

May 26, 2021

Dear Tobacco Retail Operator(s):

On April 13, 2021, the Long Beach City Council approved to permanently prohibit the sale of certain flavored tobacco products within the City of Long Beach. Under the Long Beach Municipal Code (LBMC), Chapter 5.81, flavored tobacco products include but not limited to:

- Menthol 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.

This first notification letter is to inform you that all flavored tobacco products must be removed from sale by **Sunday, August 15th, 2021**. Tobacco retailers shall comply with federal, state, and local laws, including provisions of the City's Tobacco Retail Permit. Information about the City's Tobacco Retail Permit can also be found under the 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. Business owners are responsible to ensure compliance within their establishments. Non-compliance may result in legal action including denial, administrative citations, suspension, or revocation of any permit as set forth by LBMC Chapter 5.81. Attached is a frequently asked questions (FAQ) for your reference. To receive this FAQ and notice in Khmer or Tagalog, or for more information, please contact Nicole Lujan at (562) 570-7905.

Sincerely,



Judeth Luong MPH, REHS  
Bureau of Environmental Health Manager





# Frequently Asked Questions

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

A: Yes. The ordinance applies to both tobacco and vape products as well as tobacco and vape paraphernalia

## **Q: How is it enforced?**

A: The City of Long Beach 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\*

*\* Please note - if your facility does not correct the violations after the first re-inspection, an additional reinspection fee will be assessed in addition to the fine*

## **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. For any questions related to specific products, please contact the Tobacco Retail Enforcement Program at (562) 570-7905.

## **Q: Which tobacco products are exempted?**

A: This 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.
- The sale of loose-leaf tobacco or premium cigars.

*-"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.*

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

For more information visit [www.longbeach.gov/health/services/directory/tobacco-permits/](http://www.longbeach.gov/health/services/directory/tobacco-permits/) or call the Tobacco Retail Enforcement Program at (562) 570-7905 or the Tobacco Education and Prevention Program at (562) 570-7950.