

# Adopting and Strengthening Tobacco Retail Licensing Policy in Kern County

## Final Evaluation Report 2018-2021

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## Abstract

The assessment of Young Adult Tobacco Purchase Surveys (YATPS) in Kern County from previous contract cycles found that sales rates in some cities within the county were as high as 38%, and this was the impetus for the program staff, after consultation with Community of Excellence (CX) members using the CX data, to pursue a tobacco retail policy objective.

Although the Kern County Tobacco Education Program (TEP) made significant inroads in their education and outreach as it related to the Tobacco Retail License (TRL) policy throughout the county, the project did not meet its objective. One TRL policy was enacted in Delano, CA in November 2019 (to be effective in January 2020), but after local retailers voiced their concerns about losing business, and the improper steps taken in being notified regarding the new policy, the Delano City Council reversed their decision and the policy was formally repealed one year after it was voted on, during the height of the Coronavirus Disease 2019 (COVID-19) pandemic. However, the project feels optimistic that the tireless work during the scope of work (SOW) objective cycle has paved the way for future successes, and much of this can be attributed to following the processes and strategies that have been outlined by California Tobacco Control Program (CTCP) and Tobacco Control Evaluation Center (TCEC) in carrying out a multi-faceted intervention and evaluation plan. Kern County TEP was able to utilize their strong youth and adult coalition members as part of the process to secure the initial passage of TRL policy. Additionally, several youth volunteers were bilingual and assisted in translating the educational materials to Spanish to reach Spanish speakers during the administration of the public intercept surveys. Kern County TEP also identified local stakeholders who later became advocates and champions for the project in their campaign to get TRL policy adopted. The foundation has been set.

The formative evaluation process was vital for the project's TRL campaign. For instance, the key informant interviews of policymakers and retailers provided insightful information regarding the communities where the Kern County TEP could target their efforts. This turned out to be a critical step in the process, as well as the previously stated work of champions, allies, and volunteers that generated momentum for the program. Moreover, the data collected by the program, including store observations, public intercept surveys, and the YATPS, provided the key ingredients to secure passage of policy. The public intercept surveys and YATPS results were used extensively in presentations to policymakers and community stakeholders, and these thoughtful data bolstered and elevated the impassioned presentations given by the youth coalition members and program staff. The public intercept surveys demonstrated that the public was overwhelmingly in favor (78%) of the passage of TRLs, and the YATPS showed that several jurisdictions in Kern County had high fairly sale rates to underage minors. Thus, following the CTCP/TCEC playbook, combined with the collaborations with youth coalition members and local champions, proved to be successful in the face of a prevailing political climate that tended to be much more pro-business than pro-tobacco control.

## Aim and Outcome

The Kern County Tobacco Education Program (TEP) chose to work on tobacco retail policy as a primary objective due to the relatively high rates of sales to minors that were seen in some jurisdictions in Kern County as presented in the YATPS results. Moreover, the growing emergence of vaping products was seen as another issue that needed to be addressed within the county, particularly as it relates to tobacco retail density. As such, in an effort to limit youth access to tobacco and vaping products near schools, park and youth facilities, the Kern County Tobacco Education Program set the following primary objective:

*By December 31, 2021, at least five (5) jurisdictions in Kern County will adopt or amend existing tobacco retailer policies to prohibit any new tobacco retail facilities (e.g. hookah lounges, smoke shops, and electronic smoking devices shops) from opening within one thousand (1000) feet from schools, parks, and youth facilities.*

The indicator for this objective is 3.2.2 (Tobacco Retailer Density/Zoning):

*The number of jurisdictions with a policy restricting the number, location, and/or density of tobacco (including ESD) retail outlets through use of any of the following means: conditional use permits, zoning tobacco retail permits or licenses, or direct regulation (CORE).*

Although one jurisdiction—Delano—adopted a policy that prohibited the sale of flavors, the policy was repealed one year after its adoption. As such, at the conclusion of the 2018-2021 scope of work period, the objective was not met.

## Background

Located in the southern end of the Central Valley, Kern County is the leading oil and mineral producing county in the continental United States and is bordered by three mountain ranges. Although Kern County is the third largest county (geographically) in California with a population of over 839,000 people, the general character of the county is rural in nature.

With a population of approximately 365,000 people, Bakersfield is the largest city in the county. About 315,000 people live in the unincorporated parts of the county. According to the 2010 Census, Kern County demographics indicate 59.5% White, 49.2% Latino, 5.8% African American, 4.5% two or more races, and 1.5% Native American. Because the county is so large geographically, communities tend to be spread apart throughout the county, and beyond Bakersfield, most communities consider themselves rural and by most accounts are politically conservative.

Due to the relative demographic makeup of the county, TEP focused its work on rural, Latino and low socioeconomic status populations, concentrating policy efforts on the communities of Delano, Arvin and Shafter, as well as unincorporated Kern County. Additionally, educational outreach would be

carried out in the cities of Bakersfield and Ridgecrest as well. This decision was made using the 2016 CX data, where it was found that there was limited public and decision-maker awareness regarding tobacco use policies, as well as the need for tobacco-related policies. Additionally, Kern County's overall smoking rate and data from previous iterations of the YATPS (formerly the YTPS) played a major role in this decision.

In 2017, the smoking rate in Kern County was 17%, which was significantly higher than the 11.7% overall smoking rate in California. Additionally, YATPS from previous grant cycles found that the sales rates to minors was disproportionately higher in some cities than in other cities within the county (as high as 30% in 2014 and even higher—38%—in years' prior).

There was thus a need to reduce minors' access to tobacco products in Kern County. Jurisdictions throughout California have enacted and used TRL's as a strategy to reduce minors' access to tobacco products. The license requires retailers to pay an annual fee which is then used to fund enforcement of tobacco laws, including prohibiting tobacco sales to minors. As part of an umbrella TRL policy, projects from across the state have also tackled flavored tobacco products, minimum price and coupons, and tobacco retail density. For the latter, tobacco retail density policy is closely aligned with TRLs since in most cases, but not all, a retail density policy is attached to either an existing TRL or a new TRL policy. In some cases, however, it is a stand-alone policy. CX members initially felt that while a tobacco retail density policy was more practical in Kern County because there were multiple routes of adoption (e.g. via a TRL, an amendment or a stand-alone policy), it would be ambitious to also supplement and strengthen TRL policies in Kern County jurisdictions with tobacco flavors, minimum price and coupon policy. For the retail density provision, a retail density approach circumvents any fees or regulations on businesses and this was viewed favorably as a less drastic step than imposing what retailers viewed as a "tax" on their businesses, and a retail density policy would also reduce minors' access to and overall use of tobacco products. During the beginning stages of the objective cycle, project staff and CTCP personnel revised the original plan of trying to secure the "flavors" and price components, and instead decided to focus on a retail density objective.

The emergence of vaping and e-cigarette use among Kern County youth became a major issue by 2017 according to key informant interviews with community stakeholders. Additionally, public opinion poll (POP) and public intercept survey (PIS) data that were collected during this same time frame found that Kern County residents were highly supportive of protecting youth from the dangers of tobacco use (88%), including e-cigarettes and vaping products (86%). Moreover, the statewide surveys—California Health Interview Survey (CHIS) and Healthy Kids Survey (2016) both found that over 18% of upper-level high schoolers, 11<sup>th</sup> and 12<sup>th</sup> graders, as having tried e-cigarettes and/or vaping devices within the past year.

The CX process was critical to the decision-making process of ultimately selecting Indicator 3.2.2 Tobacco Retail Density. A total of 17 indicators and 13 assets were assessed by 15 individuals as part of the CX process, with the project bringing together community stakeholders from all across Kern County organizations and public sectors. Based on TEP's previous TRL work, as well as the full CX assessment, it was recommended that staff consider indicator 3.2.2--Tobacco Retail Density as a primary indicator in the development of objective for the 2017-2021 objective cycle, and 3.2.3 as a

secondary indicator. Indicator 3.2.2. was ranked as both a need and a high priority during the assessment, with CX participants recognizing that curbing minors' access to commercial tobacco was a significant local issue and that a retail density objective was a viable manner in which to do so. Data presented during the CX meetings was critical to this conclusion, including previous YATPS findings. While other areas were also ranked fairly high (flavored tobacco products; minimum price; youth engagement in tobacco control; and smoke-free public areas), CX members wanted to parlay the success of previously adopted TRL policies into strengthening them even more. Hence, after much discussion and analysis, the CX members assessed the issue of retail density policy adoption as a potential focus area that was deemed a priority for the project.

The CX members also agreed that a retail density policy could be the foundation of future tobacco control efforts, including the prohibition of flavored tobacco products, minimum price limits, and stronger tobacco advertising restrictions. These secondary areas were initially seen as part of the retail density policy objective. Further, although there were concerns about the practicality of securing adoption of retail density policies in these mostly conservative jurisdictions, the CX members thought it was their best opportunity to capitalize on the TRL policies that had already been enacted throughout the County.

Previous work on a TRL objective began in 2010, and between 2010 and 2017, five jurisdictions in Kern County adopted TRL policies. While the project felt it had gained significant traction and had built up considerable momentum in passing the TRL policies in lieu of attempting to secure the adoption of TRL policy in some of the remaining jurisdictions in Kern County, adding a retail density policy to the jurisdictions that enacted TRL policy seemed much more attainable.

Additionally, the project identified champions in these jurisdictions; those who led the proverbial charge in securing TRL policy adoption in previous years. It was also anticipated that the project could foster support for a retail density objective since several jurisdictions in Kern County had adopted TRL policy, knowing that policymakers may be more likely to add to their previously enacted TRL policies. The project had cultivated a strong partnership with the local Tobacco Use Prevention Education (TUPE) program at the County Office of Education as well, and this relationship was seen as a strong factor to collaborate on tobacco control-related policies. Hence, the combination of the CX data and findings, the previous work on tobacco control policy by the project, having local champions to assist the process, and previous PIS and YATPS data, all pushed the idea that the goal of adopting retail density policy was a strong objective.

## Evaluation Methods and Design

The evaluation plan used a non-experimental design with a post-test measure. No comparison group was used as part of this design. More specifically, this evaluation plan used process data as part of the formative assessment to inform intervention activities and help guide strategies as the intervention(s) progressed, and outcome data, which was planned to confirm the adoption and implementation of the new tobacco retail density policy and/or TRL policy addendum that prohibits

tobacco retailers from opening within 1,000 feet of schools, parks, and youth facilities. Table 1 (below) illustrates both the outcome and process evaluation activities used as part of this evaluation plan.

