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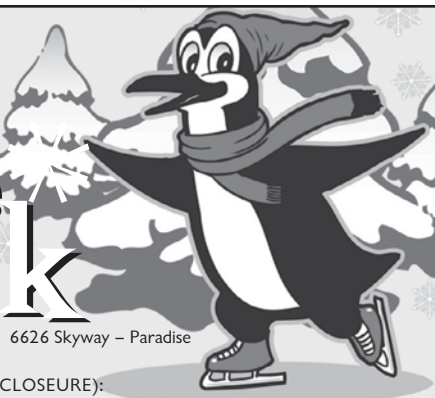


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Up in smoke

Council takes first step to ban flavored tobacco sales, upending future of vape shops

Meghan Kavanaugh left the City Council meeting on Tuesday night (Dec. 3) trying to stay composed, but it was difficult—the panel had made a decision that she told the CN&R will jeopardize the future of her family-owned business, A&M Vapes.

That night, the council voted to ban the sale of flavored tobacco products in Chico, including vaping cartridges and menthol cigarettes, directing the City Attorney's Office to bring back an ordinance for consideration. Kavanaugh, whose shop on Mangrove Avenue makes its own flavored juices for use in cartridges, estimated the council's decision will take more than 90 percent of her products off the shelves.

"We're adults. You can go to the store and get whipped cream vodka ... but they're not banning that," she told the CN&R. "I won't be able to support my family anymore."

The proposed prohibition was the most contentious item of the night, drawing more than 20 speakers, with a slim majority in favor of a ban. Proponents included Butte County Public Health experts and Chico educators, who cited the allure of flavored products and statistics of skyrocketing vaping rates among kids.

Kavanaugh spoke alongside several other smoke shop owners. They argued that they've worked hard to prevent the products from reaching kids and shared stories of customers they have helped quit using cigarettes.

But not all local smoke shops are following the law, Ellen Michels, Public Health's Tobacco Program project director, told the council. The department discovered 20 percent of shops citywide and 38 percent near Chico State sold to minors during a 2018 investigation (the underage decoy buyers typically asked for flavored cigarillos or Camel Crush cigarettes).

In addition, Megan Armstrong, a Public Health education specialist, cited recently released statistics from



the 2019 National Youth Tobacco Survey, released by the Food and Drug Administration and Centers for Disease Control and Prevention, indicating that more than a quarter of high school students (27.5 percent) and 10.5 percent of middle-schoolers are now vaping.

Studies have shown that kids start with flavored tobacco products, Armstrong said, and kids who vape are more likely to start smoking cigarettes. According to the survey, e-cigarettes with nicotine can harm brain development, and e-cigarette aerosol can expose smokers to substances that can harm the lungs, such as heavy metals.

Other advocates for the ban included those who wanted to see menthol smoking rates drop because they disproportionately affect certain populations, such as African-Americans and the LGBTQ community. Chicoan Vince Haynie told the panel he grew up in Chicago and Compton, where tobacco companies pushed the flavored cigarettes.

"I was a victim of menthol-flavored tobacco products from the age of 14 till I was 45 years old, and I [tried to] quit a million times," he said.

Meghan Kavanaugh, owner of A&M Vapes, says the City Council's decision to ban flavored tobacco products will jeopardize her family-owned business.

PHOTO BY ASHIAH SCHARAGA

Others, like Tim Lynch, argued that education and enforcement should be the council's priority. "It is not your responsibility to be the morality police of the citizens of your town," he said.

Councilman Scott Huber said he understands changing product availability can impact business, but noted that non-flavored products can still be sold. "What could be more important than the safety of our children?" he asked. "To me it's not so much about people trying to quit as it is about trying to ensure people never start."

Councilman Sean Morgan argued that while he supported the ban, he would vote against it because it appeared hypocritical, given the city's move to legalize marijuana shops. He then suggested that the council give vape shops the first crack at marijuana business in Chico because of how this ban would impact them.

"If we don't want to appear to be complete hypocrites, wouldn't