

**Minutes of the
Tobacco Education and Research Oversight Committee (TEROC)
Thursday, December 16, 2016**

Main Location:

Hilton Los Angeles Airport
La Jolla Ballroom
5711 West Century Boulevard
Los Angeles, CA 90045

Alternate Location:

County of Placer Health and Human Services
Conference Room
11484 B Avenue
Auburn, CA 95603

MEMBERS PRESENT:

Dr. Michael Ong (Chair), Dr. Alan Henderson (Vice Chair), Dr. Claradina Soto, Dr. Mark Starr, Dr. Pamela Ling, Dr. Wendy Max, Dr. Lourdes Baézconde-Garbanati, Mr. Richard Barnes, Ms. Debra Kelley, Ms. Patricia Etem, Dr. Robert Oldham and Ms. Mary Baum.

MEMBERS ABSENT:

Ms. Vicki Bauman

OTHERS IN ATTENDANCE:

April Roeseler, California Department of Public Health (CDPH)/California Tobacco Control Program (CTCP)
Dr. Bart Aoki, University of California, Office of the President, Tobacco-Related Disease Research Program, (UCOP/TRDRP)
Dr. Catrina Chambers, CTCP
Dr. Norval Hickman, TRDRP
Dr. Phillip Gardiner, TRDRP, African American Tobacco Control Leadership Council (AATCLC)
Dr. Xueying Zhang, CTCP
Francisco Michel, CTCP
Nadine Roh, CTCP
Richard Kwong, CTCP
Daniel Soto, USC
Dr. Jennifer Unger, USC
Sarah Planche, California Department of Education (CDE)
Tom Herman, CDE
Lynn Baskett, Consultant
Changhyun Sung, UC Davis
Rod Lew, APPEAL/ADEPT
Carol McGruder, AATCLC/ADEPT

WELCOME AND INTRODUCTIONS

Michael Ong, TEROC chair, welcomed the members. Members, staff and the public introduced themselves.

REVIEW OF AGENDA AND PROCESS

Lynn Baskett, facilitator and writer, reviewed the agenda and meeting outcomes. Meeting outcomes included:

1. Confirm timeline for Master Plan
2. Confirm Vision, Mission, Goal, Principles
3. Review Field Input Survey Highlights
4. Confirm objectives for Master Plan
5. Identify key messages to include in the Master Plan
6. Confirm draft Master Plan outline
7. Confirm sub-committees for each objective/section of the Master Plan

MASTER PLAN (PLAN) TIMELINE

Lynn Baskett reviewed the timeline for producing the 2018 –2020 Plan. A question was raised about the timing of the master plan completion and the implementation of Proposition 56, which increased the tobacco tax effective April 1, 2017. The implementation of Proposition 56 will be monitored throughout the development of the tobacco control Plan.

SUMMARY OF ACCOMPLISHMENTS SINCE THE LAST MASTER PLAN

Michael Ong reviewed the legislative successes as well as the highlights of Proposition 56 to set the stage for the discussion of the new Plan.

CONFIRM MISSION, VISION AND GOAL OF TOBACCO CONTROL IN CALIFORNIA

TEROC members confirmed the vision as currently described in the plan. It was the consensus of the members to modify the mission statement to address health equity for all Californians

The members and discussed the goal. Highlights included:

- Replace “tobacco use” with “tobacco product”
- Review the definition of tobacco products in light of the 2016 legislation and FDA guidelines which include electronic cigarettes and other electronic nicotine delivery systems in the definition of tobacco products.
- Review the goal to highlight disparities for priority populations.

There was considerable discussion about how marijuana should be included in the plan.

CONFIRM PRINCIPLES FOR TOBACCO CONTROL IN CALIFORNIA

Most recently the principles have served as guidance for Agency decision making during a period of reduced resources. The principals will now be applicable to the increased resources and serve as considerations when making programmatic or funding decisions.

Feedback highlights include:

- Broaden first principal concerning strategic alliances to include more than funding, e.g. working with the Marijuana Control Board and others to share the lessons learned in 27 years of tobacco control.
- Strengthened the principle concerning engaging communities and populations to include empowering and building capacity of the priority populations disproportionately impacted by tobacco-related disease and death.
- In the last principle concerning performance goals, include health equity/reducing health disparities metrics as well.

- Review all the principles to include health equity.

REVIEW STAKEHOLDER SURVEY RESULTS SUMMARY

Lynn Baskett presented summary highlights from the field input survey. Cross cutting themes included:

1. Prioritize tobacco-related health equity.
2. Enforce current and new laws.
3. Monitor impact of new tax on smoking prevalence.
4. Identify and communicate information on tobacco control interventions that work for the various priority populations in action-oriented formats including curriculum activities.
5. Address the interaction of tobacco, e-cigarettes and marijuana industries; continue efforts to denormalize smoking of all types.
6. Be clear about the funding allocations; communicate broadly.

Points that stood out for the members included:

- Concern for health equity, pages 41 – 43. Provide support to engage community members; build capacity in underserved priority populations.
- Enforcement:
 - Ensure that surveillance is included in tobacco control legislation.
 - Empower citizens to sue to enforce tobacco control laws.
 - Don't criminalize violations of tobacco control regulations in a way that disproportionately impacts priority populations, which are already disproportionately impacted by tobacco product use and tobacco industry marketing strategies. Use restorative practices for tobacco control regulation noncompliance.
 - Use enforcement to enact system change.
- Increase awareness of the Plan content and policy recommendations.
- Provide cessation capacity at the local level.
- Address the impact of marijuana on youth smoking; dispel the myths about marijuana being less harmful than tobacco products.
- Be clear in messages that the tobacco control community condemns the tobacco Industry not smokers who have been the recipient of the tobacco industry efforts to sell products without regard to the health impact on smokers.

