


Tobacco Enforcement Program

Protecting the Children of Los Angeles

Office of the City Attorney
ROCKARD J. DELGADILLO
 Corruption, Fraud & Enforcement
Nora D. Manzamilla, Administrative Coordinator
Deborah Sanchez, Supervising Deputy City Attorney

Tobacco Enforcement Program BACKGROUND



- **Mangini v. R.J. Reynolds**
 In 1997 Los Angeles received a \$1.5 million settlement from RJ Reynolds and other tobacco companies as partial settlement of our suit which charged cigarette companies with illegally targeting minors with their advertising. Settlement terms dictated funds be used for education and enforcement efforts to reduce teen smoking. City Council allocated \$750,000 to DARE Program and \$750,000 to the City Attorney's TEP. As of FY 06/03 TEP has received General Funds.
- May 3, 2000 – LA City Council passed the TEP (LAMC 46.90 – 46.91).

PROGRAM DESCRIPTION

- A vehicle for more comprehensive law enforcement of Tobacco Control Laws.
- Goals
 - Require that all Tobacco Vendors in L.A. obtain a permit.
 - Require that tobacco products be placed where only the store clerk can access them.
 - Create a Tobacco Retailer database of all permitted retailers.
- TEP Staff Hired 10/2000
 - 1 Full Time Administrative Coordinator
 - 1 Legal Secretary

TOBACCO PERMIT ISSUANCE

- Permits issued by the Office of Finance.
- Applications mailed to all businesses likely to sell tobacco products.
- Valid for one year and renewed annually.
- \$208 Permit Fee as of 9/2005.
- Must be prominently displayed.

COMPLIANCE CHECK INVESTIGATIONS

Conducted by California Department of Health Services Food & Drug Branch which include:

- STAKE Act Investigation *
- Checking the location of the permit
- Making sure tobacco products are not accessible to the public

* State Tobacco Access to Retail Enforcement Act, Business and Professions Code Section 23966-23967

TOBACCO RETAIL PERMIT FEE

- September 2005, City council unanimously adopted a tobacco permit fee of \$208, to be adjusted annually.
- Increase the number of Compliance Checks to 700 in FY 05/06.
- Increase the number of Compliance Checks to 1,200 in FY 06/07 thereby increasing the tobacco permit fee to approximately \$274.

EXPANDED TOBACCO ENFORCEMENT PROGRAM INCREASE STAFF

- Administrative Coordinator I/II – Liaison with all city departments, conduct trainings for city departments
- 2 Investigators – Locating delinquent retailers assist & prepare cases for criminal filings
- Legal Secretary I – Send Notifications to retailers
- Deputy City Attorney – File all tobacco-related cases

As a result of the permit fee increase, five additional staff were added to the TEP. There are a total of seven TEP staff dedicated to the program.

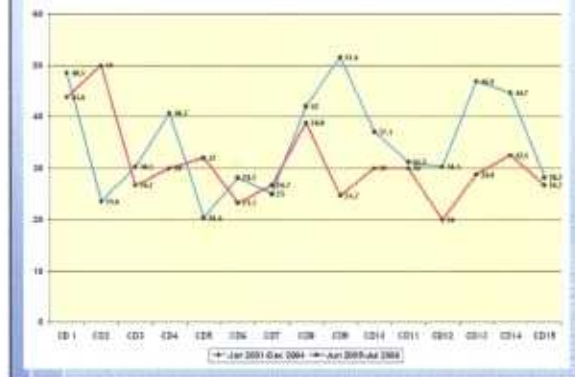
EXPANDED TOBACCO ENFORCEMENT PROGRAM

- Increase Compliance Checks in areas with highest illegal sales rate.
- Concentrate on retail locations near schools.
- A total of 5 Council Districts were elected. We doubled the amount of Compliance Checks to approximately 85 per council district.

2005/2006 EXPANDED ENFORCEMENT EFFORTS IN COUNCIL DISTRICTS WITH THE HIGHEST ILLEGAL SALES RATE
RESULT: Decrease in illegal sales rate



Tobacco Enforcement Program Statistics
Percentage of Illegal Sales to Minors



PROGRAM STATISTICS

- Approximately 3,500 paid tobacco retailers.
- 700 Compliance Checks conducted in FY 05/06.
- **Results**
 - 223 illegal sales to minors/ STAKE violations.
 - 31.9% Citywide illegal sales rate.
 - 20 retailers currently suspended for 30 days.
 - 35 SBOE (State Board of Equalization cases).
 - 25 Pending misdemeanor cases for selling without a permit.