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April 10, 2017

The Hon. John M. Gioia
Contra Costa Board of Supervisors
651 Pine St.
Martinez, CA 94553

Dear Supervisor Gioia,

The R Street Institute recognizes the negative effects of smoking and supports policies that move smokers toward less harmful alternatives. We believe that Contra Costa's proposed anti-tobacco ordinance will have troubling unintended consequences.

R Street is a Washington, D.C.-based think tank with a West Coast office in Sacramento. We promote pragmatic free-market solutions to myriad problems. One of our core issues involves tobacco harm reduction. Our research finds that ordinances that make no distinction between combustible cigarette smoking and e-cigarettes create unnecessary difficulties for smokers to switch to these less-harmful products.

The proposed Contra Costa ordinance includes "electronic smoking devices" and smokeless tobacco in its definition of tobacco. It also bans the sale of flavored tobacco products, which include liquids used in e-cigarettes. People who use vaping products almost always use flavored liquids, so the rules would essentially outlaw their sale throughout unincorporated county areas.

The ordinance flatly ignores a range of studies establishing the significant reduction in health risk posed by e-cigarettes when measured against combustible cigarettes. In 2016, the Royal College of Physicians, one of the oldest, most venerable professional medical bodies in the world, published an authoritative report demonstrating the long-term health hazard posed by e-cigarettes is less than 5 percent of the harm from smoking.

As the Royal College of Physicians recommends, tailoring policies to recognize the distinction provides an incentive for smokers to move toward lower-risk alternatives. If, for instance, cigarette smokers need to leave the county to find vaping liquids, they might just grab a pack of cigarettes at their local convenience store. By refusing to make such distinctions, the ordinance will do more harm than good. We would ask you to reconsider this aspect of the ordinance.

Here are links to a couple of our relevant studies:

<http://www.rstreet.org/wp-content/uploads/2015/12/RSTREET49.pdf>

<http://www.rstreet.org/wp-content/uploads/2014/07/20140630FDLI-EcigForum.pdf>

Thank you for your time and consideration.

Best regards,

Steven Greenhut
Western Region Director
R Street Institute

