



# 30 YEARS OF SUCCESS & INNOVATION

Celebrating the Past, Present, and  
Future of Tobacco Control in California



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Celebrating the Past, Present, and  
Future of Tobacco Control in California



# ACKNOWLEDGEMENTS

Staff members at the California Tobacco Control Program, a branch of the Center for Healthy Communities of the California Department of Public Health, prepared this publication. We would like to thank the following individuals for their contribution to the planning and development of this publication:

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# ABBREVIATIONS AND ACRONYMS

ad(s)	advertisement(s)
e-cigarette(s)	electronic cigarette(s)
CDC	Centers for Disease Control and Prevention
CDPH	California Department of Public Health
CTCP	California Tobacco Control Program
EPA	Environmental Protection Agency
FAA	Federal Aviation Agency
FDA	Food and Drug Administration
STAKE Act	Stop Tobacco Access to Kids Enforcement Act
UCSF	University of California, San Francisco
U.S.	United States
VA	Veterans Affairs

# CELEBRATING 30 YEARS OF SUCCESS & INNOVATION

**The architects of Proposition 99, the Tobacco Tax and Health Protection Act of 1988, were public health visionaries.**

Their vision for a comprehensive statewide tobacco control program funded by a tobacco tax changed the trajectory of tobacco use and its diseases in California. It fundamentally changed the structure, implementation, and evaluation of tobacco prevention and cessation programs in California, the nation, and the world.

Proposition 99 and its enabling legislation created a powerful infrastructure that fostered oversight, accountability, and innovation. These helped thwart Tobacco Industry tactics that sought to undermine the California Tobacco Control Program (CTCP) and redirect public health funding toward direct

health care services. Key architectural elements sustaining one of the most successful public health interventions of our lifetime include:

- ◆ the Tobacco Education and Research Oversight Committee;
- ◆ evaluation and surveillance requirements;
- ◆ leveraging the local public health department, community based organization, and educational system infrastructure;
- ◆ a statewide mass media campaign;
- ◆ a dedicated research program combined with a requirement for public health and education programs to continuously apply the most current research findings; and
- ◆ multi-year spending authority, a tool that lessens the naturally occurring fiscal reductions resulting from using a declining revenue source to fund CTCP.

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**“ We wouldn’t let stores sell edible rat poison for human beings or allow glue sniffing salons to be available. We don’t allow the sales of marijuana in our city, which is probably actually less damaging than tobacco. If we truly want to lead, we need to have the courage of our convictions.**

**VICE MAYOR, BEVERLY HILLS, JOHN MIRISCH, AUGUST 7, 2018**

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Proposition 99 enabling legislation also shifted prevention and cessation activities away from a classical educational approach focused on individuals. Instead, it emphasized a social norm change approach that influences current and potential future tobacco users by creating a social milieu and legal climate in which tobacco becomes less desirable, less acceptable, and less accessible.

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**“ Nicotine is very addictive. We can argue whether vape products drive kids to cigarettes or whether they take lifelong smokers and make their lives healthier. But the fact of the matter is that addictive substances create addicts and addictive behavior translates to other ways to be an addict. There’s an awful lot of evidence about that. Addiction in of itself is a bad thing.**

JEFF HARRIS, SACRAMENTO CITY COUNCIL, APRIL 16, 2019

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Throughout its existence, CTCP benefited from leaders willing to challenge the Tobacco Industry and its role in promoting death and disease. In CTCP’s first decade, Dr. Kenneth W. Kizer, Dr. Dileep G. Bal, and Ms. Carol Russell stand out as providing superb leadership, especially in navigating a treacherous political environment.

Dr. Ron Chapman must also be singled out. In 2015, he was one of the first public health leaders in the nation to raise the alarm about the dangers of e-cigarettes and their potential to addict a whole new generation of young people to nicotine.

Time and time again, CTCP was bolstered and sustained by the American Cancer Society, American Heart Association, American Lung Association, and Americans for Nonsmokers’ Rights. They have been tenacious in protecting Program funding, advancing progressive public health protections for all Californians, and taking on the Tobacco Industry.

While strong voluntary health organization leadership is essential, it’s the people in the trenches who make the magic happen. They are the unsung heroes responsible for the sustained success of CTCP. Many of the best and brightest people in state and local government, community-based organizations, and universities were attracted to work in tobacco use prevention and cessation. Over and over, individuals from these institutions blazed new territory, especially in the policy arena. This report pays homage to their creativity, agility, and tenacity in navigating a complex, continuously evolving marketplace and regulatory environment. Their work produced remarkable results.



As we mark this 30-year milestone, it is appropriate to reflect on our losses, celebrate our accomplishments, and consider how the past will shape our next steps. Guiding the future is a bold vision to end the tobacco epidemic in California by 2035.

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**“ It’s amazing to me that we’re having to install vaping detectors in all our classrooms because these guys are making clothing so you can hide the use of it. I saw a hooded shirt where the strings have the tubing inside, and they can vape in a class by sucking on a string of a hood. I say shame on the manufacturers for even coming up with this and shame on our federal government for allowing this product even to be sold.**

DAVID PITTMAN, OROVILLE CITY COUNCIL, JANUARY 7, 2020

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For over three decades, CTCP and its partners have built public health community capacity, resulting in a wealth of diverse, talented people and organizations. Because of Proposition 56, the 2016 ballot measure that raised the tax on cigarettes by \$2.00 per pack, California has the resources to cross the finish line. Voters and lawmakers signaled the political will to conclude that which began in 1988. In 2016, California

approved sweeping tobacco control legislation that included raising the legal age of tobacco sales to 21. Later that year, Proposition 56 won by a 62 percent majority. In 2018, San Francisco voters rebuffed Tobacco Industry attempts to overturn a ban on the sale of menthol cigarettes and flavored tobacco products by a 68 percent majority. In 2019, San Francisco voters defeated a Juul-backed referendum to overturn a moratorium on the sale of vape products by 81.8 percent. Across California, more than 80 urban, suburban, and rural communities now restrict flavored tobacco product sales. More than 20 restrict the sale of vape products altogether.

Meanwhile, bellwether communities such as Beverly Hills have enacted a complete ban on the sale of all tobacco products to protect their youth. Our elected officials have never been more aware, smarter, or more articulate about the issues. California has the talent, the resources, and the political will to do this. Now is the time to lean in to ending the tobacco epidemic in California.



April Roeseler, Tobacco Control Branch Chief  
California Department of Public Health

# OUR BIG ACHIEVEMENTS

## 1988-1990

### CALIFORNIA LAUNCHES TOBACCO CONTROL PROGRAMS

- ◆ **November 8, 1988:** Voters Approve Proposition 99, Increasing the Tobacco Tax to \$0.35 Per Pack to Fund Tobacco Health Education
- ◆ **October 2, 1989:** California Department of Health Services Director Ken Kizer Creates CTCP To Oversee Tobacco Health Education Campaign from Proposition 99 Funds

## 1991-2000

### CALIFORNIA LEADS THE WAY

- ◆ **August 1, 1992:** California Smokers' Helpline, the Nation's First State Sponsored Tobacco Cessation Telephone Helpline, Launches
- ◆ **July 21, 1994:** After More than 200 California Communities Pass Smokefree Laws, California Passes the Nation's Toughest Smokefree Workplace Law, Protecting Workers from Secondhand Smoke
- ◆ **December 9, 1998:** The Four Largest Tobacco Companies and the Attorneys General of 46 States Reach a Master Settlement Agreement; Tobacco Companies Sign a \$206 Billion Deal and Agree to Marketing Restrictions

# 2001-2010

# 2011-2020

# ENDGAME

## A DECADE OF FIRSTS

- ◆ **October 21, 2003:** Solana Beach Unanimously Passes the First Smokefree Beach Law in California and Continental U.S.
- ◆ **February 15, 2006:** Calabasas Prohibits Smoking in All Indoor and Outdoor Public Places
- ◆ **October 9, 2007:** Belmont Becomes the First City in the U.S. to Prohibit Smoking in Multi-unit Housing
- ◆ **August 7, 2008:** San Francisco is the First City in the U.S. to Ban the Sale of Tobacco in Pharmacies

## COUNTERING BIG TOBACCO AT THE COUNTER

- ◆ **September 13, 2012:** Launch of the Healthy Stores for a Healthy Community Campaign
- ◆ **May 4, 2016:** California Passes Multiple Tobacco Control Laws, Including Regulating E-cigarettes and Vaping Products as Tobacco Products and Raises Tobacco Sales Age to 21
- ◆ **October 25, 2016:** Yolo County Is the First Community in California to Pass a Comprehensive Ban on the Sale of Flavored Tobacco, Including Menthol
- ◆ **November 8, 2016:** California Proposition 56 Passes and Increases the Tobacco Tax to \$2.87 Per Pack



## **CALIFORNIA LAUNCHES TOBACCO CONTROL PROGRAMS**

# 1988-1990

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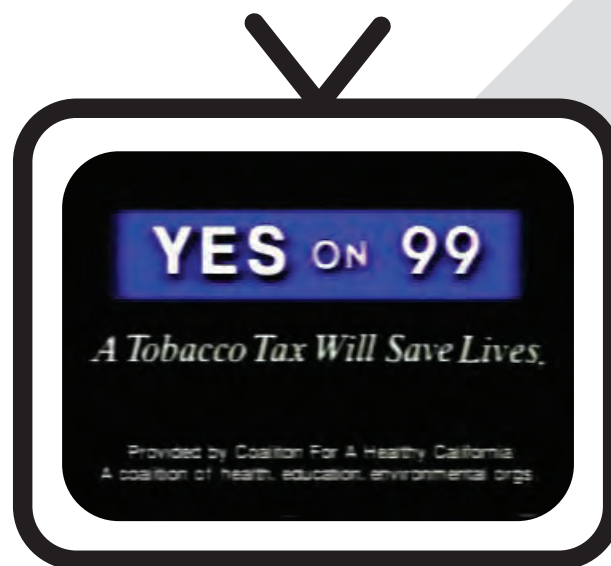
The California Tobacco Control Program (CTCP) is one of the longest-running comprehensive tobacco control programs in the U.S. For 30 years, CTCP has led the fight to keep tobacco out of the hands of youth, help tobacco users quit, and ensure that all Californians can live, work, play, and learn in tobacco-free environments.

