June 19, 2019

The Honorable Hannah-Beth Jackson
California State Senate, 19th District
State Capitol, Room 2032
Sacramento, CA 95814

Re: SB 424 (Jackson) Tobacco products: single-use and multiuse components

City of Beverly Hills – SUPPORT

Dear Senator Jackson,

On behalf of the City of Beverly Hills, I am pleased to write to you in strong SUPPORT of your SB 424. This bill addresses tobacco product waste by banning the sale of single-use plastic tobacco products and establishes an Extended Producer Responsibility (EPR) program for managing waste from tobacco products.

In order to promote healthy living, the City of Beverly Hills has long supported no smoking policies and has adopted several ordinances restricting smoking activity and the sale of tobacco products. In 2017, the City prohibited smoking in the public-right-of-way, increased the open-air dining no-smoking buffer zone from five feet to 20 feet, and adopted a new ordinance to prohibit smoking in multi-unit residences. On August 21, 2018, the City Council formally adopted an ordinance prohibiting the sale of flavored tobacco products.

On June 4, 2019, the Beverly Hills City Council passed an ordinance to prohibit the sale of tobacco products in the City starting on January 1, 2021. The key provisions of the Ordinance include:

- Effective January 1, 2021, hotels, existing and future, may only sell to guests;
- Effective January 1, 2021, all other businesses shall stop selling tobacco products;
- A permanent exemption/carve out for existing cigar lounges;
- A hardship exemption provision for retailers that demonstrate the ban would cause undue hardship; and
- City Council review of the impacts on tourism in three years.

While the City has taken these actions to help mitigate the negative health impacts tobacco use and exposure to tobacco has on individuals, the City also recognizes the harm to our environment and our communities caused by the waste from these products. Tobacco product waste ranks among the top category of waste found at coastal,
beach, and park cleanups, and other outdoor collections (including street sweepings). Local governments spend millions of dollars annually to remove tobacco waste and millions more when waterways are rendered out of compliance with water quality laws due to tobacco waste pollution.

**SB 424** bans the sale of single-use tobacco products, including single-use filters, single-use plastic devices needed for manipulation of tobacco products, and single-use electronic cigarettes. Single-use products are most likely to be disposed of improperly, particularly plastic filters and holders. These products are costly and difficult to handle by local waste agencies, even when disposed of properly. This measure also requires a manufacturer of a tobacco product to use materials eligible for recycling under state or local recycling programs to make any reusable, multiuse component of the tobacco product.

Additionally, this measure requires a manufacturer of a reusable component to collect those components through take-back collection bins that they make available to the public at every location that sells its tobacco products. The manufacturer of the reusable component may also have a mail-back program that uses safe-for-handling containers that the manufacturer makes available to the public at every location that sells its tobacco products. This measure also requires manufacturers of reusable components to collect or reimburse household hazardous waste (HHW) collection facilities for the costs of collecting and recycling components designated as HHW, such as lithium-ion batteries.

The City of Beverly Hills fully supports efforts to have tobacco manufacturers take their fair share of responsibility for the disposal of these hard-to-manage products, as local governments alone cannot handle the cost burden of toxic tobacco waste alone. For these reasons, the City of Beverly Hills respectfully **SUPPORTS** your **SB 424**.

Sincerely,

John A. Mirisch
Mayor City of Beverly Hills

cc: Members and Consultants, Assembly Environmental Safety and Toxic Materials Committee
   The Honorable Richard Bloom, 50th Assembly District
   The Honorable Ben Allen, 26th Senate District
   Andrew K. Antwih, Shaw / Yoder / Antwih, Inc.