

November 22, 2024

Dear Mayor Johnston & Denver City Council Members,

We, the Board of Public Health & Environment (the Board), are writing to express our strong support for the expected ordinance which would prohibit the sale of flavored tobacco products. Denver would join over 380 localities, in addition to 5 states, that have passed restrictions on flavored tobacco products.

The scientific evidence to support an ordinance change to ban the sale of flavored tobacco products is overwhelming. Such an ordinance would further strengthen Denver's multi-pronged policy approach to reduce youth access to, and use of, tobacco products.

The briefing presented during the Denver City Council Budget and Policy Committee meeting on Monday, October 28, 2024, highlighted numerous data points from across the nation, the state and local to Denver, regarding the impact of tobacco, nicotine, vape and flavored products. Tobacco use is the leading cause of preventable death in the United States¹ and in Colorado². In Denver, 9.2% of high school students use tobacco products according to the Healthy Kids Colorado Survey from 2023.³ About 95% of adult smokers began before turning 21, and the introduction and popularity of flavors is contributing to the continued addiction among our youth. Youth cite flavors as a major reason for their current use of non-cigarette tobacco products, with 70.3% of youth vape users saying they use products 'because they come in flavors I like'.⁴ Data also indicates that young people who vape are 4 times more likely to smoke cigarettes a year later.⁵

E-cigarettes today can contain the same amount of nicotine as 20 packs of cigarettes.⁶ Nicotine is highly addictive and harms developing brains, specifically in terms of mood, self-control, concentration and memory.⁷ The combination of flavored nicotine use and mental health struggles, for example anxiety or depression, among youth, can make it difficult to quit. This is related to how nicotine withdrawal can further exacerbate irritability, anxiety, and concentration issues, which may then lead youth back to the nicotine filled vape products to reduce their irritability as nicotine causes the brain to release dopamine which lowers the perception of stress.

The Tobacco Industry has a long history of predatory marketing directed at young people, Blacks, Latinos, women, and LGBTQ+ populations. This marketing encourages consumption of their products,

¹ Tobacco Free Kids. The Toll of Tobacco in the United States. <https://www.tobaccofreekids.org/problem/toll-us/>. Accessed November 15, 2024.

² Tobacco Free Kids. The Toll of Tobacco in Colorado. [https://www.tobaccofreekids.org/problem/toll-us/colorado#:~:text=Smoking%20kills%20more%20people%20than,nationwide\)%20and%20smokeless%20tobacco%20use](https://www.tobaccofreekids.org/problem/toll-us/colorado#:~:text=Smoking%20kills%20more%20people%20than,nationwide)%20and%20smokeless%20tobacco%20use). Accessed November 15, 2024.

³ Healthy Kids Colorado Survey Dashboard. <https://cdphe.colorado.gov/healthy-kids-colorado-survey-dashboard>. Accessed November 15, 2024.

⁴ FDA, "Modifications to Compliance Policy for Certain Deemed Products: Guidance for Industry, Draft Guidance," March 13, 2019, <https://www.fda.gov/media/121384/download>. While the methodology is not comparable to the PATH study, the 2019 NYTS found that 68.8% of middle and high school e-cigarette users had used a flavored tobacco product in the past month. Wang, TW, et al., "Tobacco Product Use and Associated Factors Among Middle and High School Students—United States, 2019," *MMWR*, 68(12): December 6, 2019, <https://www.cdc.gov/mmwr/volumes/68/ss/pdfs/ss6812a1-H.pdf>.

⁵ E-cigarette use as a predictor of cigarette smoking: results from a 1-year follow-up of a national sample of 12th grade students.

Retrieved from <http://tobaccocontrol.bmj.com/content/early/2017/01/04/tobaccocontrol-2016-053291?paperetoc>

⁶ Tobacco Free Kids. Ending the Sale of Flavored Tobacco Products. <https://www.tobaccofreekids.org/what-we-do-us/flavored-tobacco-products>. Accessed November 15, 2024.

⁷ American Lung Association. <https://www.lung.org/quit-smoking/smoking-facts/health-effects/nicotine>. Accessed November 15, 2024.

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and has since led to increased health inequities, for example Blacks represent 41% of the excess premature deaths, but only 12% of the US population.⁸

The Denver City Council and the Mayor's Office is positioned to protect Denver's current and future youth and save lives long term. By eliminating flavored tobacco products, you are contributing to the health of Denver. Stop tobacco companies from addicting another generation of kids and furthering health inequities among Denver's vulnerable communities.

Sincerely,

Catherine Cooney

Catherine Cooney, Chair
Denver Board of Public Health and Environment

⁸ Mendez, D and Le, TT, "Consequences of a match made in hell: the harm caused by menthol smoking to the African American population over 1980-2018," *Tobacco Control*, published online September 16, 2021.