# THE QUARTER THAT CHANGED THE WORLD

**In November 1988, California voters approve the Tobacco Tax and Health Protection Act of 1988, also known as Proposition 99.**



This initiative increased the state cigarette tax by 25 cents per pack and added an equivalent amount on other tobacco products. Twenty percent of the tax money funds both community- and school-based health education programs to prevent and reduce tobacco use, jointly administered by CTCP and the California Department of Education (CDE), respectively. CTCP receives approximately two-thirds of health education account funds and CDE receives approximately the other one-third.





## 1988

### November 8, 1988

Voters Approve Proposition 99, a 25-cent Tax Per Pack to Fund Tobacco Health Education

## 1989

### October 2, 1989

California Department of Health Services Director Kenneth W. Kizer Creates CTCP to Oversee Tobacco Health Education Campaign from Proposition 99 Funds

### November 21, 1989

Congress Directs FAA to Extend Smoking Ban on Domestic Flights from Two-hour Flights to Six-hour Flights; Effective February 25, 1990





# 1990

## April 10, 1990

CTCP Launches a Hard-Hitting Media Campaign Targeting the Tobacco Industry, Breaking New Ground in Mass-Reach Health Communication Interventions

## June 6, 1990

Lodi Becomes the First "100 Percent Smokefree" City in California; Effective December 1990

## June 12, 1990

CTCP Unveils Asian-language, Spanish-language, and African American Advertising

## July 3, 1990

San Luis Obispo Passes First Smokefree Bar Policy in the U.S.; Effective August 2, 1990

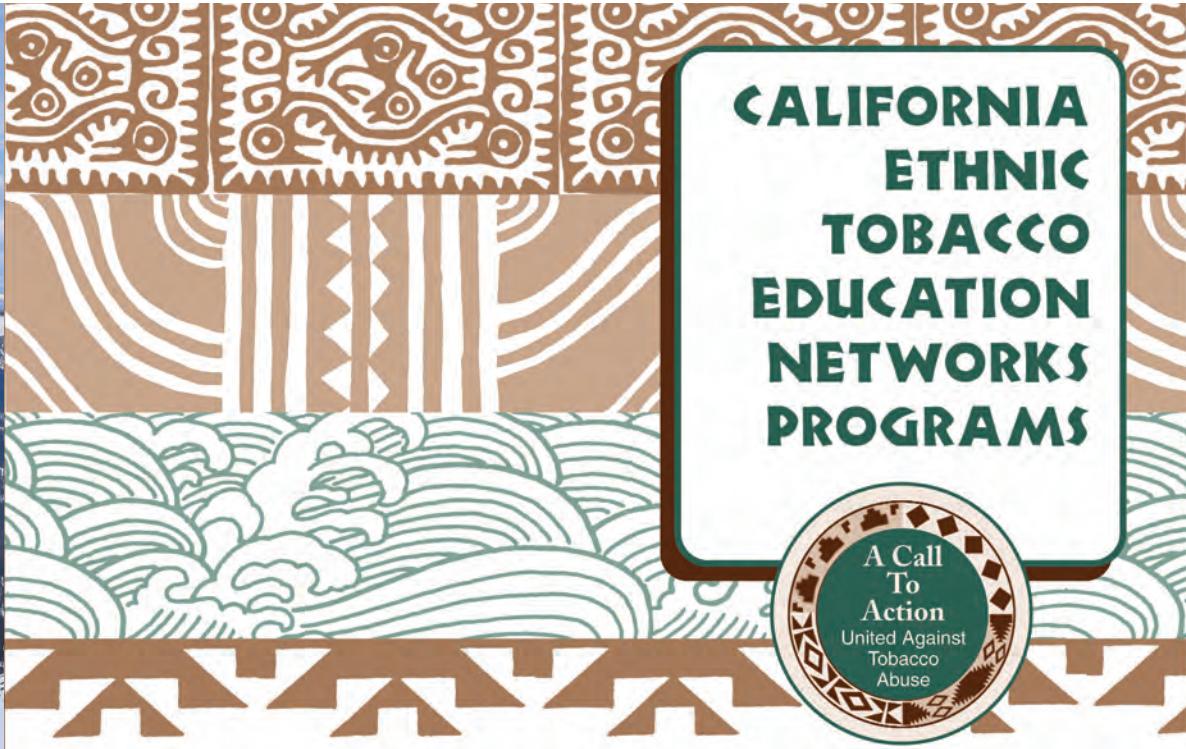


## **CALIFORNIA LEADS THE WAY**

# 1991-2000

California has been referred to as “America’s Non-Smoking Section.” This reputation came about in 1994 as California became the first state in the U.S. to protect California workers by banning smoking in nearly every workplace.





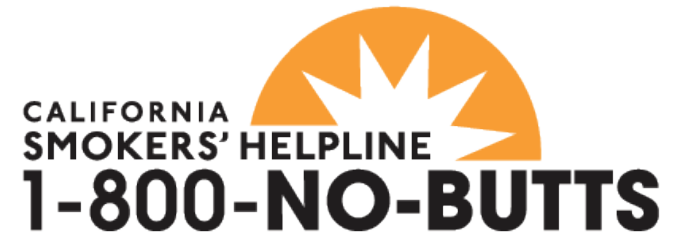
# 1991

- ◆ Marlboro Comes Off the Mountain – Mammoth Mountain Ski Resort Drops Its Marlboro Course Sponsorship Because Tobacco Advertising Contradicts the Healthy Atmosphere and Clean Air Offered by the Resort
- ◆ CTCP Funds African American, American Indian, Asian/Pacific Islander, and Hispanic/Latino Networks to Begin Tobacco Health Education in Their Communities

# CALIFORNIA SMOKERS' HELPLINE

**The California Smokers' Helpline begins as an experiment from Proposition 99 grant funds in 1992.**

A randomized clinical trial, led by University of California, San Diego, shows that telephone counseling timed to the relapse curve was the most successful intervention for cessation outcomes. Within 10 years of the launch of the Helpline, every state in the country has telephone quitline services based on California's model.



The Helpline is able to transcend language and geographical barriers, and provides an opportunity to tailor services to unique populations like Asian language speakers (1994), chew tobacco users (1997), teens (1999), pregnant women (2001), and, most recently, e-cigarette and vape users (2019). Delivery methods continue to evolve, including the launch of a Helpline website (2004), texting services (2013), online chat (2016) and a mobile app (2017). In October 2019, the Helpline launches a toll-free Vape Helpline (1-844-8-NO-VAPE) to provide specialized protocol to help people quit vaping.



Associated Press

CAROLYN MARTIN, chairwoman of the Tobacco Education Oversight Committee, tells reporters Wednesday of fears over impending budget cuts in Sacramento.

## Panel fears state's anti-smoking campaign might be curtailed

Associated Press

SACRAMENTO — California's \$120 million anti-smoking campaign could be stifled by state fiscal woes and Gov. Pete Wilson's new budget priorities, a blue-ribbon panel said Wednesday.

The panel said Wilson's \$55.7 billion proposed 1991-92 budget would cut funding for smoking prevention programs, including a hard-hitting advertising campaign, by 90 percent.

The state campaign has drawn national attention, and some experts say it is the country's most effective and best-financed anti-smoking education program.

bacco tax initiative, which raised cigarette taxes by a quarter a pack and increased other tobacco taxes across the board.

The Tobacco Education Oversight Committee said the Republican governor intends to use the money for prenatal and infant care for poor women instead.

Committee members lauded Wilson for supporting preventive health care, but said raiding the tobacco tax revenues would undercut a program that has contributed to a 14 percent drop in tobacco use in California in its first year.

"California is a leader in the committee chairwoman, told a City Hall news conference.

"Can we afford to dilute an innovative, successful program that serves not only our citizens but provides a model to other states and countries?" Martin said. "We believe it deserves full funding."

The 10-member panel, created by the Legislature, issued its first two-year master plan aimed at reducing tobacco consumption in California by 75 percent by 1999.

Among its recommendations were statewide bans on cigarette vending machines, tobacco sales in government buildings, smoking on school campuses and distribu-



California Smokers' Helpline  
1-800-NO-BUTTS

# 1992

## January 10, 1992

California Cuts CTCP Media Campaign Funds; the American Lung Association Sues the State to Restore Funding

## July 10, 1992

Congress Requires States to Have and Enforce Laws Prohibiting Underage Tobacco Sales to Receive Grant Funds

## August 1, 1992

California Smokers' Helpline, the Nation's First State Sponsored Tobacco Cessation Telephone Helpline, Launches Services in English and Spanish





## EPA links passive smoke to lung cancers

By Michael Doyle  
The Washington Bureau

WASHINGTON — Environmental tobacco smoke, the kind breathed in by non-smokers, is a known human carcinogen that kills an estimated 3,800 people annually through lung cancer, according to a draft government study released Monday.

Passive smoking is also associated with increased cases of pneumonia, bronchitis and other respiratory problems among children, according to the Environmental Protection Agency study. The draft report is the first of its kind by the EPA, although it builds upon work previously done by the U.S. surgeon general and private researchers.

One-third of the U.S. adult population smokes an average of 1.5 packs of cigarettes each day, and more than 500 billion cigarettes are consumed annually.

"Because of the ubiquity of tobacco smoke in our society, even a small increase in the risk of lung cancer

from exposure to (passive smoking) translates into a significant health hazard to the U.S. population," the new study states.

Hailed by the American Lung Association and other groups fighting to restrict smoking, the EPA's new study was also sharply contested by representatives of the tobacco industry. "These groups and others still have a chance to propose changes in the EPA's report before it is released in final form."

While other studies have made similar findings about the dangers of passive smoking, the EPA's is particularly important because it could become the foundation for formal government recommendations on restricting smoking in public places.

Moreover, lawmakers wanting to further restrict smoking in public places and tougher cigarette warning labels to reflect the dangers of passive smoking believe the EPA's evidence will buttress their own case.

