Minutes of the Tobacco Education and Research Oversight Committee (TEROC)
Tuesday, August 14, 2018
9:30am – 2:45pm

Location
Oakland Marriott City Center
1001 Broadway
Oakland, CA 94607

Alternative Locations
Community Development Resource Agency
Building Division
3091 County Center Drive
Auburn, CA 95603

Beach Business Center
5150 E. Pacific Coast Hwy
Suite 200 Room 3
Long Beach, CA 90804

Members Present:
Dr. Mark Starr
Dr. Michael Ong (Chair)
Dr. Lourdes Baezconde-Garbanati
Dr. Wendy Max
Ms. Vicki Bauman
Dr. Alan Henderson (Vice Chair)
Dr. Claradina Soto
Dr. Edith Balbach
Dr. Michael Ong
Ms. Mary Baum

Members Present at Alternative Locations
Ms. Patricia Etem
Dr. Robert Oldham

Others in Attendance
Rich Kwong, CTCP
Tonia Hagaman, CTCP
Sarah Planche CDE TUPE
Cristina Planche CDE TUPE
Lou Moerner, USC/UCSF
Mhel Kavanah-Lynch, TRDRP
Frank Ruiz, CTCP
Tim Gibbs, ACS CAN
Kim Homer Vagadori, CYAN
Katherine McKenzie, UCSF

Mr. Primo Castro
Dr. Claradina Soto
Dr. Edith Balbach
Ms. Mary Baum

Ms. Patricia Etem

Dr. Robert Oldham

Mayra Miranda, CTCP
Margarita Garcia, CDE TUPE
Tom Herman, CDE
Phil Gardiner, AATCLC, TRDRP
Elizabeth Escalante, SCOE
Ginny Delaney, TRDRP

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Time | Agenda Item | Minutes
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9:30 am | Welcome and Introductions | The TEROC Chair, Dr. Michael Ong, called the meeting to order. TEROC members and meeting guests introduced themselves.
9:40 am | General Business | Action Item: Action to approve June 7 TEROC Meeting Minutes was approved.

Expected Outcome
- Approval of June 7, 2018 meeting minutes
- Discussion – Mr. Primo Castro asked that meeting minutes be revised to reflect his absence at the meeting.
• **Review correspondence and announcements**

TEROC members reviewed correspondence

- **Incoming**
  - June 21, 2018 letter from Betty T. Yee, California State Controller regarding period of availability for Proposition 56 appropriation items.
  - June 25, 2018 letter from Arthur B. Ellis, Vice President for Research and Graduate Studies at the University of California Office of the President in response to TEROC’s letter regarding multi-year spending authority for Proposition 56-funded agencies.

- **Outgoing**
  - July 5, 2018 letter to Senator Richard Pan, in support of Senate Concurrent Resolution Number 143.
  - August 13, 2018 letter to Lori Ajax, Chief of the Bureau of Cannabis Control, thanking her for attending the June 7, 2018 meeting.

- **Discussion**
  - None

- **Public comment**
  - None

- **Vote**
  - Ms. Vicki Bauman motioned for the June 7 meeting minutes to be approved; Dr. Mark Starr seconded the motion. Motion passed unanimously pending revision.

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**10:00 am**

**Environmental Developments**

**Expected Outcome**

- Review tobacco-related news
- Determine TEROC action

**Dr. Ong, reported highlights from the environmental report.**

- **San Francisco Voters Uphold Ban on Flavored Vaping Products**

- **Supervisors vote to ban flavored tobacco in San Mateo County**

- **Vaping Essays: E-Cigarette Sellers Offering Scholarships**

Dr. Ong noted that there was an ad placed in the Sacramento Bee by Juul notifying parents of their product and its nicotine content.

