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CITY COUNCIL PASSES MAYOR EMANUEL'S LATEST EFFORT TO CURB YOUTH SMOKING

New ordinance expands restrictions on e-cigarettes, supports youth to make healthy choices

City Council today passed an ordinance introduced by Mayor Rahm Emanuel that will increase the taxes for e-cigarettes and mandate that all tobacco products and accessories, including e-cigarette and vaping products, be located behind the counter at retail stores. This ordinance, which expands upon an ordinance introduced to Council by Alderman Ed Burke in June, builds on the mayor's national leadership to keep tobacco products out of the hands of youth, which has led to historic lows in youth smoking in Chicago.

"I am proud to stand with Chicagoans as we say no to Big Tobacco, no to deceitful marketing that hook our youth and no to jazzed-up versions of the same old nicotine products that harm us," said Mayor Emanuel. "With these new measures, we will build on our historic lows in youth smoking and support the health of the next generation."

The new ordinance includes the following improvements:

Increasing the tax of e-cigarettes: The ordinance increases taxes on liquid nicotine, found in vaporizer and e-cigarette products, and extends the tax to e-cigarette devices that are packaged with liquid nicotine products. The tax is currently \$0.80 per device or container and \$0.55 per mL of liquid nicotine, and last year created \$772,000 in revenue for school-based health services. The new ordinance increases those taxes to \$1.50 per device or container and \$1.20 per mL. Vape products, particularly easily concealed, flavored liquid products, have risen in popularity in recent years among youth. This measure, coupled with efforts to counter the tobacco industry's marketing and prohibit youth access, will continue to support youth in making healthy choices for their futures.

Restricting location of e-cigarette products to behind the sales counter: The ordinance also mandates that all tobacco products and accessories, including e-cigarette and vaping products, are behind the sales counter rather than being immediately in front of consumers at the point of sale. This measure builds on the city's policies that counter strong marketing campaigns by tobacco companies that target youth in retail stores through product displays. Moving all products behind the counter, coupled with now-mandated warning signs being developed by the Chicago Department of Public Health (CDPH), would reduce the visibility of Big Tobacco's marketing and increase awareness about the risks associated with use of e-cigarettes and other tobacco products.

"I applaud these innovative policies to keep harmful tobacco products out of the hands of our young people," said Chairman Edward Burke. "Building on our past success, this package of restrictions is the next step in our goal to create Chicago's first tobacco-free generation."

"For decades, Big Tobacco has employed shrewd tactics to hook young people on this deadly habit," said CDPH Commissioner Julie Morita, M.D. "But Chicago fights back. This ordinance follows innovative strategies like banning flavored tobacco sales near schools and raising the purchasing age to 21 that not only set new national standards for other cities, but, most importantly, help keep our children healthy and tobacco free."

This year marks the 20th anniversary of the historic settlement that forced Big Tobacco to stop marketing to children and pay states hundreds of billions of dollars to recover taxpayer dollars spent on treatment of tobacco-related illnesses. But tobacco remains the leading cause of preventable disease, disability and death in the United States—and the industry is finding new ways to hook youth on a deadly habit. Cities and states must step up the fight if we want to reach the goal of a tobacco-free generation. Chicago has led the way with some of the strongest regulations in the country.

"E-cigarettes, which contain nicotine, are addictive and pose a clear and present danger to our youth," Joel Africk, President and CEO, Respiratory Health Association. "Raising the tax on e-cigarettes is a proven strategy for discouraging youth from using these products, and it will bring us one step closer to a smoke-free generation."

"Big Tobacco is always changing up its marketing tactics to create a new generation of people using its products," said Dr. Robert Winn, Cancer Center Director, UI Health. "The more we can do to reduce youth exposure to tobacco displays and other marketing, the better."

A record of fighting Big Tobacco

Chicago, under Mayor Emanuel, has made great strides in reducing cigarette smoking in the last seven years. Last year, youth cigarette smoking hit a new historic low from 13.6 percent in 2011 to 6.0 percent today—a nearly 60 percent decline, according to CDPH's Healthy Chicago Survey. Building on the success of previous anti-tobacco programs, the City is taking further measures to reduce the use of harmful e-cigarette and other tobacco products.

Mayor Emanuel has a record of standing up to Big Tobacco and reduce youth access to tobacco products. Under his leadership, the city incorporated e-cigarettes as part of the Clean Indoor Air Ordinance, banned the sale of flavored tobacco near high schools, raised the tobacco purchasing age to 21 and banned redemption of tobacco coupons. These measures have helped to keep e-cigarettes out of the hands of Chicago's youth and ensured that indoor spaces remain free from smoke and vapor. Further, Chicago became the first big city to impose a tax on e-cigarettes under Mayor Emanuel's leadership, and Chicago has the highest combined cigarette tax in the nation, which has proven to reduce smoking rates. In addition, Mayor Emanuel expanded Chicago's smoke-free environments to include all parks, marinas and beaches, and more public housing, hospitals and college campuses.

As a result of the city ordinance prohibiting the sale of flavored tobacco within 500 feet of a high school, the Department of Business Affairs and Consumer Protection (BACP) Tobacco Sales to Minors team investigated 1,237 tobacco retailers in 2017, finding 13 percent out of compliance and issuing 165 citations.

Other actions to reduce smoking rates include the April 2018 passage of Mayor Emanuel's ordinance requiring health-risk warning signs and the posting of the city's quitline phone number at doors of all tobacco dealers. In addition, the city prohibited all free sampling of tobacco products. Big Tobacco has targeted the African American community in particular, and free samples have been a way to hook new users. Chicago's efforts have worked to counter decades of misleading and manipulative marketing techniques, give youth real facts about tobacco and limit youth exposure to harmful products.

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