Congress, for instance, is now con-

sidering measures that would require non-smoking areas in federal buildings nationwide and on Capitol Hill, while the city of Los Angeles is considering an outright ban on smoking in the city's restaurants.

Separate legislation designed to restrain tobacco advertising and warn consumers that passive smoking is dangerous has also been introduced in both the House and Senate.

As the new draft study makes clear, the risks of being in a room where others are smoking hit especially hard on the young.

Young children of smoking mothers are more likely to face "reduced lung function" and to experience slower heart growth, according to the study.

The EPA's report, based on a review of 24 recent smoking studies, does not draw any conclusions about links between passive smoking and cases of asthma and sore throats among children.

While not asserting a causal link between passive smoking and chil-

dren's respiratory problems, the new report does warn that there are a "large number of children potentially at risk." It would therefore be "prudent and reasonable" to consider passive smoking a danger to children, the report states.

Representatives of the Tobacco Institute contend the new report is flawed and reflects an anti-tobacco bias.

"There's no new information in the study," said Tobacco Institute spokesman Thomas Lauria. "What's new is the political spin that some in the EPA are putting on it, in terms of advancing a non-smoking agenda."

Lauria asserted that passive smoking has not been shown to be a health hazard, and he indicated the Tobacco Institute will be responding to the EPA's draft report over the course of a 60-day public comment period.

More than 300,000 deaths annually in the United States are attributed to cigarette smoking. Lung cancer accounts for about one-third of those,



# 1993

### January 5, 1993

Shasta County Passes the First Comprehensive Smokefree Policy, Making All Workplaces Smokefree

### January 7, 1993

U.S. EPA Declares Tobacco Smoke a Known Human Carcinogen

### September 7, 1993

California Protects Children from Secondhand Smoke by Banning Smoking in Childcare Facilities

# PUBLIC HEALTH VS. BIG TOBACCO LAWSUITS

Since its beginning, the state's administration and the California State Legislature create challenges for California's tobacco control efforts.



Governor Pete Wilson diverts funds away from health education, and defunds the media campaign. The voluntary health agencies attempt to restore funding to the Health Education Account by filing a series of lawsuits. The voluntary agencies' willingness to file lawsuits is key to CTCP's stability in the 1990s and continually brings media attention to the issue. In 1996, restoration of the diverted funds begins because of this significant media attention.

The Program also faces direct challenges from the tobacco industry. In 1994, the industry threatens to sue the state over the "Nicotine Soundbite" advertisement that used actual footage from the 1994 congressional hearing with tobacco industry executives, and in 2003 they follow through on their threat of legal action. The industry's lawsuit against California's advertising campaign claims that the anti-smoking advertisements violate their First Amendment rights and unfairly bias the jury pools against them. However, the Court rules against the industry, stating that the media campaign is "simply the cost of living in a democracy."

# OPERATION STOREFRONT

The Tobacco Control Program developed the Operation Storefront campaign in 1994 to stem the proliferation of tobacco advertising and promotion at the community level.



Youth and adult volunteers with Operation Storefront documented point-of-purchase advertising and promotions in 52 counties; the survey results were released in 13 simultaneous press conferences around the state. Afterwards, community readiness and resources to address the problem of tobacco advertising were assessed. Operation Storefront participants then created community action plans to mobilize their communities to limit exposure to tobacco advertising and promotion. Nineteen agencies participated in an evaluation, and case studies of communities that used different approaches were developed.





# 1994

## April 14, 1994

Tobacco Industry Executives Appear Before Congress to Testify that Nicotine is Not Addictive

## May 12, 1994

Whistleblower "Mr. Butts" Sends a Box of Internal Tobacco Industry Documents to UCSF, which Becomes the Basis for the Freely Available Industry Documents Library

## July 21, 1994

After More than 200 California Communities Pass Smokefree Laws, California Passes the Nation's Toughest Smokefree Workplace Law, Protecting Workers from Secondhand Smoke

# STAKE

STOP TOBACCO ACCESS TO KIDS ENFORCEMENT ACT

*The STAKE Act:  
A New Law for  
California Retailers*

## R.J. Reynolds Threatens

One of the California Department of Health Services' new hard-hitting anti-smoking advertising spots has survived an attempt by the tobacco industry to yank it off the airwaves. Attorneys for James W. Johnston, chairman and chief executive officer of R.J. Reynolds, sent letters threatening legal action against the Department, Asher/Gould, the spot's producers, and television stations airing the ad. The letters alleged that the anti-smoking spot, featuring testimony



Actual footage from a U.S. Congressional hearing is the basis of the TV spot created by Asher/Gould for the California Department of Health Services.

of Mr. Johnston before a Committee of the United States Congress, is "a false and defamatory attack upon our client" and "is certainly libelous in a number of respects...."

The ad, called "Nicotine Soundbites," features tobacco industry executives testifying before the U.S. Congressional subcommittee on Health and the Environment stating that they do not believe that nicotine is addictive. It concludes with the message: "Now the tobacco industry is trying to tell us that sec-

ondhand smokers. Our hats off to the California Department of Health Services Director for his leadership with a letter to the Department to withdraw the allegation of defamatory

**WELCOME TO CALIFORNIA**  
AMERICA'S LARGEST NON-SMOKING SECTION

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH



## 1994

### September 28, 1994

California Passes the Stop Tobacco Access to Kids Enforcement (STAKE) Act to Address Underage Tobacco Sales

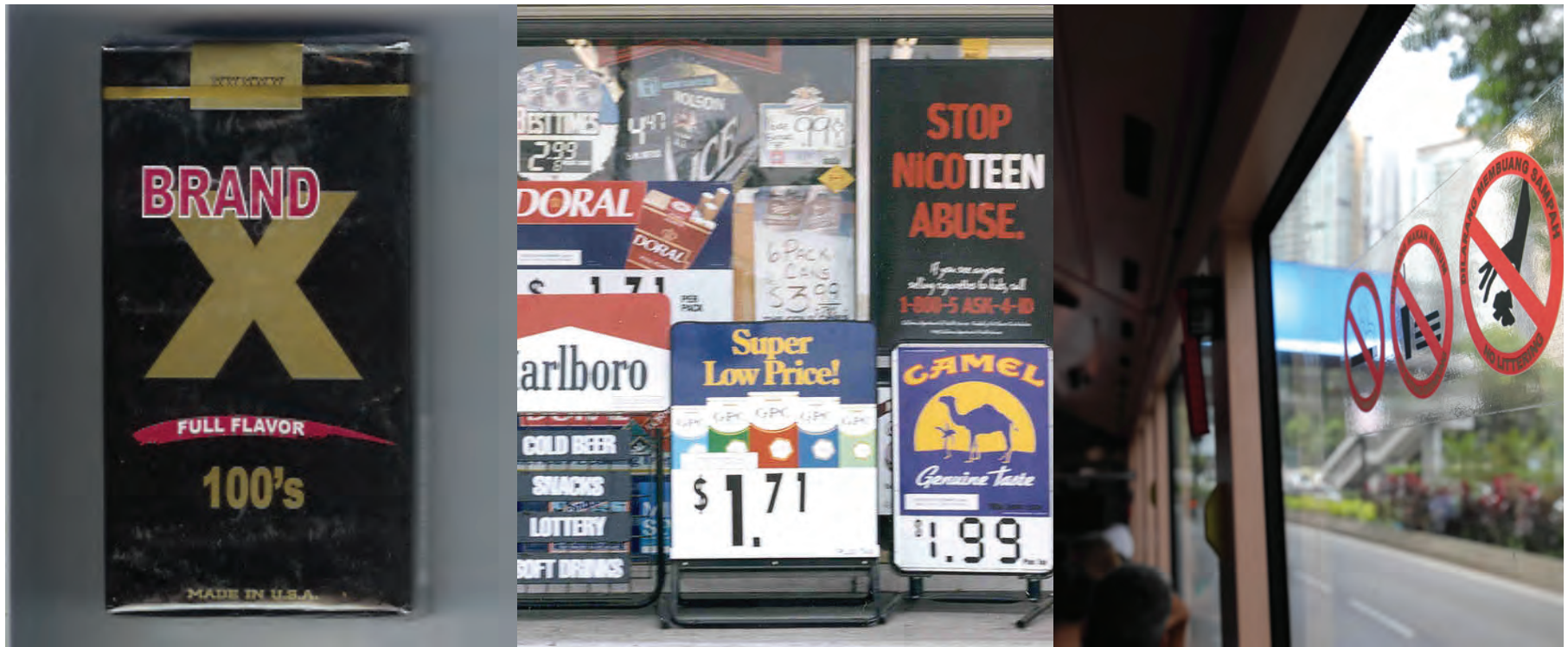
### October 6, 1994

R.J. Reynolds Threatens Legal Action Against California for Airing "Nicotine Soundbites" TV Ad, Which Shows Congressional Hearing Footage of Tobacco Executives Stating They Don't Believe Nicotine Is Addictive

### November 8, 1994

Voters Reject Repeal of the Smokefree Workplace Law





# 1995

## March 17, 1995

Tobacco Industry Discontinues and Pulls “Menthol X” Brand Cigarettes from Stores Amid Protests from the African American Network and Other National Organizations

## August 2, 1995

California’s Operation Storefront Results Show Pervasive Advertising and Promotions Targeted at Children

## August 10, 1995

California Bans Smoking on All Public Transportation Systems



# 1996

**April 2, 1996**

Del Mar Fair Board Cancels Its Contract for Marlboro-sponsored Latino Day

**April 30, 1996**

San Diego Museum of Art Turns Down \$1 Million Sponsorship From Philip Morris

# 1997

**March 20, 1997**

CTCP Launches Advertising Parodying 1950s Tobacco Ads, with Campaigns that Include "Mind If I Smoke? Care if I Die?" and "Bob, I've Got Emphysema" Ads



# THE MASTER SETTLEMENT AGREEMENT

**In 1998, the attorneys general of 46 states, including California, and the tobacco industry agree to settle the pending Medicaid lawsuit, signing the Master Settlement Agreement (MSA) and the Smokeless Tobacco Master Settlement Agreement (STMSA).**



The MSA and STMSA provide payments to California and restrict certain advertising, marketing, and promotional activities.