- **Attorney General Becerra Announces $37.5 Million in State Grants to Combat Illegal Tobacco Use Among Minors**
JUUL and kids: Your ideas are needed: Advisory Group seeks comments from public

Juul Raises $650 Million in Funding That Values E-Cig Startup at $15 Billion

• Discussion

Dr. Phil Gardiner of TRDRP noted that the City of Beverly Hills unanimously passed a citywide flavored tobacco ban. He noted that the AATCLC also met with the Vice Mayor and members of the Culver City Council. He additionally shared that the City of Sacramento will be voting on a flavored tobacco ordinance later. The City of Fremont has begun conversations about a flavored tobacco policy. Similar policy work was in process in Philadelphia with various partners; however, a last minute policy related to preemption was passed. The preemption paragraph noted that local jurisdictions in Pennsylvania could not pass policies more stringent than that of Pennsylvania. Dr. Gardiner also noted that tobacco-related preemption related to the sale of tobacco products was amended into a bill in Hawaii that focused on kidney dialysis centers). Concern expressed that comparable preemption could happen in California.

Dr. Ong mentioned that there were some organizational changes in the TUPE Office and thanked Mr. Tom Hermann for his work and dedication to the TUPE program.

10:15 am  California Youth Advocacy Network (CYAN)
• An update on California youth and vaping

Ms. Kim Homer Vagadori of CYAN presented an update on California youth and vaping:

Ms. Homer Vagadori gave an update on youth vaping. State data is reflective of national data, indicating that there was a decrease in tobacco use, especially among reported e-cigarette use. However, there is some suspicion that a decrease was seen because terms used in surveys are outdated. It was suggested that terms used in future surveys be as up to date as possible. An example given was Juul. Youth are referring to it by its name and do not see it as an e-cigarette.

A continuing concern is the evolution of e-cigarettes, particularly pod-based e-cigarettes, such as Juul. A host of other pod-based e-
cigarettes have hit the market and youth report having easy access to them. Juul currently dominates the market and has a strong online presence mostly from youth posting about it on social media. This has led to the perception that Juul is used by everyone. What makes Juul unique is that the company created a nicotine solution that pairs with its device. Other products in the e-cigarette classification do not have this ability. Currently, Juul has only five percent nicotine pods. The nicotine level in one pod is the equivalent to a pack of cigarettes. However, Juul announced plans in July to release a three percent nicotine pod in August. Since Juul rose in popularity very quickly, CYAN began collecting Juul specific data within California schools.

CYAN developed a survey with CDE TUPE and the Office of the Attorney General. The focus was to find out the extent of Juul-related problems on California school campuses and if Juul has reached out to schools about its prevention programs. These surveys went out to TUPE coordinators initially in March 2018. A second survey was developed with the purpose of finding out the extent to which there are tobacco-related problems on California school campuses, to assess knowledge of Juul, and to evaluate Juul’s youth prevention program. This survey went out to school administrators in March 2018 and again in May 2018.

Survey results revealed that there was an increase of Juul awareness from March to May 2018. 43% of respondents reported use or possession on campus by students. The initial survey in March revealed that 75-90% of products confiscated by administrators were Juuls.

The survey inquired about Juul’s outreach to schools in California. In the March survey:
- Juul reached out to three school sites (two schools in Contra Costa County and one San Francisco County).
- No partnerships were formed

Since this survey was conducted, JUUL has ceased attempting to partner with local schools. However, JUUL has partnered with a local youth organization in Richmond, California.

Dr. Edith Balbach inquired if anyone had seen the Juul curriculum and performed an analysis. Dr. Ong shared that a Juul representative had attended a TEROC meeting in February and shared the curriculum. Dr. Pamela Ling noted that Dr. Bonnie Halpern-Felsher and her team at Stanford are analyzing the curriculum. Dr. Balbach also inquired if the curriculum was similar to previous tobacco industry supplied curriculums. Dr. Ling shared that her brief analysis of the JUUL curriculum showed that it
possessed similar components to those done by Philip Morris. She noted that Juul’s curriculum uses the term “e-cigarettes”, which can also be adding to the perception that Juul is a separate product from an e-cigarette.