**Table 1: Key Outcome and Process Evaluation Activities**

| EVALUATION ACTIVITY   | Purpose   | Sample   | Instrument Source | Analysis Method                     | Timing/ Waves                    |
|---|---|--|-------------------|-------------------------------------|----------------------------------|
| <b>OUTCOME</b>  |   |  |                   |                                     |                                  |
| Record Review of county records/documents (showing TRL policies/ retail density addendum, fees & fines) | Measure evidence of enforcement, fines or suspensions   | Census of all licenses issued & compliance records in Kern County                                | Evaluator         | Tally of licenses and/or addendums. | Year 4<br>1 Wave                 |
| Store Observations  | Measure evidence of enforcement of 21 law signage, access and availability of products at checkout        | Convenience sample of tobacco retail stores where policy adopted.                                | Project Staff     | Tally of signage                    | Year 4<br>1 Wave (post-adoption) |
| Key Informant Interviews (Post-adoption)  | Measure evidence of enforcement of policy   | Convenience sample of retailers and city staff (N=26)  | Project Staff     | Content & Thematic Analysis         | Post adoption<br>1 Wave          |
| <b>PROCESS</b>  |   |  |                   |                                     |                                  |
| Education/Participant Satisfaction Surveys  | Measure effectiveness and satisfaction of educational presentations.                                      | Census of presentation attendees (N=113)   | Evaluator         | Descriptive statistics              | Years 1, 2, 3 & 4                |
| Key Informant Interviews (KIIs): city council members and retailers                                     | Measure the level of support and opposition to TRL; identify facilitators and barriers to policy adoption | Purposive sample of 10 key informants—retailers, stakeholders and city council members.          | Evaluator         | Content & Thematic Analysis         | Years 1 & 2<br>1 Wave            |
| Healthy Store Healthy Community (HSHC) Key Informant Interviews   | Measure level and support and opposition to series of tobacco-related policies                            | Purposive sample of 5 key informants—retailers, city council members and community stakeholders. | TCEC              | Content & Thematic Analysis         | Year 2<br>1 Wave                 |

|   |  |   |   |                             |  |
|---|--|---|---|-----------------------------|--|
| TRL / Retail Density PIS/POP                | Measure public opinion on policy issues in the retail environment  | Convenience sample of 1,156 (N=1,156) Kern County residents   | Evaluator   | Descriptive statistics      | Years 1, 2 & 3                                 |
| Statewide HSHC Store Observation Survey     | Measure the availability of various tobacco products, storefront, and advertising                                      | Sample of 509 (N=509) retailers   | Stanford & Tobacco Control Evaluation Center (TCEC) | Descriptive statistics      | Year 2<br>1 Wave                               |
| Statewide HSHC PIS/POP                      | Measure public opinion on policy issues in the retail environment  | Convenience sample of 258 (N=258) people in Kern County   | Stanford University & TCEC                          | Descriptive statistics      | Year 3<br>1 Wave                               |
| HSHC Youth Data Collection Training         | Measure satisfaction and self-reported knowledge of participants attending data collection training                    | Sample of 13 youth volunteers who participated in data collection training  | Project Staff                                       | Descriptive statistics      | Year 2<br>1 Wave                               |
| Policy Record Review                        | Measure the level of support and opposition to a variety of tobacco control issues based on city council deliberations | Review of city council minutes in targeted Kern County communities during TRL-related presentations and votes; and updates on councilmembers' positions on potential policies | Project Staff                                       | Content analysis and review | Years 1, 2, 3 & 4<br>6-month intervals/updates |
| Young Adult Tobacco Purchase Survey (YATPS) | Measure illegal sales at local tobacco retailers by minors   | Convenience sample of Kern County tobacco retailers, 96 "buy" attempts (N=96).  | Project Staff and Kern County Sheriff               | Descriptive Statistics      | Years 1 & 2<br>2 Waves                         |

Outcome data were measured by comparing the number of retail density policies that had been enacted by the targeted jurisdictions in Kern County and by reviewing city records for specific ordinances. [TEP recognizes that a policy record review does not fully measure outcome data and

*behavioral change, but this was the recommended outcome measure advocated by TEP's PC during the SOW plan modifications.]* While a signage observation and post-adoption KIIs were part of the evaluation design, the lack of TRL policies, after the repeal of the Delano ordinance, made these activities moot. Nonetheless, key informant interviews with city staff, retailers and community stakeholders during the final six-month time period of the SOW assessed the political and local cultural landscape for securing TRL adoption for the next SOW objective cycle.

There was a total of 12 evaluation activities by which process data were collected. Each year the project presented to local community members and stakeholders on various aspects of TRLs and the retail density policy/addendum. Additionally, updated YATPS and POP/PIS data were presented to policymakers in the targeted jurisdictions. The activities are described below.

Satisfaction surveys were distributed at the conclusion of each presentation the project provided relating to the retail density policy, and frequencies and distributions of the survey responses were analyzed. These presentations were given throughout all four years of the objective cycle (N=105) and distributions and frequencies were analyzed. In order to assess the level of support for licensing, retail density, minimum price and other retail-related policies, a POP/PIS was conducted in Years 1 and 2 throughout Kern County, surveying a total of 1,156 residents (N=1,156). Key Informant Interviews of policy makers and retailers in Years 1 and 2 focused on identifying facilitators and barriers to policy adoption in some of the targeted jurisdictions. More key informant interviews were conducted as part of the Healthy Stores for a Healthy Community (HSHC) campaign, and then a final round of interviews was carried out during the last six months of the SOW cycle with 26 community stakeholders from the communities of Arvin and Shafter. A content analysis was performed for each wave of KIIs, using the interview transcripts from a total of 41 key informants (N=41).

A HSHC Store Observation Survey and a Public Intercept Survey (PIS) in Year 2 were part of a statewide data collection effort (HSHC) headed by Stanford and TCEC. For the store observation study, a total of 509 stores were visited and the data provided the project with tobacco, drink and food availability at local stores. Two hundred and fifty-eight people (N=258) were surveyed for the HSHC PIS. This survey assessed tobacco retail-related policies and was printed in both English and Spanish. Moreover, some of the youth data collectors were bilingual and were thus able to approach Spanish speakers in order to obtain more survey-takers as part of the public intercept survey. The YATPS were carried out in each of two years of this cycle, analyzing illegal sales to minors, as well as types of tobacco-related signage and interaction with cashiers. A total of 216 stores (N=216) were part of the YATPS. The policy record review measured the potential support and opposition of TRL policies in the targeted communities. Legislative agendas and minutes were used for this assessment. Finally, data collection trainings were given to assess the satisfaction and self-reported knowledge of data collection volunteers for the store observation survey, the PIS/POP surveys (including HSHC), and the YATPS. Thirteen youth were recruited for the store observation data collection. Data collectors completed a satisfaction survey at the conclusion of the training. Likewise, 11 youth were recruited to participate in the two waves of YATPS data collection.

The evaluation activities provided information on the illegal sale rates to minors, council members' and tobacco retailers' perspectives on issues related to a retail density policy and TRLs, and the type



and amount of media coverage of the local and statewide press events and related tobacco topics. Survey and all quantitative data collected during this SOW objective cycle were analyzed by calculating frequencies and distributive statistics. Interview and qualitative data were analyzed for patterns and themes related to TRL adoption as part of a content analysis. A full listing of activities is provided in Table 1.

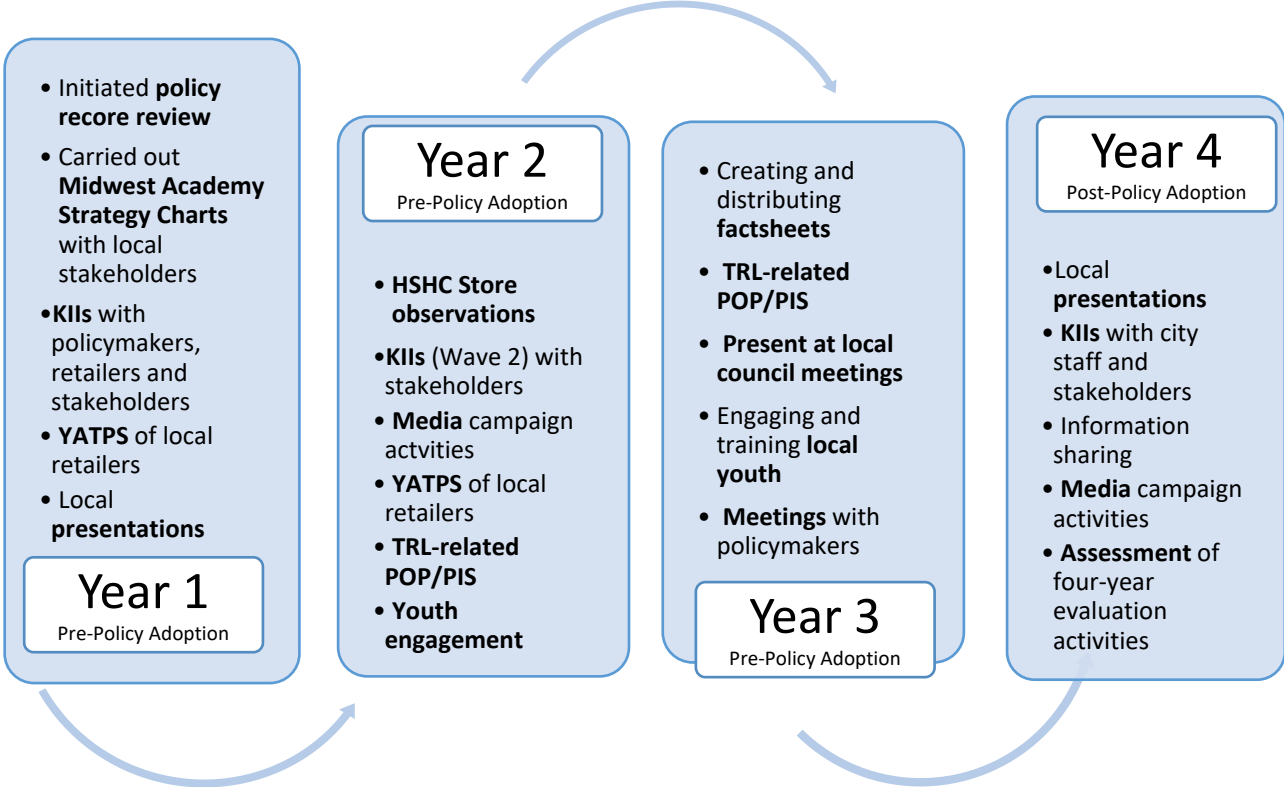
## **Limitations**

The major limitations of this design are the sampling strategies used, including the convenience and purposive sampling for the key informant interviews, and the convenience sampling for the PIS/POP. In this manner, the samples in each case may not be fully representative of the local communities and the convenience sample used for the POP/PIS may represent the views of those who chose to participate rather than the entire population. Additionally, although volunteers were trained using the state protocol for the HSHC observation of tobacco retailers and included a mock store with system checks, there may be inconsistency of the observations between volunteers since validity testing between volunteers was not carried out once formal data collection began (due to time and resource constraints). Finally, there was no comparison or control group to provide another perspective or compare the intervention impacts. However, the evaluation methods and strategies—overall—offered the project robust process data that allowed for greater and positive impacts with the project's intervention strategies.