One of the major restrictions includes preventing the industry from directly or indirectly targeting youth. The California Office of the Attorney General holds the industry responsible by enforcing the MSA and STMSA.





# 2000

## December 9, 1998

The Four Largest Tobacco Companies and the Attorneys General of 46 States Reach a Master Settlement Agreement; Tobacco Companies Sign a \$206 billion Deal and Agree to Marketing Restrictions

## April 5, 2000

Federal Government Bans Smoking on International Flights To and From U.S.



## A DECADE OF FIRSTS

# 2001-2010

In the 2000s, local cities in California were pioneers in tobacco control in the U.S. The City of Solana Beach was the first to implement a smokefree beach policy, the City of Calabasas was the first to ban smoking in all public places, the City of Belmont was the first to ban smoking in multi-unit housing, and the City of San Francisco was the first to ban the sale of tobacco in pharmacies.





# 2001

## January 2, 2001

All U.S. Department of Defense Indoor Facilities Go Smokefree

## June 28, 2001

The U.S. Supreme Court Rules in Favor of Lorillard Tobacco Company in *Lorillard v. Reilly*, and Strikes Down 43 Local Policies in California that Regulated Placement of Tobacco Ads

## August 6, 2001

California Passes the Smokefree and Litter-free Tot Lot Law, Prohibits the Smoking or Disposing of Cigarettes and Other Tobacco-related Products within a Playground or Tot Lot Sandbox Area



PRO-325  
FOR IMMEDIATE RELEASE  
07/22/2003

**Governor Davis Applauds Federal Court's Ruling to Dismiss Big Tobacco's Lawsuit Against State 07/22/2003**

SACRAMENTO

Gov. Gray Davis today applauded the United States District Court's decision to dismiss the lawsuit filed by R.J. Reynolds and Lorillard Tobacco companies to halt California's highly effective Tobacco Education Media Campaign.

"Big Tobacco's desperate attempt to stop California's life saving campaign has been unsuccessful," Gov. Davis said. "When big tobacco sued us, I said 'bring it on' because I'm not backing down. California will continue to run aggressive ads because they work. They save lives and they save the taxpayers' money."

The Hon. Lawrence K. Karlton, Senior District Court Judge, United States District Court, Eastern District of California, issued his decision today in Sacramento.

"The court's decision is a victory for all Californians. It allows us to continue our successful public education campaign to raise awareness about the harmful effects of tobacco use," said Diana M. Bonta, R.N., Dr. P.H.

Since the passage of Proposition 59, the Tobacco Education Media Campaign has helped reduce smoking prevalence by both adults and youth, and decrease all cigarette consumption.

Adult smoking prevalence has declined from 22.8 percent in 1988 to 16.6 percent in 2002, while the national prevalence was 23.4 percent in 2001.

"Today's court ruling allows California to continue its campaign in full force to effectively counter the tobacco industry's aggressive marketing tactics designed to attract new customers," said Secretary Gerald Johnson, California Health and



## 2002

### April 2002

Launch of the Strategic Tobacco Retail Effort (STORE) Campaign

## 2003

### April 1, 2003

R.J. Reynolds and Lorillard Tobacco Company Sue California Over California's Tobacco Control Media Campaign, Claiming that the Ads Violate Their First Amendment Rights and Bias the Jury Pool; U.S. District Judge Lawrence Karlton Dismisses Lawsuit on July 22, 2003

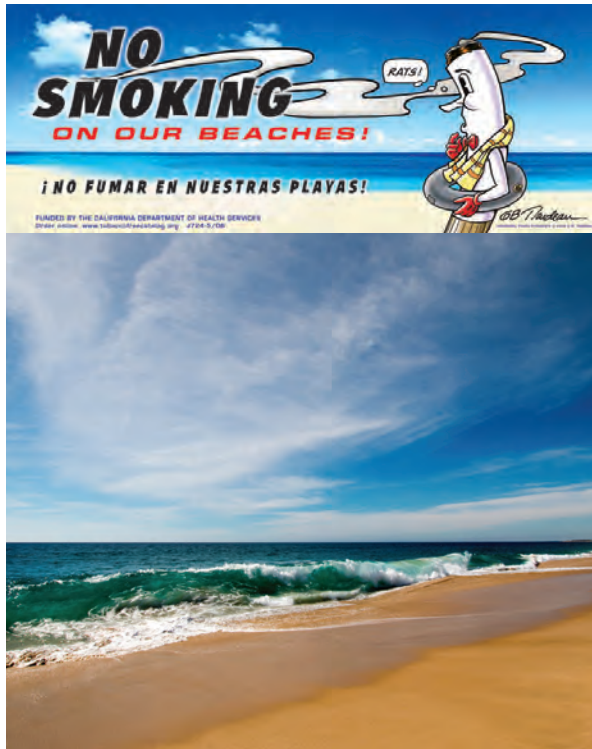
### September 8, 2003

California Prohibits Smoking In and Around Public Buildings Owned or Leased by the State, a County, a City, a City and County, or a Community College District

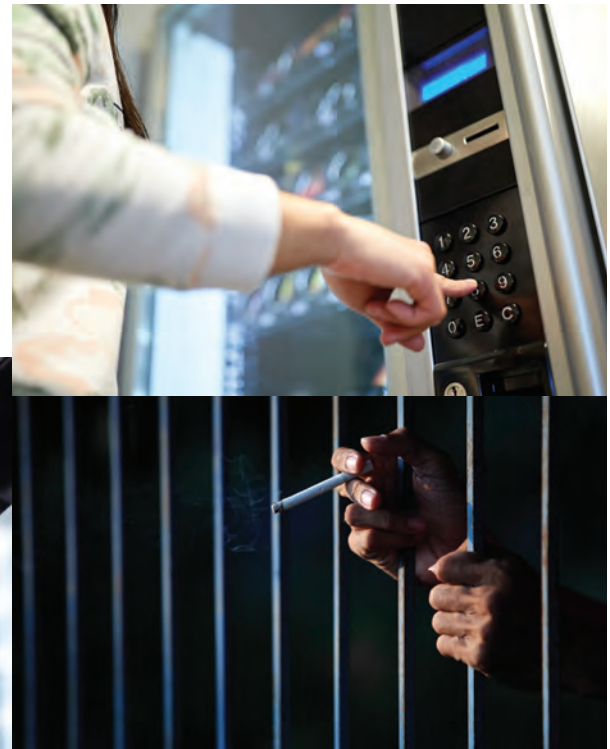
### October 12, 2003

California Passes the California Cigarette and Tobacco Products Licensing Act to Counter Smuggling





# TOBACCO FREECA



## 2004

### October 21, 2003

Solana Beach Unanimously Passes the First Smokefree Beach Law in California and Continental U.S.

### February 2004

CTCP Launches TobaccoFreeCA.com, an Educational Website for Consumers

### July 30, 2004

Brown & Williamson and R.J. Reynolds Tobacco Company Combine to Form Reynolds American in a \$3 billion Deal to Better Compete in U.S. Market

### September 27, 2004

California Implements a Ban on the Sale of All Tobacco Products from Self-Service Displays

### September 27, 2004

California Passes a Law Banning Use of Tobacco at Department of Corrections Facilities



California Environmental Protection Agency  
**NEWS RELEASE**  
 Air Resources Board

Release 06-03  
**FOR IMMEDIATE RELEASE**  
 January 26, 2006

**CONTACT:** Jerry Meritt  
 Gennet Pasawa  
 (916) 322-2990  
[www.arb.ca.gov](http://www.arb.ca.gov)

**California Identifies Secondhand Smoke as a "Toxic Air Contaminant"**

**SACRAMENTO** -- Today the California Air Resources Board (ARB) identified environmental tobacco smoke (ETS), or secondhand smoke, as a Toxic Air Contaminant.

**CLEAN AIR CALABASAS**  
 a smoke-free city

\*smoking allowed in designated areas  
 CMC 217



## 2005

### October 7, 2005

Cigarettes Are Required to be Fire-safe in Order to be Sold in California

## 2006

### January 26, 2006

California EPA Classifies Secondhand Smoke as a Toxic Air Contaminant

### February 15, 2006

Calabasas Prohibits Smoking in All Indoor and Outdoor Public Places; Effective March 17, 2006

### August 17, 2006

Court Rules Tobacco Companies Violated Racketeering Laws by Lying for Decades about the Health Risks of Smoking and Marketing to Children

### August 22, 2006

Ruyan Introduces the First E-cigarette to the U.S. Market

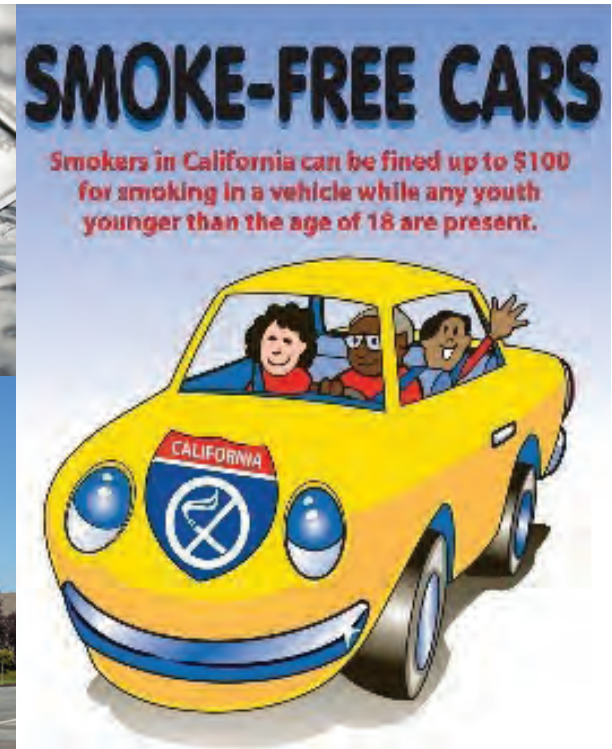




**YES**  
**86 STOP BIG TOBACCO**

American Heart Association | American Stroke Association  
 Learn and Live.

