

Media Release

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## **SELLING TOBACCO TO TEENS? IN BERKELEY, NOT SO MUCH**

Berkeley retailers say “No” to teens buying tobacco

Berkeley, California (Thursday, January 15, 2009) - The rate at which Berkeley retailers sell cigarettes to minors has hit a new low, down to just over 4 percent in 2009 from 37 percent in 2003.

The Youth Tobacco Purchase Survey is a sting operation that tests how well Berkeley’s tobacco vendors comply with the California law prohibiting the sale of tobacco to minors. During the most recent operation, only 4.2% of merchants sold tobacco to a youth decoy— a quarter of the rate measured in June 2007.

"This is the lowest youth tobacco sales rate we've ever measured--thanks to the participation of Berkeley’s neighborhood merchants," said Acting Health Officer Dr. Janet Berreman. "We know that tobacco is an important revenue stream, and we are really grateful that so many merchants did the right thing, and said ‘No’ to teen buyers."

"We’re also proud of the collaboration of the Police Department and the Environmental Health Divisions," said Dr. Berreman. "Reducing youth access to tobacco is one way the City is working to prevent heart disease, cancer, diabetes and hypertension in our community. I hope we can achieve a zero sales rate in the near future."

The stings began in 1996 to test compliance and deter merchants from future offenses. The sting operation looks like this: a 16 year-old trained intern attempts to purchase a tobacco product while an undercover police officer watches. If the merchant sells the tobacco product, the salesperson receives a citation, in violation of Penal Code 308(a).

The sting operations and the passage of Berkeley’s Tobacco Retail Licensure Law (Berkeley Municipal Code 9.80) have helped to dramatically reduce the sales of tobacco to minors in Berkeley.

Before 2003, Berkeley’s tobacco retailers sold tobacco to minors about 37 percent of the time they were surveyed. Since then, the illegal sales rates to minors dropped dramatically. During youth tobacco purchase surveys in 2004, 2006, and 2007, the rates fluctuated between 6% and 19%.

The penalty for offenders of the law can be steep. A Berkeley retailer who sells to teens could be required to remove tobacco from their store for up to 30 days the first time and for longer periods for additional offences, forcing a loss of revenue. They may also lose the right to obtain a tobacco license if they have four violations in five years.

Funders for the collaborative youth tobacco purchase survey program include the Berkeley

Police Department, tobacco retailer licensure fees, California's quarter a pack tax on tobacco from the California Department of Health Services, and the Alameda County Tobacco Control Program, (through the Alameda County Master Tobacco Settlement Agreement funds).

For more information, contact Marcia Brown-Machen, MPH, Chronic Disease Prevention Program Co-Director at 510- 981-5309 or [mbrown-machen@CityofBerkeley.info](mailto:mbrown-machen@CityofBerkeley.info).

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