Dr. Lourdes Baezconde-Garbanati inquired whether what youth say about Juul is consistent with that of school administrators. Ms. Homer Vagadori stated that they are consistent. In focus groups previously conducted, youth are using the same terminology as administrators. They have a perception that it is not a tobacco product and not as harmful as smoking. CYAN will conduct additional focus groups to further explore this. In previous focus groups, youth expressed a dislike for the concept of addiction. CYAN updated its myth and reality cards to inform youth that Juul is a tobacco product that contains nicotine and that nicotine is addictive. Juul does not sell nicotine-free pods. Young people who may not normally smoke are using Juul and are being exposed to large amounts of nicotine. This is leading to a new generation of youth to become addicted to nicotine. According to a San Diego researcher Ms. Homer Vagadori met, Juul claims that their products were designed to replicate a cigarette. Each puff of a Juul is meant to be like a puff of a cigarette. There are 200 puffs per pod, equivalent to one packet of cigarettes. However, youth are not using Juuls in that manner; they often take long drags and go through pods at a faster rate, exposing themselves to greater amounts of nicotine.

- **New Technology**
  - Geofences around schools.
  - There are some concerns with privacy around installing these geofences meant to disable Juuls on school campuses.

Dr. Mark Starr inquired about marketing and the point of reducing the nicotine percentage to three percent. Ms. Homer Vagadori stated that Juul might be doing this for a number of reasons, among them is marketing; Juul is expanding outside of the U.S. Other countries, such as the United Kingdom, have regulated nicotine to no more than three percent. Juul may also be doing so to compete with newer products on the market that have lower amounts of nicotine.

Dr. Starr also inquired whether the decrease in nicotine levels was a strategy for Juul to market themselves as a quitting aid for adults. Ms. Homer Vagadori did not believe so. He also inquired about geofencing and why there was a privacy issue. Ms. Homer Vagadori explained that there may be adult Juul users on campus whose device would be disabled. Juul suggested users register...
their device, which may lead to problems of privacy. Geofencing would require some form of tracking. If Juul is being used on campus, geofencing would notify an administrator if Juul was in use and who was using it. Additionally, in more urban areas there was a concern with how far geofencing would work because there could be a retailer who is selling Juuls across the street from a school campus. Overall, most school administrators did not like the idea of a company coming on to their campuses and having access to the information of their students.

- Other concerns
  - Flavors are also a source of continued concern. Youth often begin initiating tobacco use through the use of flavored tobacco products, which may lead to the use of other tobacco products.
  - Juul’s efforts in youth prevention programs. Recently, Juul recruited Tom Miller, an Iowa Attorney General who formerly served on the Truth Initiative board. Mr. Miller has been recruiting from the public health arena to come up with ways to prevent youth from using Juul’s curriculum places blame on parents and on youth for using Juul. Juul is not claiming responsibility for youth use.
  - New products aside from Juul are being introduced into the market; Blu’s competing product can be purchased for as cheap as $1.
  - Juul has also begun collaborating with the military, which is reminiscent to previous tobacco industry tactics.

- Additional discussion

Dr. Ling shared that she conducted focus groups with youth as well and noticed the same pattern that Ms. Homer Vagadori noted. Youth who were using Juul last year have moved on to Suorin. The focus is now on pod-based devices. Youth are selling these products on campus. They are also hearing that youth are pairing Juul with other drugs, such as study aids, to offset the “buzz” of drugs such as Adderall, noting that the tobacco industry has tried to promote nicotine as a “cognitive enhancer” saying that it should be no different from getting caffeine from coffee.

Dr. Ling also noted also that there is a perception that Juul does not have any waste. However, it does produce waste and is difficult to dispose of. None of Juul’s parts are environmentally friendly.
CYAN is beginning to work with the college age population around messaging and other activities they can do since many college-aged people are expressing concern for the environment. Proper disposal of these devices is important, especially because Juul pods have begun to appear littered in communities and they are toxic.