Reduce Smoking. Save Lives.  
[www.YESprop86.com](http://www.YESprop86.com)



**SMOKE-FREE CARS**

Smokers in California can be fined up to \$100 for smoking in a vehicle while any youth younger than the age of 18 are present.

# 2007

## November 7, 2006

The Tobacco Industry Spends Over \$62 Million to Defeat Proposition 86, an Initiative to Increase the Tobacco Tax by \$2.60 Per Pack

## July 11, 2007

California State University (CSU) Board of Trustees Adopts a Policy Prohibiting Tobacco Industry Sponsorship of CSU Organizations and Sponsored Events

## October 9, 2007

Belmont Becomes the First City in the U.S. to Prohibit Smoking in Multi-unit Housing

## October 10, 2007

California Bans Smoking in Cars with Youth



## 2008

### March 28, 2008

Philip Morris International Separates from U.S. Parent Company Altria to Protect the Company from Increased U.S.-based Regulation and Litigation

### May 6, 2008

Jeff Rubin Wins the "Be a Reel Hero" Video Contest and the Winning Spot, "Other Ways to Use a Cigarette," Airs During American Idol.

### August 7, 2008

San Francisco is the First City in the U.S. to Ban the Sale of Tobacco in Pharmacies





# 2009

## February 3, 2009

U.S. Smokeless Tobacco Company Settles Lawsuit with California, Limiting Copenhagen Brand Promotion at Professional Bull Riding Tours in California

## June 22, 2009

President Barack Obama Signs the Family Smoking Prevention and Tobacco Control Act into Law, Banning Flavored Cigarettes with the Exception of Menthol

## October 12, 2009

Governor Arnold Schwarzenegger Vetoes Bill (SB 400) to Ban the Sale of E-cigarettes in California

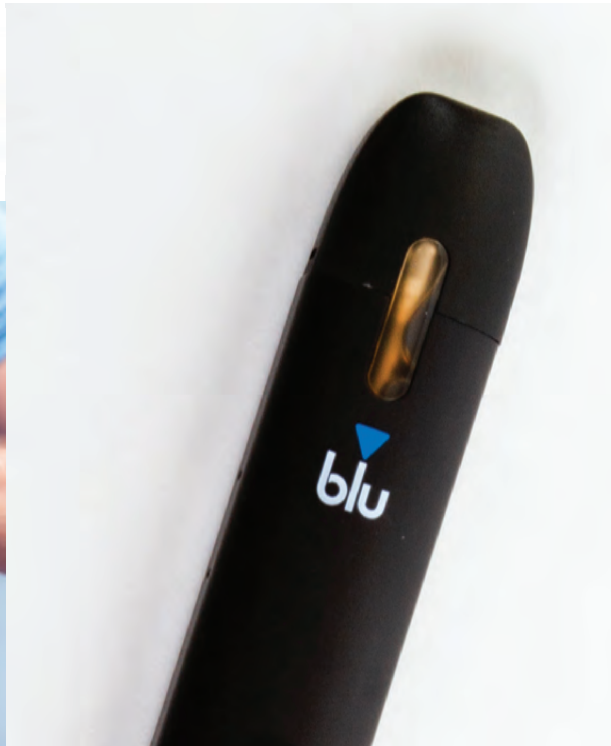


## **COUNTERING BIG TOBACCO AT THE COUNTER**

# 2011-2020

As the tobacco landscape changes with the rise of flavored tobacco and vaping, California continues to counter the industry by limiting the accessibility and availability of tobacco in the retail environment. In 2016, California increased the age of sale for tobacco, regulated e-cigarettes as a tobacco product, and increased the tobacco tax to \$2.87 on each pack of cigarettes.

## THIRDHAND SMOKE Resource Center



## Healthy Stores for a Healthy Community



## 2011

### August 1, 2011

Thirdhand Smoke (THS) Research Consortium, a Multi-institutional and Interdisciplinary Effort to Determine How Much Harm THS Causes to Health, Begins

### September 13, 2011

Researchers Receive Funding for Medi-Cal Incentives to Quit Smoking (MIQS) Program, Increasing Use of the Helpline by Medi-Cal Members

## 2012

### April 25, 2012

Lorillard Tobacco Company Purchases Blu eCigs for \$135 Million, Making Them the First Big Tobacco Company to Enter the Vaping Market

### June 5, 2012

The Tobacco Industry Spends \$46.5 Million to Defeat Proposition 29, an Initiative to Raise the Tobacco Tax to \$1.87 Per Pack

### September 13, 2012

Launch of the Healthy Stores for a Healthy Community Campaign

# HEALTHY STORES FOR A HEALTHY COMMUNITY

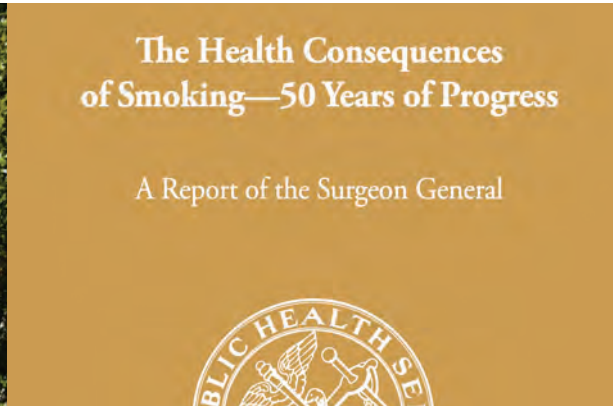
**The tobacco industry's continued investments in retail marketing and promotions, totaling more than \$8 billion in 2011, coupled with the U.S. Surgeon General conclusion...**

... that exposure to tobacco marketing in stores increases tobacco experimentation and use by youth, prompted CTCP to assess and focus on the retail environment. CTCP worked collaboratively with the 61 local health departments to assess the retail store environment and its potential impact on youth in 2013, 2016, and 2019, by measuring a range of unhealthy and healthy products and marketing



practices for tobacco, alcohol, food and beverage, and condom availability. It was decided to look at the retail environment from a more comprehensive perspective, integrating tobacco, alcohol, sexually transmitted disease, and nutrition topics, since there were many local and state efforts examining one or more of these health issues.





## 2013

### September 9, 2013

California Bans Smoking in Group Homes and Foster Family Agencies

### December 5, 2013

University of California Bans All Tobacco Use on All Campuses

## 2014

### January 17, 2014

The U.S. Surgeon General Publishes *The Health Consequences of Smoking—50 years of Progress*, an Update to the Landmark Publication 50 Years Prior

### February 5, 2014

CVS Pharmacy Announces It Will Be the First National Pharmacy Chain to Stop Selling Tobacco Products; Sales End on September 3, 2014

### September 19, 2014

California Expands Smokefree Child Care Laws, Prohibiting Smoking in Home Daycares Regardless of Operating Hours

### September 30, 2014

California Bans Smoking at Certified Farmer's Markets

### November 3, 2014

Healdsburg Passes First Tobacco 21 Policy in California; Effective July 1, 2015

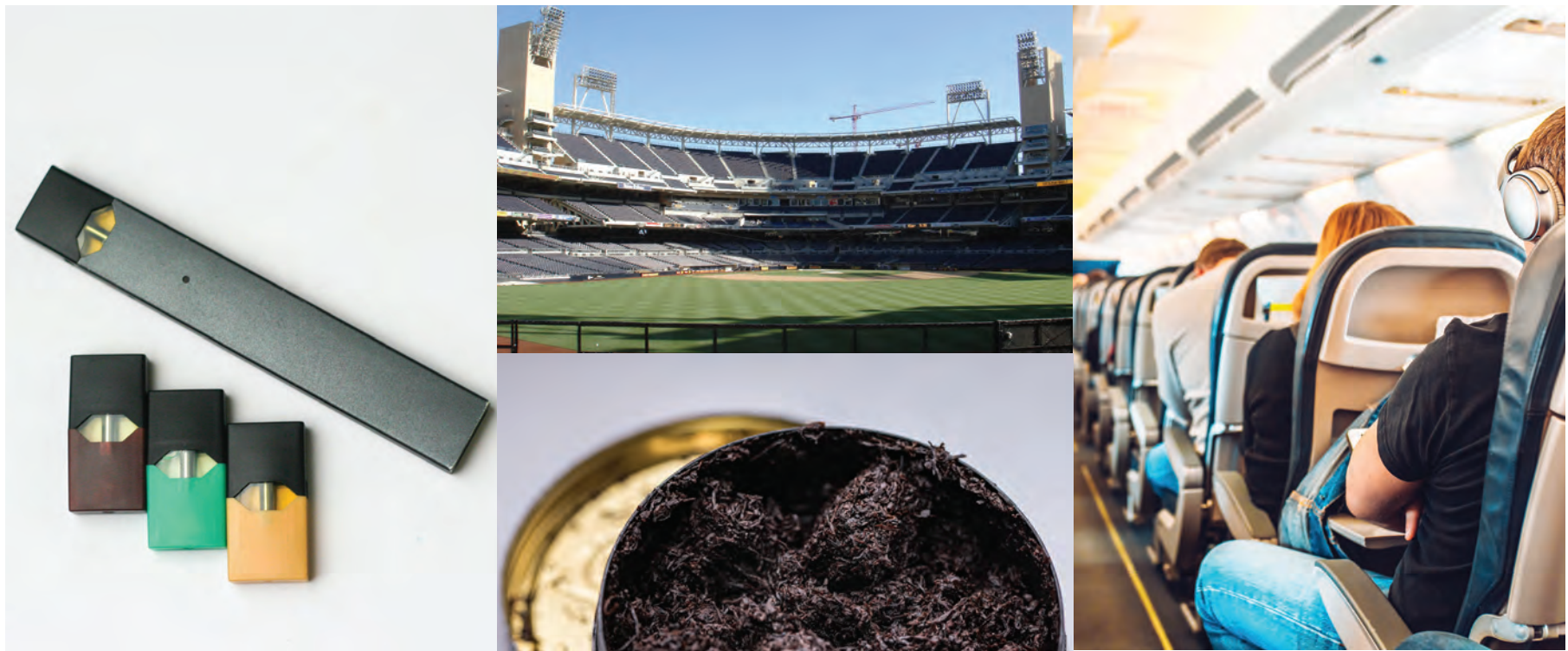
# THE SIX TOBACCO BILLS

**Governor Jerry Brown  
instructs the California State  
Legislature to meet in a  
special session on health care.**

During this session, the Legislature sends Governor Brown six tobacco-related bills: (1) closing loopholes in the secondhand smoke workplace laws; (2) regulating vaping devices as a tobacco product; (3) establishing tobacco-free schools; (4) raising the licensing fees for selling tobacco; (5) raising the minimum age to purchase tobacco to 21 years; and (6) allowing local jurisdictions to pass local tobacco taxes. Governor Brown signs five of the six bills into law on May 4, 2016, vetoing only the local tobacco tax bill. All laws went into effect one month later, on June 9, 2016. CTCP supports implementing these 2016 tobacco laws through educational and media campaigns.







