August 22, 2022

Dear Tobacco Retail Operator(s):

The permanent flavor tobacco ban took effect on August 15, 2021. Under the Long Beach Municipal Code (LBMC), Chapter 5.81, flavored tobacco products are prohibited to be sold and/or stored on the permitted facility. Business owners are responsible to ensure compliance within their permitted facilities. Per City of Long Beach ordinance, flavored tobacco products include but are not limited to:

- Menthol and flavored tobacco products (cigarettes, snus, chew, etc.)
- Flavored cigarillos
- Flavored electronic devices (such as electronic cigarettes, electronic cigars, electronic pipes, electronic hookahs, vapes, vaporizers, and vape pens),
- Flavored electronic smoking device fluids, and flavored cigarettes, including menthol cigarettes are banned.

The ordinance does not apply to:

- The sale of shisha tobacco products by a hookah tobacco retailer if certain conditions are met.
- The sale of premium cigars sold in cigar lounges where products are purchased and consumed only on the premises.
  - "Premium cigar" means any cigar that is handmade, is not mass produced by use of mechanization, has a wrapper that is made entirely from whole tobacco leaf, and has a wholesale price of no less than twelve dollars ($12). A premium cigar does not have a filter, tip, or nontobacco mouthpiece and is capped by hand.
- The sale of loose-leaf tobacco or premium cigars.

Tobacco retailers shall comply with federal, state, and local laws, including provisions of the City's Tobacco Retail Permit. An administrative citation will be issued to those facilities that have already received their first and final notice. In addition to administrative citation, non-compliance may result in further legal action including permit denial, suspension, or revocation.

Information about the City's Tobacco Retail Permit can be found under the LBMC Chapter 5.81. In addition, attached is a frequently asked questions (FAQ) for your reference. To receive this FAQ and notice in Khmer or Tagalog, or to speak with a representative, please contact Tobacco Retail Enforcement Program at (562) 570-7905.

Sincerely,

Judeth Luong MPH, REHS
Bureau of Environmental Health Manager
What is the flavored tobacco ordinance?
In an effort to protect members of the public from health risks associated with flavored tobacco, the City of Long Beach approved an ordinance (LBMC 5.81.070) which permanently prohibits the sale or distribution of most flavored tobacco products. Since the ordinance has been in effect for one year, all flavored products are expected to be off the premises of the store.

What products does the ordinance prohibit?
All prohibited flavored products should have been removed by August 2021, including:
- Flavored cigarillos (including menthol)
- Menthol cigarettes
- Other menthol and flavored tobacco products (cigarillos, snus, chew, pouches, etc.)
- Flavored electronic smoking device fluids (including all nicotine and non-nicotine fluids)
- Flavored electronic smoking devices (such as flavored single use electronic cigarettes, electronic cigars, electronic pipes, Electronic hookahs, vapes, and vape pens, etc.)

What products does the ordinance allow?
Almost all flavored products are prohibited under the ordinance with some exemptions for certain types of products sold at specific locations. These include:
- The sale of shisha tobacco products by a hookah tobacco retailer if certain conditions are met.
- The sale of premium cigars sold in cigar lounges where products are purchased and consumed only on the premises.
- The sale of loose-leaf tobacco or premium cigars.

Note: A product must meet the definition of "Premium Cigar" under LBMC 5.81.010m to be allowed for sale. Products labeled "Premium Cigar" on the product packaging may not meet these qualifications:
- Definition of Premium Cigar: any cigar that is handmade, is not mass produced by use of mechanization, has a wrapper that is made entirely from whole tobacco leaf, and has a wholesale price of no less than twelve dollars ($12). A premium cigar does not have a filter, tip, or nontobacco mouthpiece and is capped by hand.

For more information visit www.longbeach.gov/TREP or call the Tobacco Retail Enforcement Program at (562) 570-7905.
What is defined as a flavored tobacco product?

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:

**Flavored cigarillos and cigars** (e.g. fruit, sweet, liquor, blue dream fusion, solar, jazz)

*Products labeled "Premium Cigar" may not meet the requirements to be allowed for sale

Menthol cigarettes

Other menthol tobacco products (cigarillos, snus, chew, pouches, etc.)

Flavored electronic smoking devices and fluids:

Other:

*Please note, that this is a list of examples of flavored products but does not constitute an exhaustive list of all prohibited flavored tobacco products. If you have any questions, please contact the Tobacco Retail Enforcement Program at (562) 570-7905.*

For more information visit [www.longbeach.gov/TREP](http://www.longbeach.gov/TREP)