# Implementation and Results

The intervention and evaluation activities were specifically designed in such a way to build momentum toward meeting the objective of securing TRL policies in communities across Kern County. In this manner, Figure 1 (below) provides a general overview of the project’s timeline, detailing the activities in years 1, 2, 3 and 4 of this objective cycle. A full outline of the activities is listed in Appendix 1.

**Figure 1: Key Intervention and Evaluation Activities in Chronological Order**



## Formulating a Strategic Campaign and Engaging the Community

Project staff began by formulating a full educational and policy adoption campaign based on the results of the Midwest Academy Strategy Chart (MASC). Knowing the community was very concerned about the increase in the number of youth using electronic vaping devices and the flavored tobacco products tied to the devices, with the local media calling it an “epidemic,” TRL policy was promoted to reduce youth access to the electronic vaping devices.

A host of educational materials were created that included PowerPoint slides for a presentation pertaining to the various types of electronic smoking devices popular with youth, the number of tobacco retail establishments in the primary jurisdictions within Kern County, and maps showing the

proximity of tobacco retailers around middle and high schools in Bakersfield, Delano, Arvin and Shafter. Local YATPS and tobacco use data were also provided in the PowerPoints and educational packets given out during presentations.

Project staff conducted presentations (N=24) throughout the SOW objective cycle to a wide variety of community groups and individuals, including health department personnel, high school aged students, parents, teachers, school administrators and other local organizations serving youth. Presentations were also carried out with local law enforcement agencies, who later collaborated with the project on the YATPS. These presentations took place throughout the SOW objective cycle and after the first couple of years the information presented included the results of the YATPS and HSHC store observations and public opinion/public intercept survey, as well as the findings from key informant interviews with retailers, policymakers, and community stakeholders. Topics also addressed the emerging tobacco products (e.g., electronic smoking devices and “flavors”) used by youth, the issue of youth access and density, and how other jurisdictions were addressing these issues.

Strengthening its adult and youth coalitions were key for the entire SOW objective period, and this focus began in Year 1 of the SOW. TEP reached out to local middle and high schools, giving 12 recruitment and training presentations for their Students Working Against Tobacco (SWAT) coalition members, and 146 respondents completed a satisfaction survey over the objective cycle. While some of the community-based presentations described above focused on education and outreach, presentations to the youth added a strong recruitment component, showing the youth the type of activities and trainings that SWAT engages in each year. Current SWAT members were integral to these presentations and they themselves demonstrated themselves to be valuable recruiting tools. SWAT members were also vital to the project’s data collection activities, including the HSHC and general POP/PIS. Additionally, the project created an innovative mentorship program whereas members from its adult coalition—Tobacco Free Kern (TFK)—worked and collaborated with SWAT members on local activities and provided hands-on training for the SWAT members to become tobacco control advocates.

Over the four-year SOW objective cycle, project staff and its TFK and SWAT members met with policymakers, participated in data collection, regularly attended city council meetings, and spoke in support of TRL policy adoption. Moreover, SWAT and TFK members—in coordination with project staff—tabled at local community events, created targeted messaging, and spearheaded meetings with policymakers.

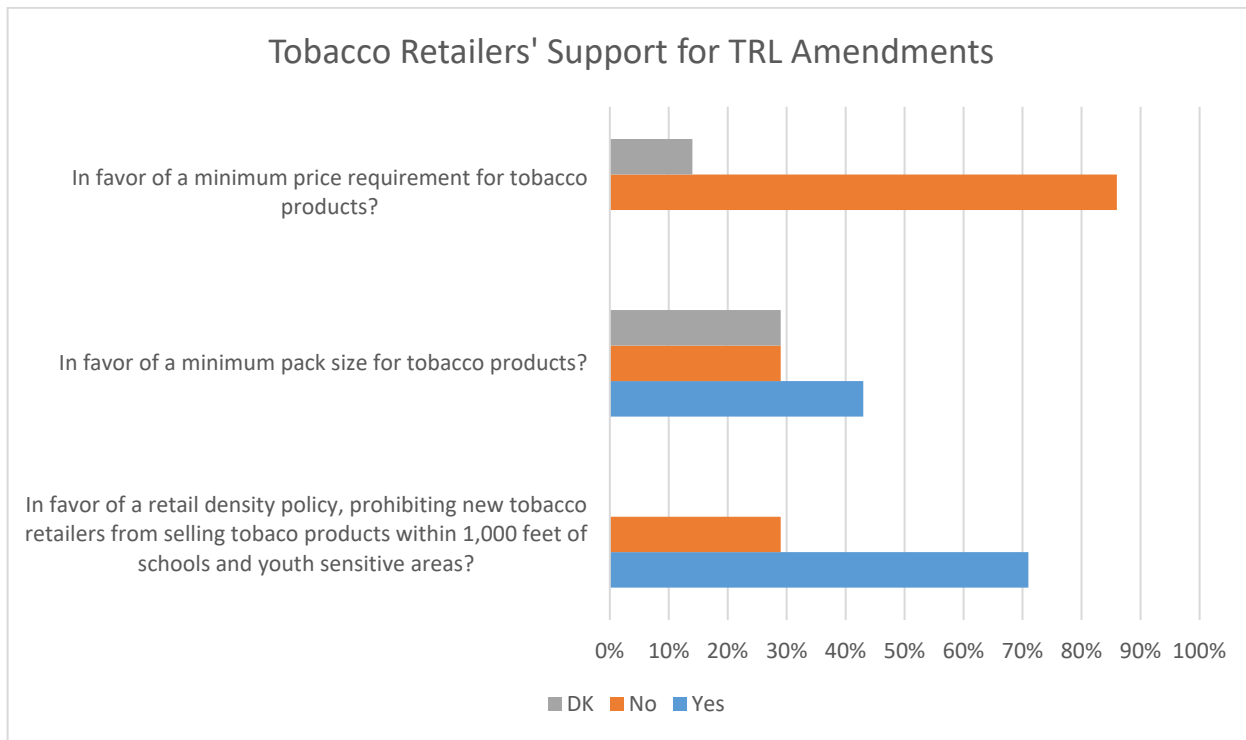
## Gathering Input from Retailers and County Staff

In an effort to gather in-depth data on Kern County tobacco-related issues and prospective tobacco retail licensing (TRL) amendment ordinances, the project staff conducted key informant interviews in 2018. Seven (n=7) tobacco retailers responded and agreed to be interviewed, and three (n=3) Chiefs of Staff (COS) representing the Kern County Board of Supervisors were interviewed for this study as well. Interview respondents were asked several open-ended questions in an effort to obtain insight regarding the tobacco retailers’ views and perspectives on tobacco retail licenses (TRLs) and

proposed amendments. A qualitative analysis was carried out using a grounded theory technique to assemble the essential and emergent themes derived from the interview data.

Overall, there was quite a bit of variance with the individual TRL amendment items (see Table 1 below). The retailers generally approved of the 1,000-foot setback amendment, with over 71% of the respondents giving support to it. These retailers also felt like their respective communities would support this type of policy, where sales of tobacco products would be prohibited to any new retailers that opened within 1,000 feet of schools, parks or youth facilities. The retailers were more divided on the minimum pack size amendment, with 42.8% supporting it, but over 57% either saying that they would not support the amendment or didn't know. Finally, none of the retailers supported a minimum price requirement for a TRL amendment, with 85.7% saying that they did not agree with it and wouldn't support it. One person didn't know, but leaned against it, and one person stated that a minimum price requirement for tobacco products, "Doesn't seem right." The results are provided in Table 2.

**Table 2: Tobacco Retailers' Support for Proposed TRL Amendments (N=7)**



Finally, it should be noted that two retailers said something similar: they wished that the other stores would stop selling to minors, noting that it "wasn't fair" to them if other stores are making money by selling to minors. One of these respondents indicated that it would probably help his overall sales if other stores could not sell to minors.

## Kills with Chiefs of Staff

All three Chiefs of Staff (COS) have worked with their supervisor for multiple years, ranging in length from four and a half years to eight years. The first question asked the chiefs about a TRL amendment that would prohibit new retailers from selling tobacco if they were within 1,000 feet of a school, park or youth facility. All three COS—to varying degrees—seemed to agree with this type of policy and they noted that their “bosses” would “probably support” this amendment.

*“I agree with setbacks when they are stand-alones but a grocery store and Dollar General are a different case... I wouldn’t want to limit the next grocery store.”*

The other COS was also in favor of a setback, and wanted to take it further, asking about regulating tobacco advertising for the retailers who were within the setback range.

*“Right. I would be interested in restricting the advertisement that is there for the ones that do exist so that the kids that are walking by do not look at that. Can we restrict content, size, and amount of ads?”*

When asked whether the community would support the 1,000 foot “setback” for new tobacco retailers, one COS thought they would be supportive because of the feelings about tobacco as a whole and another COS worried that some “nice” stores would be treated the same as a “vape shop,” which was deemed problematic by this person.

*“Right, I do have a question though, are we treating the Albertsons different from the vape shops? So, would an Albertsons that is across the street from a middle school that’s being built then not be able to sell tobacco? Because then we would get pushback....”*

While the COS seemed to think that the BOS would be supportive of a minimum pack requirement, they were concerned about retailers and questioned whether retailers would balk at these types of amendments.

*“The pushback will come from retailers not the public nor Board of Supervisors.”*

Another COS seemed skeptical of the minimum pack size and brought up the idea of “free markets,” noting that the Board of Supervisors (BOS’s) may have problems with these types of issues. Interestingly, when one COS asked what other counties have implemented a minimum pack size and price requirement on tobacco products, the answer—“San Francisco and Santa Barbara”—did not sit well: “Those won’t count with them,” alluding to the fact that Kern County is much more rural than those other places, and also implicit was that San Francisco and Santa Barbara were much more liberal than Kern County.

As one could probably imagine, tobacco retailers were not generally keen on introducing added amendments to TRLs. Nonetheless, they were in support of a TRL amendment that would prohibit new tobacco retailers from opening within 1,000 feet of schools, parks or youth facilities. They also felt like the public would be supportive of this amendment. In terms of the minimum pack size and price requirement, the retailers were entirely against the minimum price requirement, and were split on the issue of adding a minimum pack size to the TRL ordinance.