Vote - None

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<th>11:15 am</th>
<th>Voluntary Health Agencies Update</th>
<th>Mr. Tim Gibbs provided a legislative update.</th>
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<td>American Lung Association (ALA), American Cancer Society Cancer Action Network (ACS CAN), American Heart Association (AHA) Expected Outcome</td>
<td>• Multi-Year Spending Authority</td>
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<td>• Legislative session update</td>
<td>o Issue is resolved. The Governor signed the budget.</td>
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<td>• Determine TEROC action</td>
<td>o DOF included language that Proposition 56 funded programs would have continuous appropriation.</td>
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<td>o This now includes DOJ and the CDPH Oral Health Program.</td>
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<td>• Senate Concurrent Resolution (SCR) 143 – Smoke-Free Movies</td>
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<td>o Passed Senate</td>
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<td>o Going to assembly</td>
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<td>• Assembly Concurrent Resolution (ACR) 254 - Smoke-Free Multiunit Housing</td>
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<td>o Introduced in Assembly</td>
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<td>o Awaiting a hearing</td>
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<td>• AB 1097, SB 835, SB 836 – State Smoke-free Parks and Beaches</td>
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<td>o In suspense</td>
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<td>o Hearings set the upcoming week to determine their fate.</td>
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<td>• Preemption</td>
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<td>o As deadline for submitting signatures for ballot initiatives was occurring, the soda industry was able to find a way to exempt themselves from being subject to local taxes through preemption until 2030.</td>
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<td>o There is some concern that something similar could happen with tobacco control.</td>
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<td>Dr. Alan Henderson inquired if this would preclude one from submitting a ballot initiative to overturn this law. Mr. Gibbs stated that it did not. It was inquired if a ballot initiative had been submitted. Mr. Gibbs stated that there had been one submitted to the Secretary of State’s Office for 2020. This was a statewide tax on sugar sweetened beverages that would overturn local</td>
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preemption. Since this was the first draft of the initiative, it is possible that it has changed.

Dr. Ong thanked Mr. Gibbs and the other voluntary organizations for their work around multi-year spending authority.

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<th>12:45 pm</th>
<th><strong>California Department of Education (CDE) Report to TEROC</strong></th>
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<td><strong>Expected Outcome</strong></td>
<td><strong>Ms. Sarah Planche provided updates on behalf of CDE.</strong></td>
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|  | • Learning recent program updates in relation to the 2018-2020 Master Plan  
|  | • Determine TEROC action  
|  |  
|  | • Juul  
|  |   o CDE has received requests for information from the media.  
|  |   o The contracting process has begun to supplement the Stanford Toolkit work and to be able to provide trainings to LEAs.  
|  |   o Dr. Shu-Hong Zou is collecting data from the California Student Tobacco Survey.  
|  | Ms. Planche inquired if the questions on the CHKS should be updated to include pod-based devices such as Juul for the next survey.  
|  |  
|  | • CDE is preparing for upcoming RFAs.  
|  | • An MOU was signed for the Joining Forces Conference with TRDRP and CTCP staff.  
|  | • CDE has an opportunity to edit the Health Framework for schools that is updated every ten years. Ms. Planche is updating the framework to include more current tobacco control terms.  
|  | • Marijuana  
|  |   o While Dr. Halpern-Felscher is funded to do tobacco prevention work, it is important to begin conversations on marijuana prevention work.  
|  |   o CDE has received reports about administrators finding e-cigarette cartridges filled with marijuana and inquiring if they can discuss marijuana.  
|  |   o There are plans to address this issue and would like to bring it to TEROC once developed.  
|  |  
|  | • Discussion  
|  | Dr. Ling stated questions on the CHKS survey should be updated to include Juul and other pod-based devices. Given that the use rates for e-cigarettes have reduced, it would be important to see if they really have reduced or if it was because the proper terms were not used. Mr. Castro inquired about when the next survey would occur and if the terms could still be included. Ms. Planche responded that it would be included in the 2019-21 survey. Mr. Castro agreed that the term should be included and updated given that some devices are part of a trend. Ms. Planche added that Suorin is a device that CDE is receiving reports about from the field. It is half the price of a Juul and is refillable. Ms. Bauman and Dr. Ling suggested that the survey be reactive as those in the field have...
| 1:15 pm | **University of California Office of the President, Tobacco-Related Disease Research Program (TRDRP) Report to TEROC**  
Expected Outcome  
- Learn recent program updates in relation to the 2018-2020 Master Plan  
- Determine TEROC Action | Dr. Mhel Kavanaugh-Lynch and Dr. Bart Aoki provided updates on behalf of TRDRP.  
Dr. Bart Aoki, introduced Dr. Mhel Kavanaugh-Lynch as interim director of TRDRP to TEROC.  
- UCOP Update  
  - Recruitment is underway for a new permanent Director of TRDRP.  
- UCOP Restructuring  
  - As a result of the original Huron report, 32 work streams were created examining different parts of the OP, with RGPO (where TRDRP resides), being one of those work streams. Assessments for RGPO have just begun. Interviews with internal staff have begun, as well as with chairs of the advisory committee and TEROC. The Provost is interested in better understanding RGPO and its place in the system and wants to be able to make informed suggestions.  
- Proposition 56 Implementation  
  - TRDRP has now funded two rounds of research grants.  
- Call for Applications 2019  
  - Letters of Intent were due on August 16.  
  - Call is structured to account for the lower Proposition 56 allocation levels.  
  - TRDRP will continue to offer two funding cycles in 2019.  
  - The second cycle will be limited to submissions for career development fellowships and revisions of previously submitted proposals. New submissions will need to meet focused topic requirements and will need to demonstrate a relationship to tobacco use and/or tobacco related disease to be eligible.  
Dr. Ong inquired about the impact that this will have on cannabis related proposals, given that there is overlap between tobacco and cannabis and a need for research; and if TRDRP is excluding proposals related to cannabis. Dr. Kavanaugh-Lynch stated that if the cannabis proposals included tobacco that these would be considered. Dr. Aoki added that if the proposal included the
medicinal effects with tobacco-related diseases that they would also be considered.

