are the penalties for non-compliance?**

A: If an establishment is found to be in violation of the ordinance the owner may be subject to the following fines:

- One hundred dollars (\$100.00) for a first violation
- Two hundred dollars (\$200.00) for a second violation
- Five hundred dollars (\$500.00) for a third and for each subsequent violation within one (1) year.

**Q: What is defined as a flavored tobacco product?**

A: Flavored tobacco products have a distinguishable taste or smell, other than the taste or smell of tobacco. Examples of flavors include but are not limited to:

Fruit or Sweet		Liquor	Menthol or Mint
Apple	Gummy Bear	Amaretto	Menthol
Berry	Pineapple	Bourbon	Frost
Blueberry	Honey	Rum	Peppermint
Cherry	Java	Cognac	Spearmint
Chocolate	Mango	Irish Cream	Cool Mint
Cinnamon	Peach	Moonshine	Mint
Cream	Spice	Peach Schnapps	Wintergreen
Dulce De Leche	Sour Apple	Pina Colada	Winterchill
Fruit Punch	Sweet Vanilla	Wine	
Grape (white or red)	Raspberry	Scotch	
Sweet Clove	Watermelon	Tequila	
		Whiskey	

**Q: Where can I get more information?**

For more information visit [www.longbeach.gov/tobaccoedu](http://www.longbeach.gov/tobaccoedu) or call the Tobacco Education Program at (562) 570-7950 or Tobacco Retail Enforcement Program at (562) 570-7905. To receive this document in Khmer or Tagalog or for more information, please contact TREP (562) 570-7905.