These findings from the KIs were telling. It was clear from those interviewed—retailers and COS--that having a 1,000 foot “setback” was the most doable of the amendments. The minimum price requirement was less well received, particularly among the retailers, but this also seemed to be the overall sentiment from the Chiefs of Staff who were interviewed. Regardless, it was clear that the Board of Supervisors would want to see presentations with hard data concerning this issue.

Upon review of the key informant responses, and relevant local data, the interview data bolstered the notion that Kern County was politically conservative when it came to public health issues that may impact local businesses. This notion came across loud and clear with the interviews, and as such, project staff made the decision to focus on the retail density portion of the TRL, which seemed to have support—albeit fairly weakly—from both the Chiefs of Staff and the retailers. The findings also helped set the project on a path to proceed with more information and data collection (requested by the Chiefs of Staff), and the project also understood that collaborating with local youth and other youth-aligned organizations would be critical to any TRL policy adoption.

**Table 3: Facilitators and Challenges/Barriers to TRL Policy in Kern County Defined by Key Informants**

| FACILITATORS   | CHALLENGES/BARRIERS                                       |
|--|---|
| Tobacco policy protects local youth                                      | What about “good” retailers?                              |
| Local residents and policymakers want to protect local youth             | Minimum price requirement seems “Un-American”             |
| “Vaping” by local youth seen as a major issue that needs to be addressed | Rural Kern County is “pro-business” and “anti-government” |
| Tobacco retail density policy seems most “doable”                        | Government regulation won’t keep youth from using tobacco |
| Public health work is important  | People should have the right to choose                    |

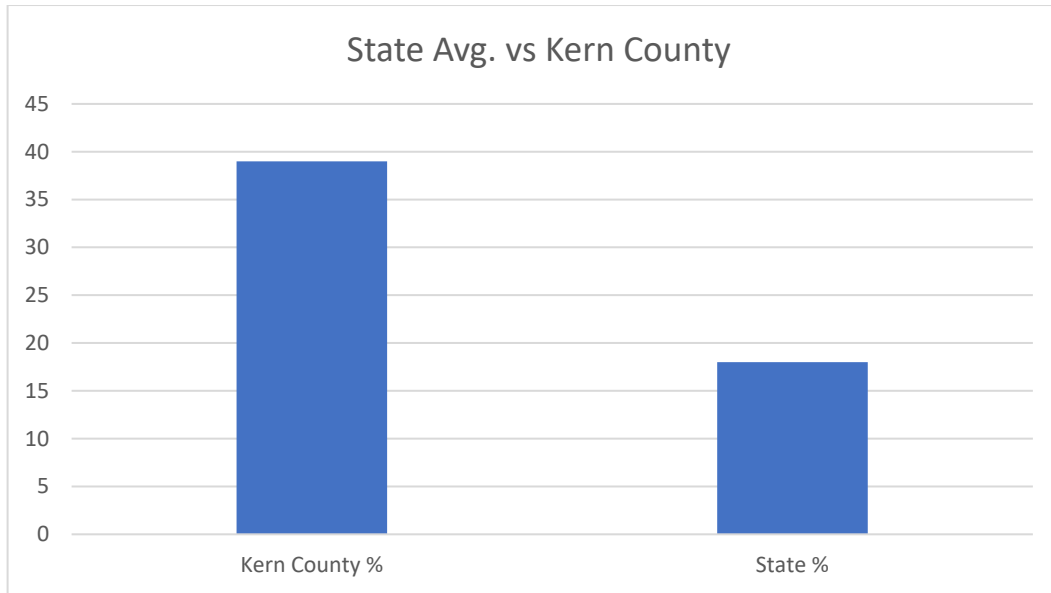
## Gathering Local Data to Set a Baseline

Young adult tobacco purchase surveys (YATPS) were carried out throughout Kern County by TEP during the first two years of the SOW objective cycle in order to assess rates of youth access to tobacco products and set a baseline for the duration of the SOW objective cycle. This survey assessed the number and percentage of stores selling tobacco to minors and for the purposes of this

report, the statistics are aggregated. A total of 96 purchases attempts were made (N=96) throughout the County of Kern in 11 different jurisdictions over a 17-month span.

In sum, 37 purchases were made during this operation, which is a sales rate of 39%. The 39% sales rate for Kern County stands in contrast to the state sales rate from 2019, which is 14% (Figure 4).

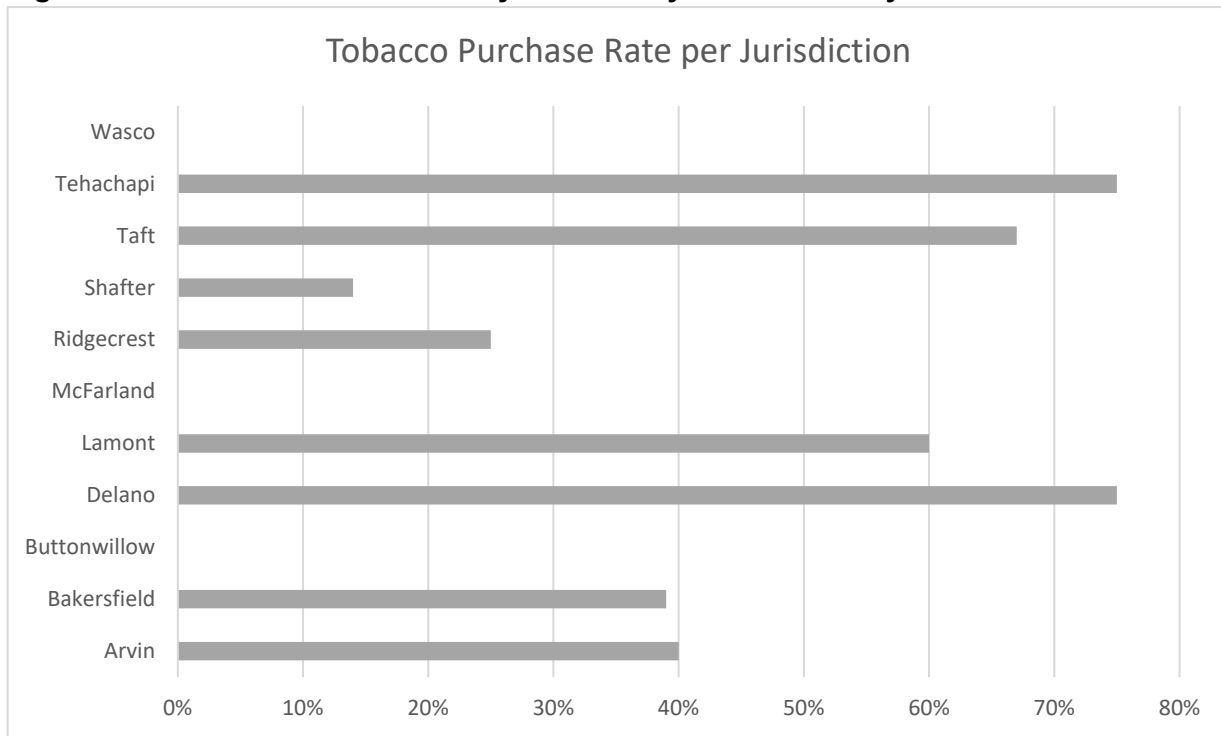
**Figure 4: Purchase Rates for State and Kern County**



During these successful purchases, three of the decoys (10%) were asked for their age, and on eleven occasions (30%) they were asked for ID. None of the decoys were asked if they were in the military or buying for someone else.

Figure 5 shows the percentage of tobacco purchases per jurisdiction. The city of Bakersfield leads the county with a total of 19 purchases by the underage decoys, followed by Lamont with six purchases, and then both Delano and Tehachapi had three purchases each. The communities of Buttonwillow, McFarland and Wasco had no purchases by the underage decoys. In terms of viewing these number or purchases into the percentage of all purchases in Kern County, Bakersfield accounts for 51% of the purchases throughout the county (see Figure 6). Lamont accounts for 16%, and Delano and Tehachapi's percentage is 8%. Arvin and Taft's two purchases each account for 5% of all purchases.

**Figure 5: Tobacco Purchase Rate by Community in Kern County**



Because of the size and total number of tobacco retailers varies between communities, it's interesting to look at the tobacco purchase rate per jurisdiction (see Table 4, below). Meaning, how many purchases were made vs the total number of purchase attempts per jurisdiction in percentage form? Table 4 below shows these rates. For example, Bakersfield had 19 purchases from a total of 49 attempts at tobacco retail shops across the city, and this purchase rate is 39%. Some other purchase rates worth noting: Both Delano and Tehachapi had a purchase rate of 75% (three purchases in four attempts). The community of Taft had two purchases in three attempts (67%). Lamont had a purchase rate of 60% (six purchases in 10 attempts). Ridgecrest had a purchase rate of 25% (one purchase in four attempts), and Shafter's purchase rate was 14%. With no purchases, the communities of Buttonwillow, McFarland and Wasco had a purchase rate of 0%.

The 39% sales rate for the Kern County YATPS is over double the state average, which is at 14%. The communities of Arvin (40%), Bakersfield (39%), Delano (75%), Lamont (60%), Ridgecrest (25%), Taft (67%) and Tehachapi (75%) all had sales rates over the state average, with Delano, Lamont, Taft and Tehachapi coming in over three times the state average. It's also worth pointing out that retail stores were selected by being in proximity (within 1,000 ft) of schools, daycares or other youth sensitive areas, and the high purchase rates in some of these jurisdictions is illuminating.

After completing these YATPS, it was evident that the project would need to continue education and awareness of the youth access issue. Because a large percentage of the purchases were made at tobacco specific stores—smoke shops, tobacco stores and vapes shops—the project also decided



that a greater focus of their work and its collaboration with local law enforcement, would need to target these tobacco specific stores as part of their campaign to secure TRL policy.

**Table 4: Attempts, Purchases and Sales Rate by Jurisdiction**

|              | Attempts | Purchases | Sales Rate |
|--------------|----------|-----------|------------|
| Arvin        | 5        | 2         | 40%        |
| Bakersfield  | 49       | 19        | 39%        |
| Buttonwillow | 1        | 0         | 0%         |
| Delano       | 4        | 3         | 75%        |
| Lamont       | 10       | 6         | 60%        |
| McFarland    | 2        | 0         | 0%         |
| Ridgecrest   | 4        | 1         | 25%        |
| Shafter      | 7        | 1         | 14%        |
| Taft         | 3        | 2         | 67%        |
| Tehachapi    | 4        | 3         | 75%        |
| Wasco        | 6        | 0         | 0%         |

The YATPS data collected provided valuable insight to the project and enable it to clearly demonstrate the issue of youth access to tobacco products at a local level. The data was thus added to educational materials and presentation slides as part of their community outreach and educational plan.