# 2015

**January 28, 2015**  
California Launches the Countering E-cigarettes Media Campaign and Report

**April 21, 2015**  
PAX Labs Introduces Juul to U.S. Market

**June 12, 2015**  
R.J. Reynolds Acquires Lorillard Tobacco Company for \$27.4 Billion, Increasing its U.S. Cigarette Market Share to 34 Percent

**October 11, 2015**  
California Bans Smokeless Tobacco at Baseball Stadiums

# 2016

**March 4, 2016**  
U.S. Department of Transportation Bans the Use of E-cigarettes on All Flights; Permanently Bans Devices from All Checked Bags in May 2016

**March 29, 2016**  
Sonoma County Becomes the First Jurisdiction in California to Establish a Minimum Price for Cigarette Packs at \$7.00 Per Pack

# CALIFORNIA TOBACCO TAXES: GETTING TO \$2.87

**The California State Legislature establishes a tobacco tax in 1959 at \$0.03 per pack of cigarette. Eight years later, the Legislature raises the tax to \$0.10 per pack in 1967.**

Proposition 99, also known as the Tobacco Tax and Health Protection Act of 1988, passes with 58.2 percent of California voters. Its passage raises the tobacco tax to \$0.35 per pack, with the new revenue funding tobacco education and research.

Following Proposition 99, the Legislature agrees to fund breast cancer research in 1993, raising the tax to \$0.37 per pack. California voters also agree to raise the tobacco tax by passing Proposition 10, known as the California Children and Families Act, to



fund early childhood programs in 1998. Proposition 10 raises the tobacco tax to \$0.87 per pack.

The tobacco tax does not change for another 18 years, when California voters pass Proposition 56, or the California Healthcare, Research and Prevention Tobacco Tax Act of 2016. Proposition 56 raises the tobacco tax from \$0.87 to \$2.87 per pack.



# 2016

## May 4, 2016

- ◆ California Becomes the Second State to Raise the Minimum Legal Tobacco Sales Age to 21; Effective June 9, 2016
- ◆ California Closes Several Loopholes in its Smokefree Workplace Law; Effective June 9, 2016
- ◆ California Regulates E-cigarettes and Vaping Products as Tobacco Products; Effective June 9, 2016

- ◆ All Public Schools and County Offices of Education are Smokefree; Effective June 9, 2016
- ◆ California Increases Licensing Fee and Requires Annual Renewal; Effective June 9, 2016

## June 9, 2016

CDC Designates California as a Comprehensive Smokefree State

## September 23, 2016

Youth Sports Events Become Tobacco Free in California; Effective January 1, 2017



# THIRD TIME'S THE CHARM

## California Voters Overwhelmingly Approve Proposition 56

In November 2016, Proposition 56, also known as the California Healthcare, Research and Prevention Tobacco Tax Act, passes with an overwhelming 64 percent of California voters in favor of it. In addition to adding e-cigarettes to the definition of “tobacco products” that can be taxed, it increases the tax on a pack of cigarettes from \$0.87 to \$2.87 and an equivalent amount on other tobacco products. The passage is especially noteworthy since two previous initiatives, Proposition 86 in 2006 and Proposition 29 in 2012, that both aimed to increase tobacco taxes by lesser amounts, had been narrowly defeated due to heavy campaigning from the tobacco industry.





# 2016

## October 2016

Researchers at Stanford University Launch the Tobacco Prevention Toolkit, an Online Curriculum Aimed at Reducing and Preventing Youth Tobacco Use

## October 25, 2016

Yolo County Is the First Community in California to Pass a Comprehensive Ban on the Sale of Flavored Tobacco, Including Menthol

## November 8, 2016

- ◆ California Voters Legalize Cannabis, Creating New Secondhand Smoke Challenges; Effective Immediately
- ◆ California Proposition 56 Passes and Increases the Tobacco Tax to \$2.87 Per Pack, Despite Approximately \$71 Million Spent by the Tobacco Industry in Opposition

## December 5, 2016

U.S. Housing and Urban Development Finalizes Rule Requiring Public Housing to be Smokefree; Effective August 1, 2018

## December 8, 2016

The U.S. Surgeon General Publishes *E-Cigarette Use Among Youth and Young Adults*, Reporting that E-cigarettes are a Public Health Threat to Youth and Young Adults



## 2017

### **April 7, 2017**

California State University System Passes Policy to Go Tobacco-free

### **July 7, 2017**

San Francisco Adopts a Policy Prohibiting the Sale of All Flavored Tobacco Products, Including Menthol

### **July 25, 2017**

After Years of Acquisitions, British American Tobacco Completes Purchase of Reynolds American for \$49.4 Billion

### **September 11, 2017**

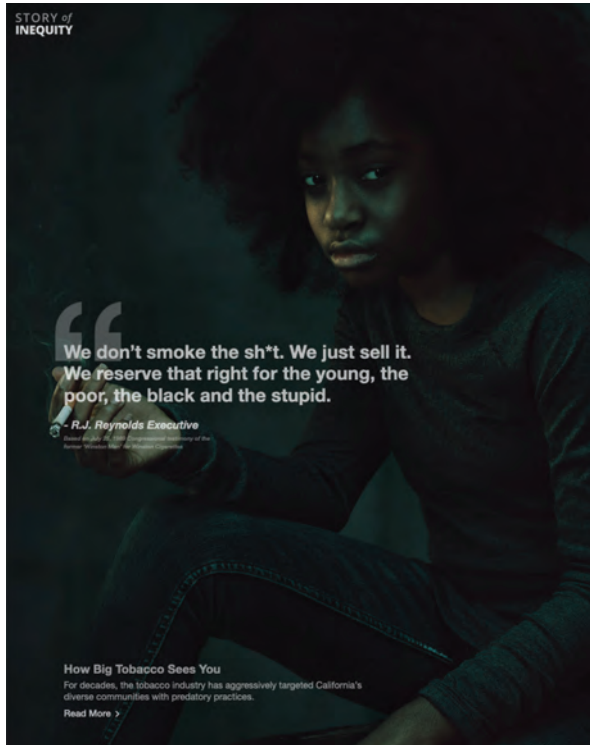
CTCP Uses Proposition 56 Funds to Launch the Initiative to Reduce Tobacco-related Disparities

## 2018

### **April 24, 2018**

CTCP Launches the “Flavors Hook Kids” Advertising Campaign Aimed at Educating Parents and Exposing the Tobacco Industry’s Predatory Marketing Practices to Children





### **May 1, 2018**

Launch of the Story of Inequity Website to Highlight Evidence-based Stories for Each Priority Population and Explain Why Specific Tobacco-related Health Inequities Exist

### **May 14, 2018**

California Community College System Urges All 114 Community Colleges in California to Go Smoke- and Tobacco-free

### **December 18, 2018**

The U.S. Surgeon General Releases an Advisory on E-cigarette Use in Youth, Stressing the Importance of Protecting Children from a Lifelong Nicotine Addiction

### **December 20, 2018**

Altria, the Largest Tobacco Company in 2018, Invests \$12.8 Billion in Juul, the U.S. Leader in E-cigarettes







The Sale of Tobacco Products to Persons **Under 21** Years of Age Is Prohibited by Law and Subject to Penalties



To Report an Unlawful Tobacco Sale Call  
**1-800-5 ASK-4-ID**

U.S. Armed Forces active duty personnel with military ID must be at least 18 years of age  
**Valid Identification May Be Required**

This sign must be readable by the consumer and must not be altered, covered or obliterated in whole or in part. Business and Professions Code Section 22952



State of California—Health and Human Services Agency  
California Department of Public Health

**California Department of Public Health  
Health Advisory – September 24, 2019**

**Vaping Related Lung Illness: A Summary of the Public Health Risks and Recommendations for the Public**

**This health advisory seeks to inform the public about the imminent public health risks posed by vaping any product, including the use of electronic cigarettes (e-cigarettes), as vaping has recently been linked to severe breathing problems, lung damage, and even death.**

*Vaping is inhaling aerosol from an e-cigarette or other vaping device that heats a liquid that can contain nicotine, marijuana (THC), cannabidiol (CBD) or other substances. The shapes and sizes of these devices vary and include colorful vape pens, modified tank systems, and new pod-based devices that can look like USB flash drives, cell phones, credit card holders, and highlighters. These devices are frequently referred to as e-cigarettes, e-cigs, vapes, vape pens, electronic vaporizers, pod mods, or pod systems.*

The California Department of Public Health (CDPH) urges everyone to refrain from vaping, no matter the substance or source, until current investigations are complete. Since June 2019, CDPH has received reports that 90 people in California who have a history of vaping were hospitalized for severe breathing problems and lung damage, and two people have died. Across the U.S., there are over 500 reports of lung damage associated with vaping across 38 states and 1 U.S. territory, and more reports are coming in nearly every day.

CDPH, along with other states, the Centers for Disease Control and Prevention (CDC), the U.S. Food and Drug Administration (FDA), local health departments, and healthcare providers are working hard to investigate what is in the vape materials that is making people sick.