- **E-cigarettes**
  - A report on e-cigarettes is being developed by the E-cigarette Consortium.
  - Dr. Soto suggested that TRDRP consider researching Juul when looking at e-cigarette research.

- **Smoke and Tobacco-Free Fellowships**
  - TRDRP and others on the Smoke and Tobacco-Free Taskforce were informed that the funds for the UC Smoke and Tobacco-Free Fellowships would be ending.
  - TRDRP would like to fund the fellowship.

- **Smoke and Tobacco-Free Taskforce**
  - TRDRP and others were informed that along with the fellowship, the taskforce would be ending.
  - Although a policy has passed, enforcement is still an issue.
  - CYAN, using Proposition 56 dollars, has funded 15-16 contracts to test out various compliance strategies.

- **North American Cannabis Summit**
  - TRDRP continues to work with several organizations, including CDPH/CTCP, to plan the next North American Cannabis Summit.

- **Discussion**

  Dr. Wendy Max inquired about TRDRP and the status of their staffing. Dr. Aoki replied that the initial round of hiring was to replace previous existing staff positions. The hiring process is on hold until the study of RGPO is completed. However, they are working with the Provost to hire additional staff.

**Action Item:** Action to recognize Julie Chobdee for her work on the UC Smoke & Tobacco-free Taskforce.

- **Discussion**
  - Dr. Gardiner asked TEROC if they would recognize the work of Julie Chobdee who coordinated the Smoke and Tobacco-free Taskforce as well as the fellowships.
  - The work of Ms. Chobdee and her colleagues is what led to the UC System going smoke/tobacco-free, which has had lasting effects.

- **Vote** – Dr. Ling motioned for approval, seconded by Ms. Baum, motion was unanimously passed.
**Action Item: Action to recognize for Dr. Anwer Mujeeb for the work that he did with TRDRP.**

- Vote – Dr. Ling motioned for approval, seconded by Ms. Baum, motion was unanimously passed.