### Identifying Community Support and Assessing Availability

In order to acquire relevant local data regarding tobacco availability in the community, as well as Kern County residents' and policymakers' positions on tobacco-related issues, in Years 1 and 2 the project carried out a number of extensive data collection activities, including public opinion poll/ public intercept surveys (both TRL targeted and HSHC-related), and store observations. The project aimed to collect robust data to assess community support and perceptions of tobacco availability.

## Public Intercept Surveys (PIS)

The project conducted a public intercept survey (PIS) in Years 1 and 2 of the SOW objective cycle regarding tobacco retail density and retail licenses in order to ascertain the public's position and overall opinion on these issues, including the potential adoption of TRLs that could regulate tobacco retail density in jurisdictions within the County of Kern. The survey was administered at a number of different venues and events throughout the county in 2018 and 2019, and 1,156 (N=1,156) residents filled out the survey in its entirety.

The highlights and of the major findings for the entire sample are provided in Figure 6 below, including 91% of respondents supporting a law requiring stores that sell tobacco products to obtain a local tobacco retail license, and 89% agreeing that tobacco retailers being near schools, parks and youth sensitive areas make it more likely for youth to use tobacco products. Seventy-five percent of the respondents thought that youth under the age of 21 can easily buy tobacco products and 72% support a law that prevents new stores that sell tobacco products from opening within 1,000 feet of youth sensitive areas. Finally, 54% of the respondents were supportive of a minimum package requirement as part of TRLs, and 52% support a minimum price requirement.

**Figure 6: Key Findings from Kern County PIS (N-1,156)**

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### ***Public perception of youth tobacco purchasing and TRL:***

- 91%** *support a law requiring stores that sell tobacco to obtain a local license*
  - 89%** *think that tobacco retailers being near schools, parks, and youth sensitive areas make it more likely for youth to use tobacco products*
  - 75%** *think that youth under the age of 21 can easily buy tobacco products*
  - 72%** *support a law that new tobacco retailers should not open within 1,000 feet from schools, parks and youth facilities*
  - 54%** *support that TRLs should have a minimum package requirement*
  - 52%** *support that tobacco products should have a minimum price*
- 

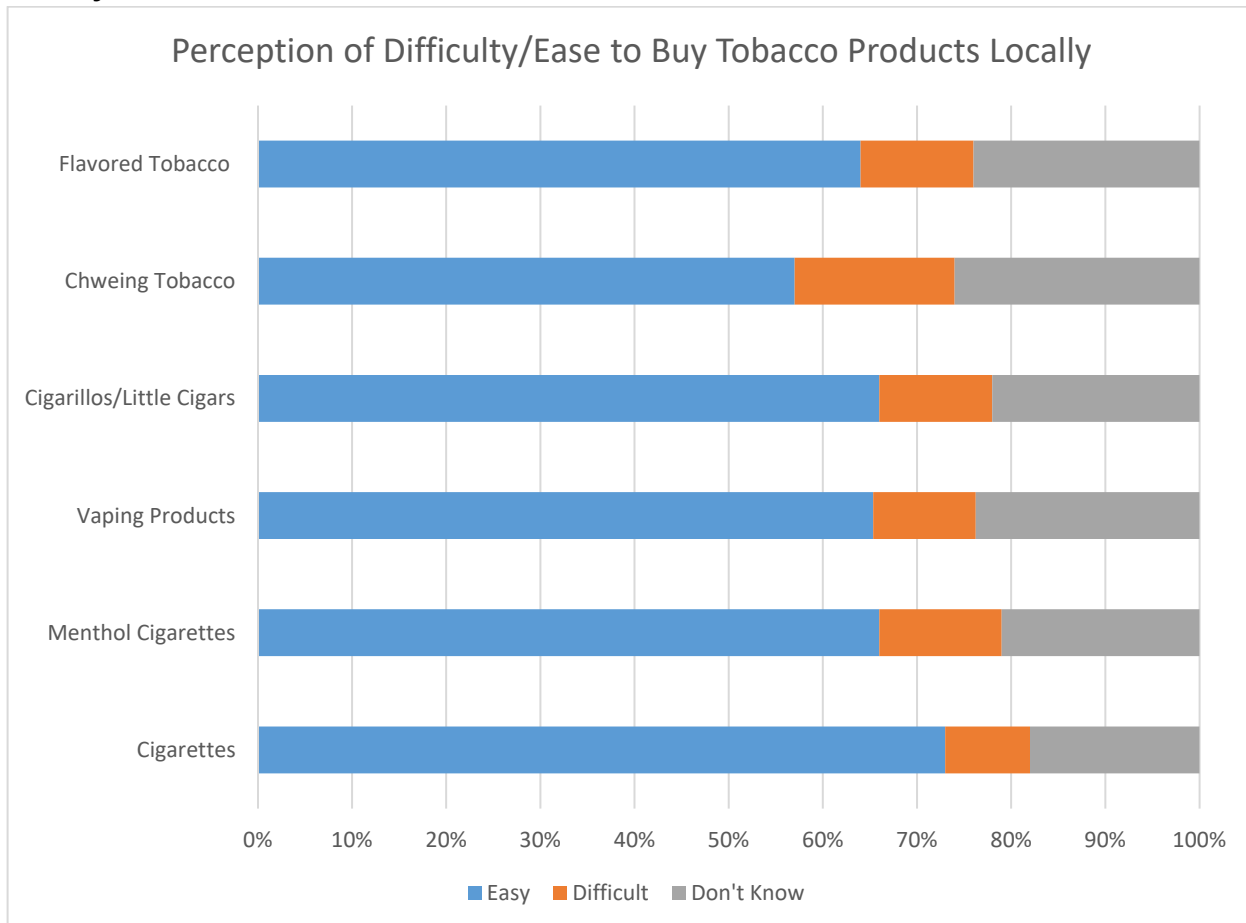
The project's PIS on tobacco retail density and licensing showed that the public is overwhelmingly supportive of a policy that requires stores to obtain a local tobacco retail license (TRL). Moreover, the vast majority of Kern County residents (72%) were supportive of a law that prevents new tobacco retailers from opening within 1,000 feet of schools, parks and youth sensitive facilities. These findings also showed only a fair amount of support, comparatively, for a minimum package (54%) and a minimum price (52%) for tobacco products. While the project initially planned to focus on a multi-prong TRL for local jurisdictions, after these results it was decided to concentrate on a TRL policy adoption that focused on tobacco retail density.

*Healthy Stores for a Healthy Community (HSHC) POP/PIS*

The project collected local data as part of the state’s Healthy Stores for a Healthy Community (HSHC) campaign, collecting data on the public’s perception of the difficulty/ease of obtaining tobacco products, and also the level of support for a host of proposed TRL ordinances. While there were over 40 questions on this survey, for the purposes of this report only the tobacco-related items are included. A total of 258 (N=258) people took the survey.

The first set of questions concerned the availability of tobacco products, with the question asking the following: “Think of all stores in the community, including grocery stores, convenience stores, corner stores, and gas stations. How easy or difficult is it to buy these products?” The answer choices were “Easy,” “Difficult,” or “Don’t know.” The results are provided in Figure 7 below and reveal that all the items listed as “Easy” for the majority of the respondents to purchase. The easiest products to buy, according to respondents, are cigarettes (73%), as well as menthol cigarettes (66%) and cigarillos/little cigars (66%). Vaping products (64%) and flavored tobacco products (63%) were close behind.

**Figure 7: Kern County Residents’ Perceptions of Difficulty/Ease to Buy Tobacco Products Locally**



The second set of questions related to respondents' opinions on proposed TRL laws and ordinances. Figure 9 below shows the results from the question that asked if respondents would be "in favor or against interventions to change the ways that stores promote and sell tobacco products." A total of six TRL laws/ordinances were proposed and the majority of respondents were in favor of all the laws/ordinances to varying levels. The rest of the results can be seen below in Figure 8.

**Figure 8: Findings from Kern County HSHC POP/PIS (N-258)**

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***Percentage of Public Support for TRL Policy Items:***

***68% in favor of preventing stores near schools from selling tobacco***

***62% in favor of requiring store owners to have a local license to sell tobacco***

***59% in favor of banning pharmacies from selling tobacco products***

***58% in favor of banning the sale of flavored tobacco products***

***57% in favor of a law making it illegal to sell small amounts of tobacco (e.g. single items)***

***55% in favor of setting a minimum price for tobacco products***

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The overall results were rather mixed but show that most respondents think it's relatively easy to buy tobacco products at their local grocery and convenient stores, and gas stations and corner stores. The majority of respondents were also in favor of a host of proposed tobacco control-related measures, including banning pharmacies from selling tobacco products, preventing stores near schools from selling tobacco, banning the sale of flavored tobacco products, setting a minimum price for tobacco products, and banning price discounts on tobacco and completely banning the sale of vaping products. While these findings were fairly similar to the project's own PIS results, it should be noted that support for a TRL policy that required store owners to have a local license to sell tobacco was 62% in the HSHC POP/PIS and 91% with the project's PIS. This sizeable difference can most likely be attributed to how the survey questions were worded, showing how survey methodology—including survey question construction—can greatly affect survey results. At any rate, in both cases there was strong support.