Although CDPH regulates manufacturers of cannabis vaping products to ensure...



# 2019

## September 16, 2019

California Strengthens the STAKE Act, Requiring Age Verification and Signature for Tobacco Product Delivery

## September 24, 2019

CDPH Issues a Health Advisory on Vaping to the Public in Response to the Lung Illness Outbreak Investigations Urging Everyone to Refrain From Vaping, No Matter the Substance or Source

## October 11, 2019

California Prohibits Smoking and Vaping at State Parks and Beaches; Effective January 1, 2020

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

EXECUTIVE ORDER N-18-19

WHEREAS vaping devices are the most commonly used tobacco product in California; and

WHEREAS more than 80 percent of high school students who consume tobacco use a vaping device; and

WHEREAS from 2016 to 2018, vaping among California high school students rose 27 percent; and

WHEREAS in 2018, 10.9 percent of California high school students reported using e-cigarettes and 14.7 percent reported using cannabis; and

WHEREAS 86.4 percent of California teenagers who consume tobacco products report using a flavored tobacco product; and

WHEREAS dramatic increases in youth vaping have been attributed to the appeal of flavored vapor and alternative nicotine products as well as advertising and promotional activities by companies targeted at youth; and

WHEREAS there are no manufacturing standards for non-cannabis vape products; and

WHEREAS there are over 15,500 e-liquid flavors for vaping devices, some of which create an inflammatory response, some of which are cytotoxic to lung cells, and some of which may play a role in addiction; and

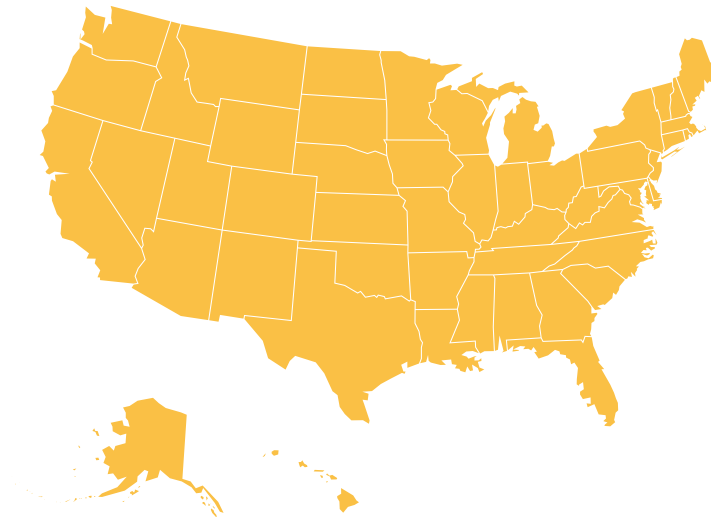
WHEREAS since August 2019, a clinical syndrome has emerged of respiratory failure in previously healthy individuals who had recently vaped illegally-obtained and produced cannabis products, and the cause of this syndrome is not yet known; and

WHEREAS as of September 10, 2019, 63 cases of this syndrome have been reported in California, in patients aged 14-70; and

WHEREAS Californians suffering from this syndrome have experienced grievous harms to their health, including 28 patients requiring admission to an Intensive Care Unit, 19 patients requiring mechanical ventilation, and one death.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this Order to become effective immediately.

## 21+ AGE OF SALE FOR TOBACCO



# 2019

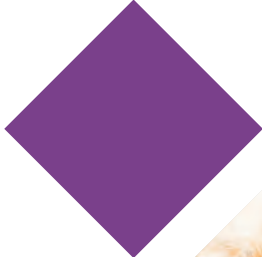
**October 24, 2019**

As Part of Governor Gavin Newsom's Executive Order to Confront Youth Vaping, California Launches Media Campaigns Targeting Parents and Young Adults About the Recent Vaping-Related Lung Illness Outbreak

**December 20, 2019**

Age of Sale for Tobacco Products Becomes 21 Nationally






→ **ENDGAME**



# CALIFORNIA ACHIEVEMENT IN NUMBERS & DATA POINTS

**242**   
**LOCAL POLICIES**

Passed 242 local policies protecting workers from secondhand smoke

**1,200**   
**ADVERTISEMENTS**

Produced over 1,200 advertisements to educate California consumers on the dangers of tobacco products and secondhand smoke

**16**   
**LANGUAGES**

Produced media and educational materials adapted in at least 16 languages

# 85 LOCAL POLICIES

Passed 85 local policies eliminating some or all flavored tobacco sales †

# 339 CITIES AND COUNTIES

339 cities and counties with local policies making some or all outdoor spaces smokefree \*

# 183 CITIES AND COUNTIES

183 cities and counties with local policies protecting residents from secondhand and thirdhand smoke in their homes \*

# 850,000 CALIFORNIANS

Enrolled 850,000 Californians in services with the California Smokers' Helpline ‡

# 42.8 PERCENT

Reduced lung and bronchial cancer incidence rates by 42.8 percent

# 59.1 PERCENT

Decreased adult cigarette smoking rates by 59.1 percent

\* as of 12/31/2019

† as of 6/24/2020

‡ as of 12/2018

# ADULT SMOKING RATE

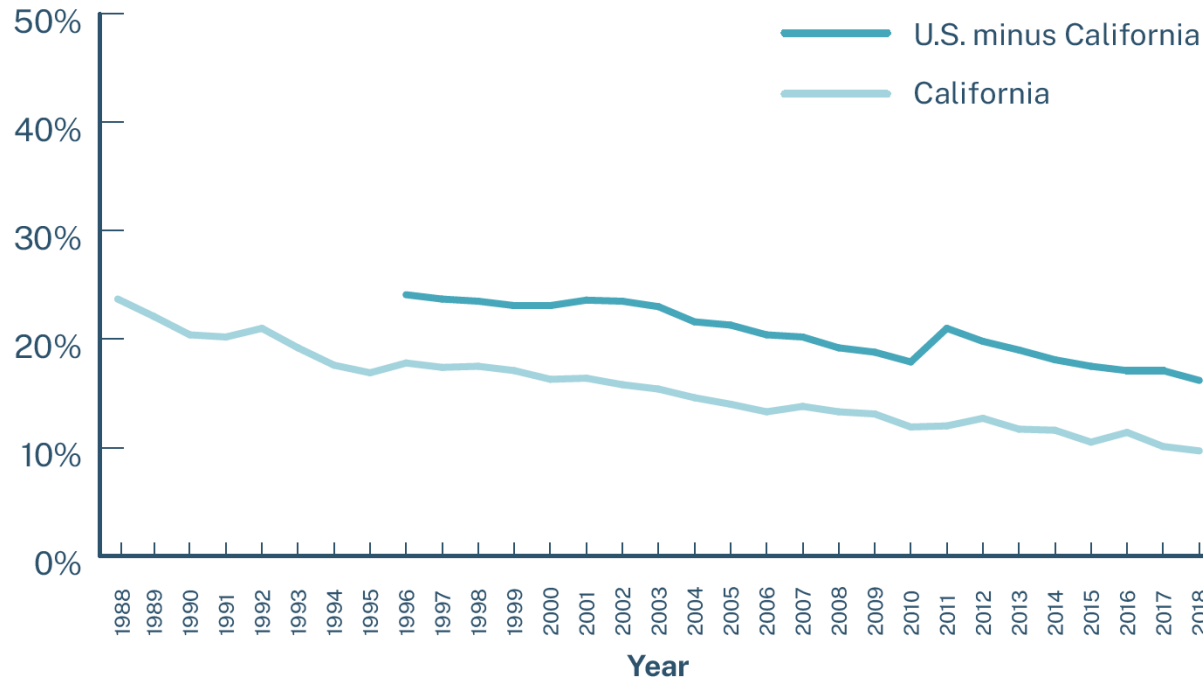


## **Fewer adults are smoking cigarettes than ever before.**

The adult smoking rate reaches a new low in California in 2018, according to data from the 2018 Behavioral Risk Factor Surveillance Survey (BRFSS). The survey estimates that 9.7 percent of California adults currently smoke cigarettes. In addition to the BRFSS, CTCP utilizes data from the California Health Interview Survey (CHIS) to track smoking rates by demographic characteristics. Substantial disparities continue to exist in smoking rates by gender, race and ethnicity, gender identity and sexual orientation, and income.



# ADULT SMOKING RATE



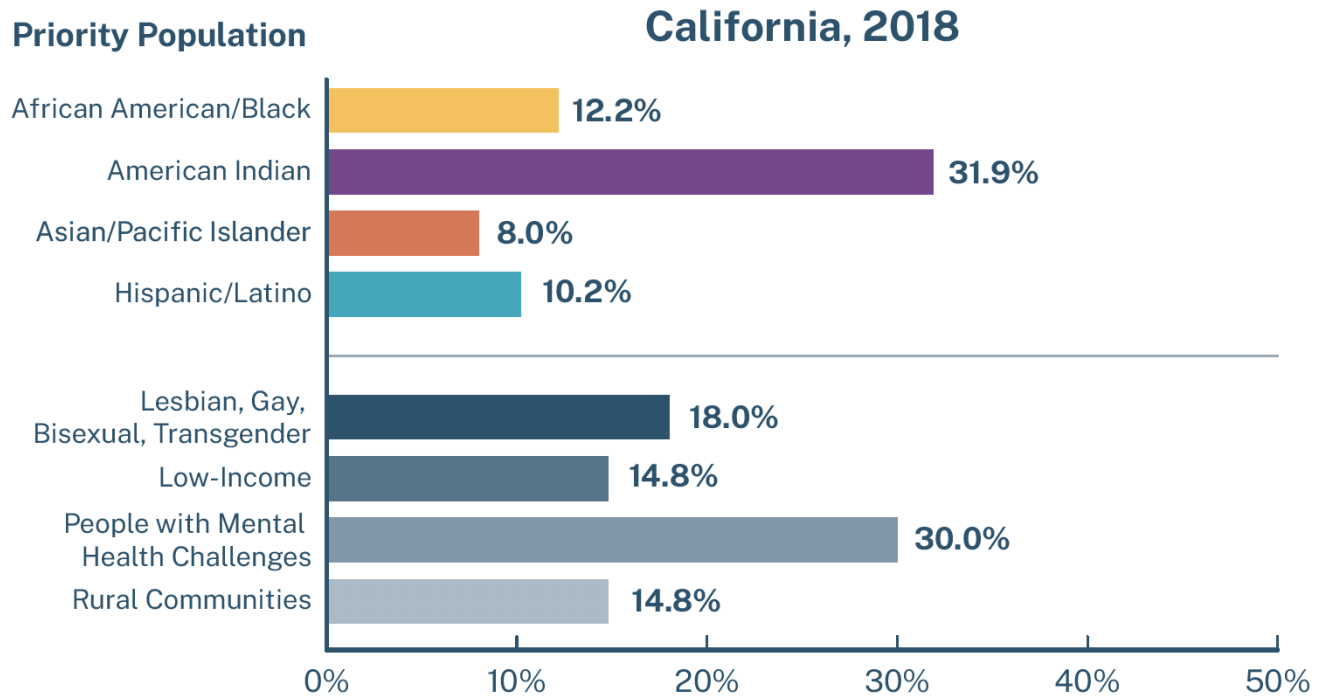
Year	California	U.S. Minus California
1988	23.7%	n/a
1989	22.1%	n/a
1990	20.4%	n/a
1991	20.2%	n/a
1992	21.0%	n/a
1993	19.2%	n/a
1994	17.6%	n/a
1995	16.9%	n/a
1996	17.8%	24.1%
1997	17.4%	23.7%
1998	17.5%	23.5%