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<th>1:45 pm</th>
<th><strong>California Department of Public Health, California Tobacco Control Program (CTCP) Report to TEROC</strong></th>
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<td>• Determine TEROC action</td>
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<td><strong>Ms. April Roeseler provided an update on behalf of CTCP.</strong></td>
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<td>• Trainings</td>
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<td>o Staff have conducted numerous trainings across the state on various topics, including evaluation, the Flavors Hook Kids media campaign, and youth/young adult trainings.</td>
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<td>• 2019 Healthy Stores for a Healthy Community Campaign:</td>
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<td>o CTCP has been gearing up for the next wave of data collection for this campaign and is partnering this year with the CDPH Nutrition Education and Obesity Prevention Branch to collect data of food only stores. This will help NEOPB understand food availability in stores across California.</td>
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<td>• Secondhand Smoke and Marijuana</td>
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<td>o CTCP partnered with Americans for Nonsmokers’ rights for a webinar.</td>
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<td>• Publications</td>
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<td>o Two publications were released since the last TEROC meeting</td>
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<td>▪ 2018 California Facts and Figures – the most up to date tobacco prevalence data.</td>
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<td>▪ 2018 California Tobacco Laws Affecting California – This was updated and released by ChangeLab Solutions, a funded project of CTCP.</td>
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<td>• Statewide Coordinating Centers</td>
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<td>o CTCP staff have been onboarding new funded projects and helping new projects select communities to work in to avoid duplication of effort.</td>
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<td>• Media Campaign Evaluation RFA</td>
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<td>o CTCP awarded funding to RTI. It is expected that they will begin their work in December.</td>
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<td>• RFA For American Indian Initiative</td>
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<td>o CTCP awarded funding to Education, Training and Research Associates.</td>
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• Additional procurements were released to support the Reducing Tobacco Disparities Initiative:
  o 2 will be for Rural communities
  o 1 will be for the African American/Black regional projects
• Behavioral Health RFA
  o The deadline for this RFA was at the end of August.
  o CTCP will collaborate with the Office of Problem Gambling and NEOPB on this effort.
• Countering the tobacco industry
  o CTCP partnered with ABC news anchors throughout California to create 30-second TV spots that expose the threats of flavored tobacco.
  o Dr. Ling was also interviewed for this campaign.
• Comments to the Food and Drug Administration (FDA)
  o CTCP, on behalf of CDPH, submitted comments to the FDA for regulating flavored tobacco and on the potential nicotine product standard to lower nicotine levels in cigarettes to minimally or non-addictive levels.
• Media
  o CTCP continues to run the Flavors Hook Kids Media Campaign, as well as the Social Smoking Campaign. New campaigns are being developed on secondhand smoke and menthol.

• Discussion

Dr. Claradina Soto expressed disappointment that the American Indian RFA was not awarded to an American Indian Agency and that it was awarded to a non-Native agency. She did acknowledge that CTCP has made an effort to try to fund agencies that are part of the community. Ms. Roeseler stated that CTCP has learned that some of the agencies that applied simply needed additional assistance on how to package their grant application. CTCP has made resources available to applicants in the past and will continue to do this.

Ms. Patricia Etem inquired what each of the agencies are doing to address disparities in terms of grant funding, as well as increasing the diversity of grantees. Ms. Roeseler stated that CTCP is addressing this issue and is working to fund projects across all communities to address tobacco disparities. CTCP uses various metrics to measure their progress in addressing disparities. Dr. Starr stated that CDPH is part of the Government Alliance on Race
Acronym List

AATCLC - African American Tobacco Control Leadership Council
CDPH - California Department of Public Health
CDE – California Department of Education
CTCP – California Tobacco Control Program
CHKS – California Healthy Kids Survey
CYAN: California Youth Advocacy Network
DOF – California Department of Finance
DOJ – California Department of Justice
LEA – Local Education Agency
LLA – Local Lead Agency
MOU – Memorandum of Understanding
NEOPB- CDPH Nutrition Education and Obesity Prevention Branch
OP: Office of the President
RFA- Request for Applications
RGPO: Research Grants Program Office
TRDRP – Tobacco Related Disease Research Program
TUPE – Tobacco Use Prevention Education
UCOP – University of California Office of the President

and Equity (GARE) program, which is a governmental effort to address gaps within CDPH and the communities they serve. He can facilitate a presentation if TEROC is interested. TRDRP has addressed this with its newer grant projects. New applicants have to be addressing health disparities or work in a community that is disproportionately impacted. They are also collecting data on applicants to further increase the diversity of their applicants.

2:15 pm | Public Questions and Comments | No public questions or comments.
2:45 pm | Adjourn | Dr. Ong adjourned the meeting at 2:45 p.m.