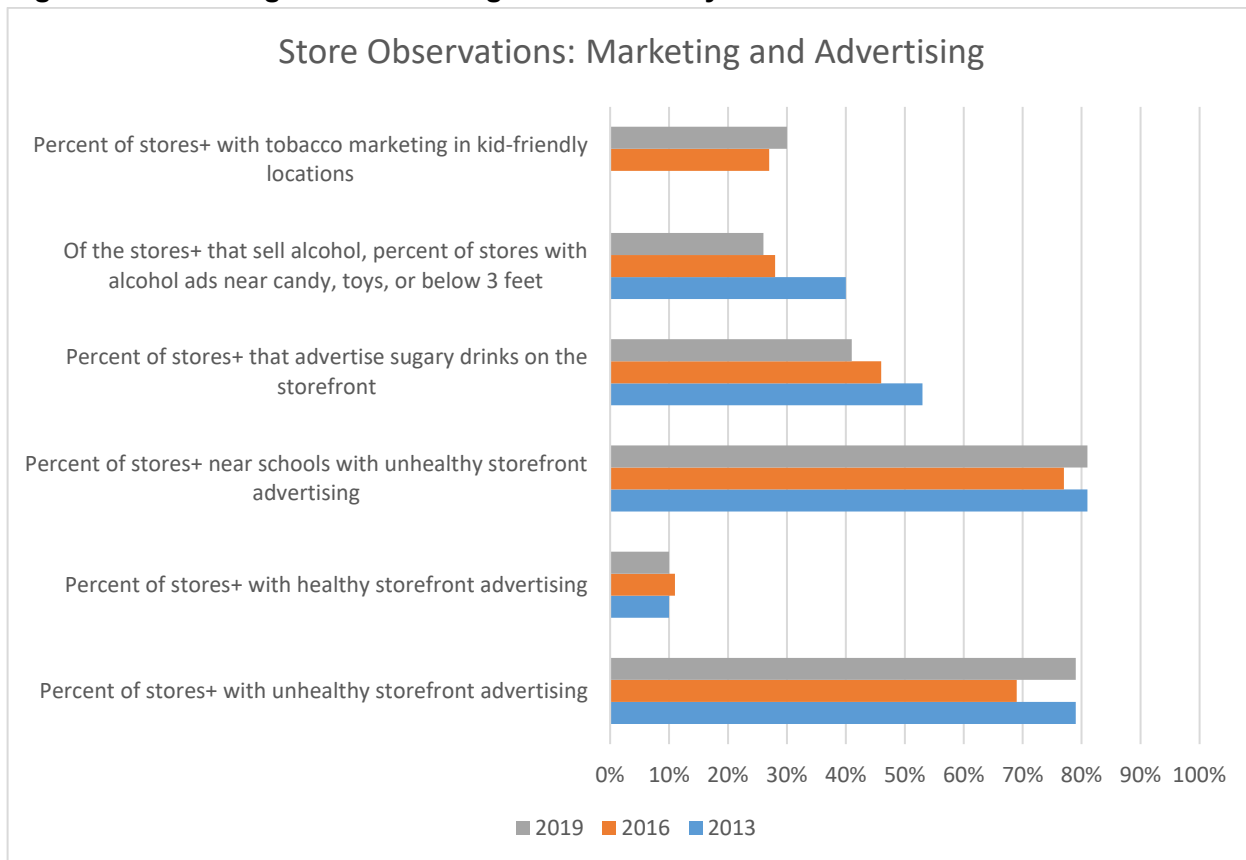
***Healthy Stores for a Healthy Community (HSHC) Store Observations***

In an effort to acquire additional data regarding the retail environment, the Kern County Tobacco Education Program carried out store observations as part of their local Healthy Stores for a Healthy Community (HSHC) campaign. The project was eager to collect the TRL-related data that would help their TRL policy adoption process. The HSHC store observation survey builds upon previous research conducted in 2013 and 2016, focusing on the changes of availability and marketing of products over time. Additionally, a key goal of the survey was to examine the accessibility and marketing of healthy and unhealthy products to youth. The statewide campaign consisted of data collected from nearly 8,000 randomly selected tobacco retailers throughout California's 58 counties,

including convenience, gas, grocery, liquor and drug stores, as well as smoke shops and tobacco stores. In Kern County, a group of public health workers and volunteers carried out the observations, following the protocol set by the California Department of Public Health. The data were collected from a census of 208 tobacco retail stores (N=208) from throughout Kern County that were randomly selected by zip code.

In terms of advertising and marketing (Figure 9, below), there was an increase in almost all types of storefront advertising and marketing between the study years of 2016 and 2019. In 2019, 79% percent of stores had unhealthy storefront advertising, including 81% of stores near schools. Additionally, 30% of stores had tobacco-related marketing in “kid friendly” locations and 41% of stores advertised sugary drinks on their storefront. The percent of stores with healthy storefront advertising remained fairly consistent, from 11% in 2016 to 10% in 2019. This amount was greater than the percent of stores from 2013, where 9.7% of stores had healthy storefront advertising. The largest increase between 2016 and 2019 occurred with the percent of stores with unhealthy storefront advertising, from 69% to 79%, and with the percent of stores that advertise sugary drinks on the storefront, 36% to 41%.

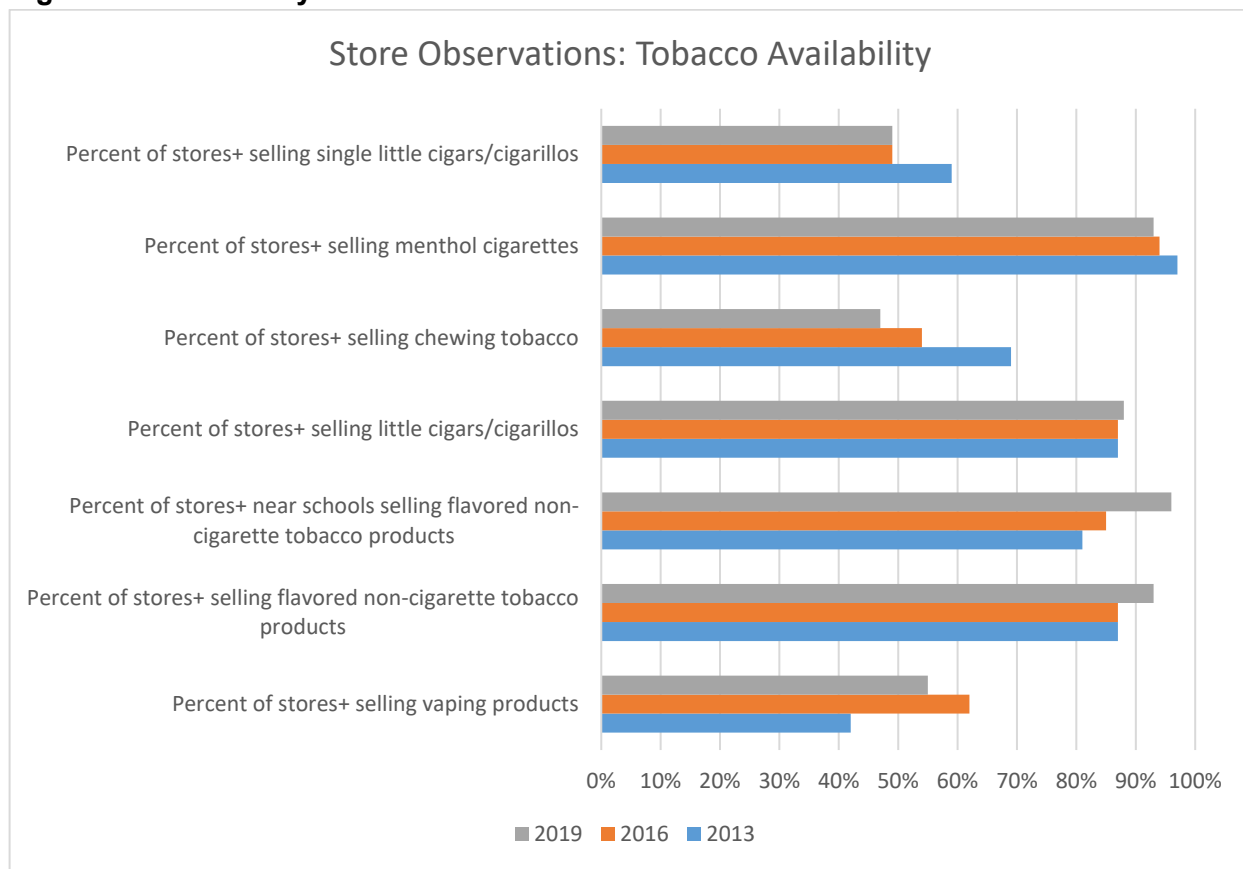
**Figure 9: Percentage of Advertising at Kern County Tobacco Retailers**



For stores selling tobacco products (Figure 10, below), there were increases in the percent of stores selling tobacco between 2016 and 2019 in all but two areas, chewing tobacco and vaping products.

The percent of stores selling chewing tobacco decreased from a high of 69% in 2013 to a low of 47% in 2019. Likewise, the percent of stores selling vaping products decreased from 62% in 2016 to 55% in 2019. Increases took place for the percent of stores selling flavored non-cigarette tobacco products, 87% to 93%, as well as the stores near schools selling flavored non-cigarette tobacco products, 85% to 96%. Other increases in terms of the percent of stores selling the following products included little cigars/cigarillos, 87% to 88%. Menthol cigarettes remained high at 93%. Finally, the percent of stores that sold single little cigars/cigarillos slightly increased from 48.8% in 2016 to 49% in 2019.

**Figure 11: Availability of Tobacco Products**



In relation to the tobacco-related items on the HSHC store observational survey, there was an overall uptick in the percent of stores selling tobacco products between the years 2016 and 2019, except for vaping products, which decreased from 62% in 2016 to 55% in 2019 and chewing tobacco, which steadily decreased from 69% in 2013 down to 54% in 2016 and 47% in 2019. Other tobacco products, including little cigars/cigarillos, flavored non-cigarette tobacco products, and menthol cigarettes, all saw increases in terms of the percent of stores selling these products in 2019 as compared to 2016. For instance, 93% of stores surveyed in 2019 sell flavored, non-cigarette tobacco products such as grape e-cigarettes, and this is an increase since 2016 when 87% sold them. An overwhelmingly vast majority of stores, 93%, also sold menthol cigarettes, a slight decrease from 94% in 2016. Additionally, the vast majority of stores sold little cigars/cigarillos, 88%, including selling these as “singles” (49%). It should be noted that these widely available products can also come in hundreds of enticing flavors, making them very appealing to youth.

In terms of marketing, a large number of surveyed stores, 30%, in Kern County still have tobacco marketing in kid-friendly locations, such as near candy or toys or under the three-foot mark inside the stores. Moreover, the majority of stores surveyed, 79%, in Kern County had unhealthy storefront advertising, including 81% of stores near schools. Conversely, only 10% of stores had healthy advertising on their storefront.

While the results of the store observations were not terribly surprising to the project, the data were useful in that TEP included it in presentations to policymakers and community stakeholders. The data relating to flavored tobacco and vaping products were especially powerful since it was during this SOW objective cycle that vaping was being seen—both locally and nationally—as a youth “crisis.” TEP made sure to present how prevalent vaping and flavored tobacco products were within the county, using data from these store observations.

## Approaching City Councils and Policymakers

Throughout the SOW objective cycle, TEP staff, as well as adult (TFK) and youth (SWAT) coalition members regularly attended city council meetings in Kern County jurisdictions in order to observe proceedings, determine city council member support and provide educational presentations to the policymakers. Attending city council meetings allowed the project to not only monitor local proceedings, but also to be “seen,” and it also offered the project an opportunity to determine the timing of moving forward with TRL policy adoption inquiries with policymakers. For instance, project staff approached city council members in Bakersfield, Delano, Shafter, Arvin, Ridgecrest, and Delano about potential TRL policy and/or TRL policy addendums in their respective jurisdictions. The Kern County Board of Supervisors were also approached about the potentially strengthening their current TRL policy. Although these meetings were seen as a critical first step and policymakers often recommended the project present data to the wider city and county councils, in most cases the policymakers were clear that based on the prevailing political climate throughout Kern County, any type of TRL policy or addendum would face an uphill battle. These sentiments were exacerbated with the onset of COVID-19.