Year	California	U.S. Minus California
1999	17.1%	23.1%
2000	16.3%	23.1%
2001	16.4%	23.6%
2002	15.8%	23.5%
2003	15.4%	23.0%
2004	14.6%	21.6%
2005	14.0%	21.3%
2006	13.3%	20.4%
2007	13.8%	20.2%
2008	13.3%	19.2%
2009	13.1%	18.8%

Year	California	U.S. Minus California
2010	11.9%	17.9%
2011	12.0%	21.0%
2012	12.7%	19.8%
2013	11.7%	19.0%
2014	11.6%	18.1%
2015	10.5%	17.5%
2016	11.4%	17.1%
2017	10.1%	17.1%
2018	9.7%	16.2%

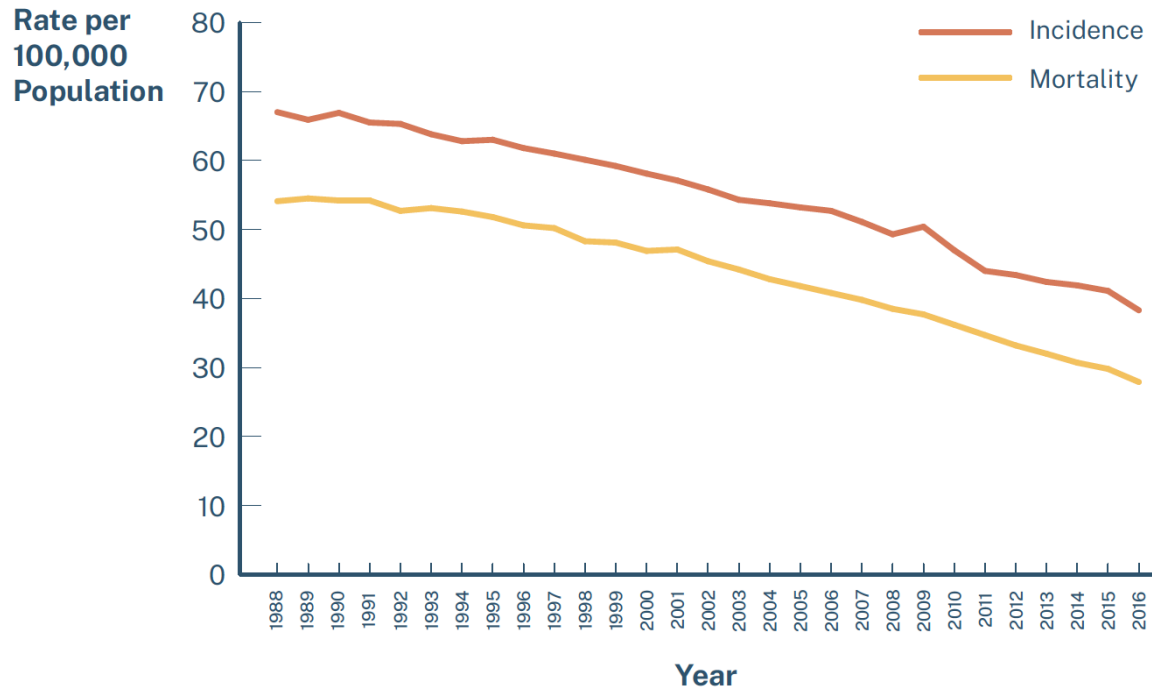
Source: Behavioral Risk Factor Surveillance Survey and California Adult Tobacco Survey 1988 to 2018

# ADULT SMOKING RATE, PRIORITY POPULATION



Source: California Health Interview Survey 2018

# LUNG CANCER INCIDENCE AND MORTALITY RATES PER 100,000 IN CALIFORNIA



**Notes:** Rates are per 100,000 and age-adjusted to the 2000 U.S. Standard Population standard. Excludes cases reported by the Department of Veteran Affairs.

**Source:** California Cancer Registry 1988 to 2016

Year	Incidence	Mortality
1988	67.0	54.1
1989	65.9	54.5
1990	66.9	54.2
1991	65.5	54.2
1992	65.3	52.7
1993	63.8	53.1
1994	62.8	52.6
1995	63.0	51.8
1996	61.8	50.6
1997	61.0	50.2

Year	Incidence	Mortality
1998	60.1	48.3
1999	59.2	48.1
2000	58.1	46.9
2001	57.1	47.1
2002	55.8	45.4
2003	54.3	44.2
2004	53.8	42.8
2005	53.2	41.8
2006	52.7	40.8
2007	51.1	39.8

Year	Incidence	Mortality
2008	49.3	38.5
2009	50.4	37.7
2010	47.0	36.2
2011	44.0	34.7
2012	43.4	33.2
2013	42.4	32.0
2014	41.9	30.7
2015	41.1	29.8
2016	38.3	27.9

# YOUTH TOBACCO RATE

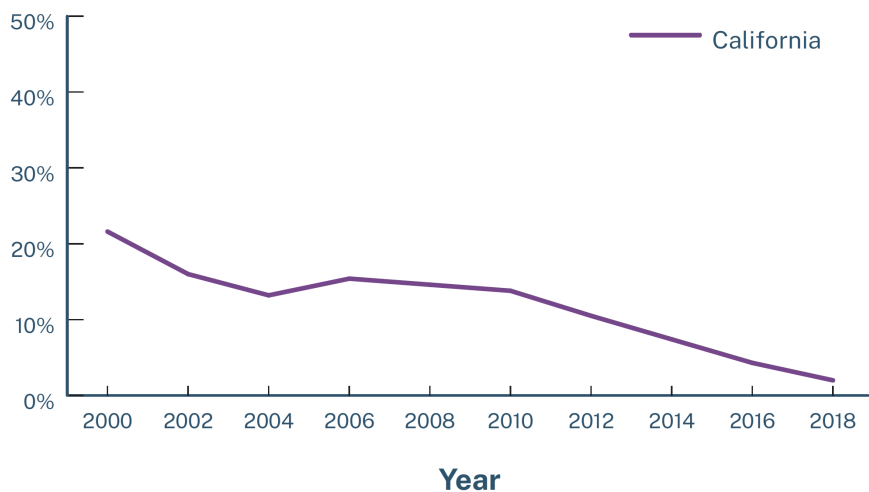


**In high school youth, the cigarette use rate reaches a historic low in California according to the 2018 California Student Tobacco Survey (CSTS).**

The survey estimates that 2.0 percent of high school youth in California currently smoke cigarettes. This is a decrease from the 21.6 percent estimate in 2000. However, as cigarette use decreases in the youth population, the rate of current vaping product use increases. In 2018, the current vaping use rate estimate among high school youth is 10.9 percent. This is an increase from the 8.6 percent estimate in 2016.



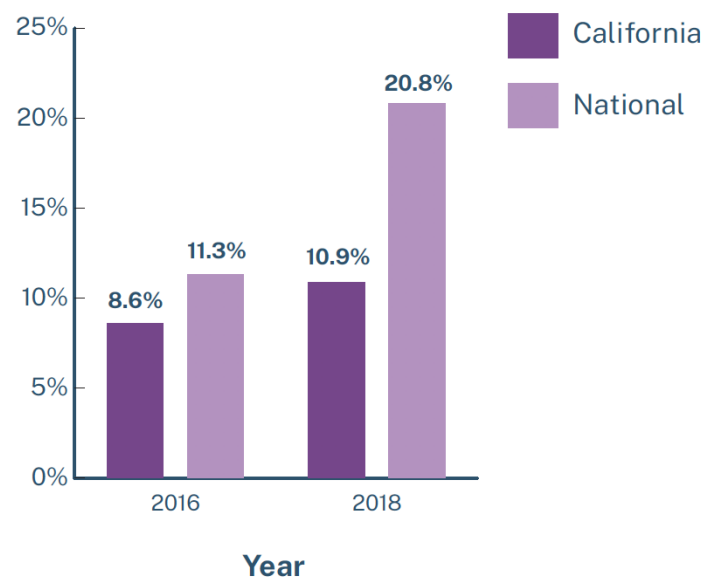
## HIGH SCHOOL SMOKING RATE



Source: National Youth Tobacco Survey 2000 (California data), California Student Tobacco Survey 2001-02 to 2017-18

Year	California
2000	21.6%
2002	16.0%
2004	13.2%
2006	15.4%
2008	14.6%
2010	13.8%
2012	10.5%
2016	4.3%
2018	2.0%

## HIGH SCHOOL VAPING RATE



Source: National Youth Tobacco Survey 2016 to 2018, California Student Tobacco Survey 2015-16 to 2017-18

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