Other discussion highlights:

- It was noted that the Freedom Coalition has included in its recommendations to President-elect Trump that his administration should consider eliminating the recent United States Food and Drug Administration (FDA) regulations, which regulate electronic cigarettes as tobacco products, as well as directing the Housing and Urban Development Department not to restrict smoking in public housing.
- Prop 56 includes \$30 million for the Attorney General's office to enforce tobacco control legislation. Members were encouraged to monitor and comment on the Attorney General's spending plan for the new funding.

THEMES FOR THE 2018 – 2020 MASTER PLAN

Members were asked to discuss the key messages that should be included in the updated Plan. A summary is attached to the minutes.

CONFIRM 2018 – 2020 MASTER PLAN OBJECTIVES

Members reviewed the seven objectives in the current plan and provided general direction for the next update.

Objective 1: Raise the Tobacco Tax

- Change focus to protect and preserve the integrity of the Proposition 99, 10, and 56 taxes.
- Eliminate the first strategy which has been accomplished.
- Add strategies to:
 - Index is the tobacco taxes to inflation
 - Increase the cost of smoking to encourage cessation.
 - Monitor the Board of Equalization calculations on the taxes on other tobacco products and e-cigarettes.

Objective 2: Vigorously Protect and Enhance Tobacco Control Capacity in California

- Modify the objective to include enhancing tobacco control capacity and leadership.
- Move to the strategy concerning diversity of revenue streams to the updated objective number one and include efforts to increase First Five, Medi-Cal and health plan coverage of tobacco prevention and cessation programs.

Objective 3: Achieve Tobacco Related Health Equity Among California's Diverse Populations

- Consider revised title: Reduce the negative impact of tobacco-related disease and death on the most highly affected groups.
- Include concept of highest attainment of health for all.
- In the fifth the strategy, add strengthening the organizational capacity of current and new agency and institution personnel to achieve tobacco-related health equity.
- Develop metrics to measure progress in eliminating health disparities.
- Review and confirm the definitions of health equity and health disparities in the Plan to increase clarity.

Objective 4: Minimize the Health Impact of Tobacco Use On People and the Environment

- Revise the title of the objective to be broader than tobacco use and include second- and third-hand smoke health impacts.
- Revise the first strategy to regulate secondhand smoke and nicotine emissions.
- Remaining loopholes in California's smoke free workplace laws include skilled nursing facilities and non-nicotine shisha.
- Regulate/decrease litter and waste (e.g. cigarette batteries, cartridges, cigarette butts, etc.) based on the concept of end-producer responsibilities. (pages 54-59 in survey).
- Establish definition of tobacco retail establishment, which includes cigarettes and other tobacco products, as well as emerging products and potentially marijuana. Include it in objective 4 or 7.

Objective 5: Prevent Youth And Young Adults From Beginning To Use Tobacco

- Broaden the word tobacco in the title of the objective.
- Delete the second strategy; replace it with increase the number of tobacco free post-secondary schools, colleges, and universities including the California State University and California Community College systems.

Objective 6: Increased the Number Of Californians Who Quit Using Tobacco

- Broaden the term tobacco in the title of the objective.
- Reach marginalized groups with cessation support.
- Consider the following:
 - Research on reduction of nicotine levels in cigarettes as a way to encourage cessation
 - Removing menthol and flavorings as a cessation strategy.

Objective 7: Minimize Tobacco Industry Influence and Activities

- Change the title to minimize tobacco industry's threats, influence and activities.
- Clarify that the tobacco industry includes e-cigarettes and other tobacco products as well as producers of new nicotine delivery system products, which has been accomplished with the new FDA regulations.
- Add a strategy to increase divestments of tobacco industry stocks by the state pension funds.
- Advocate for local and state support to maintain existing California tobacco control rules and regulations.
- Collaborate with state Alcohol, Consumer Affairs and Marijuana Control Agencies to share lessons learned from the tobacco control program.
- Conduct active surveillance of new products and disseminate information for local and state response.

CONFIRM INITIAL MASTER PLAN OUTLINE

The draft outline was reviewed by the members. Suggestions were made to add a glossary of definitions, be clear about the high priority policy recommendations of TERO, and shorten the document wherever possible.

Members identified the following topics to be included in the environmental context section of the plan:

- The bills passed in 2016.
- Proposition 56.
- FDA regulations approved.
- Health equity.
- Triangulum—tobacco, e-cigarettes and marijuana.
- The expansion of TRDRP research priorities under Prop 56.
- The timeline and overlapping funding from Propositions 99, 10 and 56.

SUBCOMMITTEE ASSIGNMENTS

Members agreed to participate on the subcommittees as recommended. CTCP staff will confirm conference call times in January for each subcommittee. Pat Etem and Alan Henderson also agreed to review the guiding principles. Updated versions of the objectives and principles will be reviewed at the February meeting.

PUBLIC COMMENT

Public comments were heard throughout the meeting.

Dr. Ong adjourned the meeting. The next TERO meeting will be February 13-14, 2017 in Sacramento.