A number of presentations were delivered to the city councils and Board of Supervisors during the SOW objective cycle, and particularly in the final two years of the objective when the project felt they had created strong relationships with several policymakers throughout the targeted jurisdictions. These presentations were frequently collaborations between project staff and its coalitions—TFK and SWAT. For instance, SWAT students addressed the Kern County Board of Supervisors on 8/13/19, presenting about the dangers of tobacco use in school, especially with the emergence of vaping products. A follow-up presentation was given by project staff and SWAT and TFK members on 11/5/19, who presented project data, YATPS and PIS results, and SWAT students added anecdotal evidence regarding the widespread use of vaping products, including flavored tobacco, on local campuses. These personal stories of students seeing their classmates use products at school—in the restrooms and even in class—seemed to resonate with the Board. However, tobacco retailers were also at the follow-up meeting, and they asserted that any type of TRL policy that banned vaping products and tobacco flavors would negatively impact their businesses. In the end, although multiple Board members spoke to the issue of local youth vaping as a “problem,” they ultimately sided with the

retailers, noting that it was possible to address the “vaping issue” without putting retailers “out of business.”

This same pattern played out in a handful of Kern County jurisdictions, with the project staff and SWAT members presenting at council proceedings in Arvin, Bakersfield, Delano and Ridgecrest, sometimes on multiple occasions. And yet these public presentations seemed to afford council members an opportunity to speak out against the ills of the tobacco industry and the local vaping epidemic, while they then ultimately supported local tobacco retailers to portray themselves as “pro-business.” Nonetheless, the project gained some traction in the community of Delano.

After meeting with a couple of Delano city council members and presenting data to the city council throughout most of the year, on 11/4/19 the introduction and first reading of an ordinance that would prohibit the sale of flavored tobacco products and related paraphernalia was presented by council member Bryan Osorio. Just two weeks later, there was a second and final reading of the ordinance and Ordinance No. 2019-1311 was formally passed, prohibiting the sale of flavored tobacco products and related paraphernalia, effective January 18, 2020.

Within a few months, the Delano city council began backtracking on their flavored tobacco ordinance. On 2/18/20 three local tobacco retailers requested a reconsideration of the ban on flavored tobacco by the city council. Each retailer made it a point by expressing their displeasure with the new law and conveying that the flavors law could shut their businesses down since the flavored tobacco products were vital to their profits. They each also asked for an extension to be able to sell their tobacco inventory. On 3/16/20, the Delano city council voted unanimously to place a 180-day moratorium on the flavored tobacco ordinance, citing that the council should be considerate of the businesses selling their inventory. Six months later (11/16/20) and in a surprising move, the Delano city council voted unanimously to repeal the flavored tobacco ordinance altogether. On this occasion, City Attorney Richman asserted that the state flavored tobacco law (SB793) was scheduled to take effect in January 2021, and to avoid confusion, it would be better to repeal the law since the state law would supersede the local law, as it would be more restrictive than local law. Sadly, the ballot referendum on SB 793 placed a moratorium of implementation on the state law, at least until November 2022, when the ballot measure will be voted upon.

The events in Delano were a microcosm of what took place in a handful of jurisdictions throughout Kern County, where the project made presentations to city councils and seemed to gain traction in securing TRL policy, only to be denied in the end. Nonetheless, several individual policymakers throughout this process gave positive feedback to the project, essentially telling staff and coalition members to “not give up.”

## Youth Involvement and Engagement

Youth engagement in tobacco control has been a long-standing collaboration between the project and its youth coalition—Students Working Against Tobacco (SWAT). From the first year of the SOW objective cycle, SWAT members were vital to the project’s campaign to secure TRL policy in Kern County. SWAT members participated in several community events throughout the four-year SOW



objective cycle and volunteered to help collect local data, including POP/PIS, YATPS and HSHC store observation data. See Exhibit 1.

| <b>Exhibit 1: SWAT Activities and Participation</b>  |
|--|
| <p><b>Leaders in Life Conference:</b> SWAT members presented at the annual Leaders in Life (LIL) Conference to Kern County students about tobacco and vape use in youth. Some of the highlighted topics were the health risks, the appeal of flavor tobacco, the myths and facts about tobacco, the disguised products, and the Tobacco Retail license. This conference is aimed at preparing students to lead community change in their communities.</p>  |
| <p><b>Youth Quest:</b> Youth Quest is an annual event that promotes youth advocacy in tobacco control. Attendees get the opportunity to advocate and demonstrate their commitment to a tobacco-free California. SWAT learned about current tobacco control efforts, education, treatment efforts, and helps them build their advocacy skills by sharing their local work with legislators. The goal is for attendees to promote tobacco-free policies with their local leaders.</p>  |
| <p><b>Youth Quest Annual Legislative Visit:</b> SWAT members attended the Youth Quest Legislative meetings with state decision-makers or their staff. These meetings provide coalitions members an opportunity to educate legislative offices on current tobacco control priorities, activities and invite representatives to stay connected with tobacco prevention efforts. During the pandemic this was done via Zoom.</p>  |
| <p><b>Earth Day:</b> SWAT celebrated Earth Day each year. During the pandemic, SWAT created "Earth Day Bingo," and the Earth Day Bingo card helped promote awareness of the harm that commercial tobacco has on the environment. Through the bingo card, SWAT members educated and engaged the community to participate in the activity.</p>   |
| <p><b>Cinco de Mayo:</b> Family event educated how tobacco industry tries to influence people through cultural events. SWAT attendees also made a piñata.</p>  |
| <p><b>Start Wars Day: May the 4<sup>th</sup> Be with You:</b> Event targeting Tobacco companies strategize and to market youth. Group challenges, trivia, and painting took place.</p>   |
| <p><b>Youth Take a Stand Against Tobacco:</b> Annual Tobacco Awareness Workshops and panels discussing tobacco industry and the black community, and secondhand smoke.</p>   |
| <p><b><u>Transgender Inclusivity 101:</u></b> This webinar covered topics regarding gender identity: language, pronouns and the barriers and struggles that transgender people face, including the current climate of hostile legislation toward trans people. It also included practical tips and knowledge regarding how you can make the spaces you facilitate, be it your home or classroom, spaces in which transgender people are welcomed and included. This was a "safe space" and there was time for Q&amp;A.</p>   |
| <p><b>Great American Smoke Out (GASO):</b> At this annual event, SWAT chair provided detailed information about SWAT and the role SWAT plays in the community. The chair emphasized each year that SWAT is a youth coalition that advocates and educates the community on the negative effects of tobacco. SWAT facilitates the GASO Event in Kern County. During the GASO event, SWAT provides tools to the Kern County students that attend the events on how to improve their campus regarding tobacco usage within their campus.</p>   |
| <p><b>PSA contest:</b> SWAT organized and promoted a county Public Services Announcement that involved middle and high school students. The PSA's topics addressed were the health dangers of smoking, electronic devices, second and third-hand exposures, and tobacco litter. The goal was to raise awareness on the impact commercial tobacco has on the current generation of adolescent's environment to make change within their communities.</p>  |
| <p><b>CX Meetings:</b> SWAT members attended the Communities of Excellence in Tobacco Control (CX) training series virtually. There was a total of 6 set of training in which SWAT members were educated on helpful tactics, framework strategies, and instructions for exploring the community's tobacco control-related issues as well as to broaden participation of the communities in local tobacco control planning. The CX participation prepared SWAT to strengthen and improve local efforts in community involvement among school-aged youth while focusing on social norm change.</p> |

Additionally, SWAT members volunteered at local events and fairs, engaging the public and assisting in the distribution of educational materials. Yet, perhaps most importantly, the project trained SWAT members to become tobacco control advocates, and in this role SWAT members collaborated with the project and presented to policy makers and spoke at local council meetings across Kern County. These presentations were seen as invaluable to the cause, and council members were quick to praise SWAT members' efforts, particularly when they provided anecdotal evidence regarding the influx of youth vaping and the use of flavored tobacco products among their school-aged peers.

As has been noted, TEP actively recruited youth as part of the overall campaign, recognizing that youth involvement would be a critical piece in collecting data and advocating for TRLs in local communities. Students from local schools—SWAT members—were recruited to be data collectors. All trainings included a presentation on tobacco retail licensing policy, as well as a “hands-on” portion in which the volunteers simulated collecting data and fielding questions from respondents. A total of 11 youth volunteer decoys were recruited for the YATPS data collection, 13 youth volunteers and SWAT members participated in a data collection training for the HSHC store observations, and eight SWAT members were trained to collect POP/PIS data. Although the satisfaction surveys distributed to the trainees had a specific set of questions geared toward each training, all three training satisfaction surveys included a question regarding the “usefulness” of the training, as well as a question that asked them to rate the overall quality of the training. In sum, 91% of those trained “strongly agreed” that the training was useful, and 94% rated the training as “Good” or “Very good.” These trainings were thus found to be effective and prepared the youth to collect local data.

Finally, it should be noted that after giving presentations to policymakers regarding TRL policy and the emergence of vaping and flavored tobacco products in their schools, as well as delivering public comments during city council meetings, city councilmembers were not only receptive to the information and recommendations offered by the youth, but they were incredibly complimentary of the youths' command of the TRL/vaping issue and their poise in speaking to the policymakers.

## Conducting Another Round of KIIs with Community Stakeholders

As part of the CX extension process, TEP conducted key informant interviews (KIIs) with local city staff and community stakeholders during the final six months of the SOW objective cycle, deciding to gather information that would assist them as they move forward with a TRL objective during the next (2022-2025) SOW objective cycle. A total of 26 city staff and community stakeholders (N=26) from the communities of Arvin (n=16) and Shafter (n=10) were interviewed for this project via Microsoft video calls, over the phone and in-person.

One of the first substantive questions concerned CTCP's “Endgame” initiative, and asked respondents what the retail environment would look like without flavored tobacco products, including whether there were benefits if flavored tobacco products were eliminated. Although the responses were mixed, a large percentage of folks replied that prohibiting flavored tobacco products would ultimately, benefit young people who are most likely to use the flavored tobacco products. There were also several people who conveyed that smoking and tobacco were not really problems in their community, both Arvin and Shafter, and they mentioned there was a bigger issue of alcohol use

among young people and migrant workers. Moreover, one person questioned whether banning flavored tobacco products would lead to more cigarette use by youth. Other respondents noted that there weren't many tobacco shops in the area.

*"I think it will still look the same. I don't see any point in flavors being prohibited. I believe if you do, teens will do more dangerous things like cigarettes."*

A follow up question asked respondents for their recommendations in terms of eliminating flavored tobacco and tobacco products more generally, in the years to come. Most respondents replied that educational campaigns would be necessary, which would include paid media, posters, and outreach. Of course, it was also mentioned that the Health Department would need to persuade local policymakers to enact these laws.

*"Tobacco awareness campaigns, billboards. Need to educate individuals of the benefits of NOT smoking. Changing culture is challenging and takes time but I believe it is possible to see a decline in the use of tobacco once people are educated."*

When asked about the challenges to eliminating tobacco, the answers were manifold, and most of the respondents were mindful of the local merchants who would be losing money by not selling tobacco products. Other folks mentioned that individual smokers may make a commotion, especially if they unite, and then a few people were unsure what local policymakers would think about this issue.

Over 90% of the respondents felt like a messaging campaign would be effective, when they were asked about it. Most of these folks indicated that a messaging campaign would be most impactful if it focused on young people. And, because of the local population(s), a few people pointed out that any messaging campaigns would need to be in Spanish as well.

Finally, the last question for all respondents asked, "Are there ways that we—as the Kern County Tobacco Education Program—can be helpful to you or your office?" The answers were mostly positive about the work that TEP is doing locally, and the majority of folks reiterated some of their previous points. A couple of others were more pointed:

*"Gain the support and trust of a few people within the community that can be used as 'spear headers' of change for this campaign. They will be able to engage others in the community and hopefully change their minds."*

*"Getting more people involved and organized to get the things our community needs and deserves."*

### *KII Summary*

The majority of respondents were supportive of TRL measures, but the challenges were also conveyed, including any tobacco or flavor-type policy's negative impact on local retailers. It was also

pointed out that both Shafter and Arvin had a handful of tobacco retailers between them, and some respondents felt like there were larger problems to tackle in these communities than tobacco use. However, when discussing these policies, and particularly policies to prohibit the sale of flavored tobacco and tobacco products altogether, a large bulk of respondents indicated that these policies would benefit the local communities. A limitation of this study concerns the convenience sample. Nonetheless, TEP was able to interview 26 people, which is a strong sample, and the respondents provided insightful answers to the questions that will, invariably, assist TEP in pursuing TRL policy during the next SOW objective cycle.

## Media Review

A review of Kern County publications, which includes newspapers and social media sites, as well as digitized versions of TV and radio, reveals that mention of the successes (and processes) of the Kern County Tobacco Education Program are sparse. The largest newspaper in Kern County, the *Bakersfield Californian*, reported on Kern County Supervisors and their willingness to listen to a presentation on increasing tobacco retailer fees in the county. Additionally, the county's failing tobacco grade—given by the American Lung Association—was reported in both the *Bakersfield Californian* and the KernGoldenEmpire.com website. Likewise, the *Bakersfield Californian* wrote about the high tobacco sales rates to minors (YATPS data) in both 2018 and 2019. These stories helped to publicize the issue in Kern County and may have provided valuable data for the communities of Arvin, Delano, Shafter and Taft as they reviewed whether to add a retail density addendum to their TRL ordinances. Finally, it should be noted that while the local papers offered a dearth of information regarding the successes of TEP, other publications from around the state mentioned the unincorporated areas of Kern County as “being a leader in the state” and having a TRL policy. In this vein, the websites for the American Lung Association and the Center for Tobacco Policy in California both cite the communities of Arvin, Shafter and Taft as having TRLs and are thus “part of a growing number of communities” that are “making a difference.”

In terms of the larger media landscape related to the TRL objective, there were four primary items over the SOW objective cycle that were detected in the media. These included: 1) the rapid and enormous increase in youth vaping occurring throughout the US; 2) the passage of SB 793, which effectively prohibits tobacco flavors in California (and is now a ballot referendum measure); 3) the relationship between COVID-19 and smoking tobacco; and 4) the FDA's announcement to ban menthol flavored cigarettes.

While several articles—early in the SOW objective cycle—provided reporting on the “epidemic” of teen vaping, including the vaping of marijuana using tobacco vaping products, there were a few editorials and opinion pieces that were quite interesting from the Sacramento Bee. One article interviewed a host of experts to “weigh in” on the vaping crisis and Mark Ghaly, the Secretary of the California Health and Human Services Agency, provided insight on the issue. In the interview, he cited the tremendous work of California's Tobacco Control Program in reducing smoking, and noted that we, as Californians, would need to learn the lessons of tobacco control to once again fight “Big Tobacco” as they have switched from cigarettes to flavored tobacco products and vapes as the “next

frontier” to fight. Interestingly, while several experts from the health community were interviewed, the California Tobacco Control Program was noticeably absent from this article. Other experts illuminated various aspects of the crisis and how to best confront the rapid rise of vaping. On a macro-level, one expert insightfully noted how there was a discrepancy between the tax on packs of cigarettes (at \$2.87 per pack) and the tax on vaping cartridges/pods (at \$1.49 per cartridge/pod). He indicated that a greater tax on vaping products would serve two primary purposes: 1) the tax would increase the price of vaping-related products, which would create a monetary incentive for folks to refrain from purchasing these products; and 2) the tax would be streamlined toward efforts to reduce vaping, particularly among young people.

Another major news item which dominated the tobacco-related news was the passage of California’s Senate Bill 793 (SB793), a bill that banned the sale of flavored tobacco products, including menthol flavored cigarettes. The bill was passed into law at the end of August (2020), and prior to its passage, there were several articles reporting on its progression through the California Senate, as well as op-ed pieces opining on the various aspects of the bill, including why it would be beneficial for all Californians if the bill were to be adopted. After its adoption, there were a handful of articles that described some of the law’s impacts, including “Big Tobacco’s” motivations into writing a referendum on the law via a ballot proposition (which occurred). One article, for instance, described the tobacco industry’s “deep pockets” and the expectation that the industry would stop at nothing—money-wise—in order to try and get the law overturned.

Once the pandemic hit, tobacco-related news tended to center around the connection between smoking and COVID-19 and how smokers were not only more likely to contract COVID-19, but how they had greater negative outcomes than non-smokers once they had COVID-19. These articles no doubt reinforced the harms of smoking.

Finally, a slew of articles reported on the FDA’s announcement that menthol cigarettes (and menthol flavors) would be banned in the US. Many op-ed pieces were written about this announcement and a few of them stood out, including a couple of op-ed pieces that detailed how menthol flavors have destroyed the African American community, where it is estimated that 85% of African American tobacco users smoke menthol products, thereby showing how the tobacco industry “targeted” the African American community.

Although difficult to evaluate directly, the large exposure of the TRL-related items may be more impactful than we know. For instance, seeing the relationship between smoking and COVID-19 in the news during the height of the pandemic, at the very least, reinforced to Kern County residents of the harms of smoking and offered yet another reason to protect our youth from initiating its use. Understanding this connection, the project began including these news reports and studies in their community outreach presentations.

## Cultural Competency

As noted throughout the methods, implementation and results sections, the Kern County Tobacco Education Program designed the intervention and subsequent evaluation activities to be culturally

competent. Much of this can be attributed to TEP’s staff’s desire for inclusivity of all cultures in designing and implementing their evaluation activities.

TEP’s goal for inclusivity could be seen in many ways. For one, bilingual youth were recruited to be part of the youth tobacco coalition. The youth participated in data collection trainings for the YATPS and the public intercept survey. For the latter, the bilingual youth assisted in translating the survey to Spanish. Likewise, after consultation with TCEC, some of the educational materials were also translated to Spanish, and a handful of interviews with community stakeholders were conducted in Spanish and transcribed in English for analysis. In this latter case, the project is no doubt on the vanguard for the state, understanding the need to reach out to key informants who typically are overlooked in the sampling process. This cannot be overstated. Moreover, during the public intercept survey data collection days, the bilingual youth were able to discuss the issue of TRLs in Spanish to some of the survey-takers who were Spanish speakers. Data collection also took place in locations where a more diverse set of respondents could be found, including areas where Spanish speakers predominated. The project director contended that seeking out a diverse array of respondents was “invaluable” in not only getting a full and representative sample for their evaluation activities, but in also adhering to their goal of being inclusive and culturally competent. Finally, TEP staff and the external evaluator reviewed educational materials and evaluation instruments with an eye toward eliminating any tobacco jargon and language that may be biased toward higher educated persons. In sum, being mindful of their own biases and remaining cognizant of all cultures was a prominent feature of TEP’s evaluation activities and overall plan.

## Dissemination

A critical aspect of this objective cycle and the intervention relating to securing TRLs in communities across Kern County was sharing key findings of both Kern County and state data regarding tobacco sales to minors, as well as tobacco availability and community stakeholder and policymakers’ positions on TRL-related issues from the KIIs. Presentations were also given to various community constituents, and fact sheets were printed and distributed in both English and Spanish. Additionally, educational outreach “toolkits” and media press releases were created that included the local data—POP/PIS, store observations and YATPS. The adoption of the TRL policy in Delano was announced via a press release, social media, radio, TV and newspaper ads. The CTCP Partners website also did a “spotlight” on this policy. The TRL policy adoption and the local data were discussed at TEP’s Coalition (TFK) meetings as well, and a congratulatory email was sent out to all Kern County Public Health Department employees regarding the Delano TRL policy. Finally, the finding of this report will be shared with TFK and SWAT members, TEP staff and local stakeholders.

## Conclusion and Recommendations

The Kern County Tobacco Education Program’s objective of securing the adoption of TRL policies in Kern County communities was not met. A “flavors” TRL policy was adopted on November 11, 2019, but just one year later, on November 16, 2020, the Delano City Council voted to repeal its flavors TRL

policy. However, as noted in the body of this report, council members from other jurisdictions, including Bakersfield, Arvin and unincorporated Kern County—conveyed optimism that a TRL policy could be secured in the “upcoming years.”

When carrying out an autopsy of the project’s SOW objective cycle to understand why it didn’t meet its objective, the reasons are myriad, including organizational issues such as staffing turnover and staff being moved into COVID-19 relief departmental areas for several months. Pertaining to this latter issue, the county’s stay-at-home order make it virtually impossible to carry out “normal” policy activities that were planned during that time period. Yet, while the project’s staffing turnover and the COVID-19 pandemic played a significant part in the project not being able to get TRL policy adopted and implemented, it was fairly evident from the initial key informant interviews and local city council proceedings that the prevailing political climate of this rural county was the greatest barrier to getting TRL policy adopted. The rural and conservative nature of Kern County played a significant role as well, particularly amongst policymakers who had the authority to enact TRL policy in their respective jurisdictions. This, of course, flew in the face of the vast majority of POP/PIS respondents who supported TRL measures based on data collected by the project and presented to local city councils. The political polarization throughout the county was omnipresent.

Opposition often came from key policymakers who had power over their local boards. In the local arena, the polarization typically derived from basic arguments that seemed to emerge over and again. The first concerned the economic issues surrounding potential TRL measures as “bad for business.” Anxiety about the potential negative impact of TRL policy on local small tobacco retailers occurred throughout the county where communities still had pockets of strong resistance from a small but vocal opposition. Policymakers tended to be in lockstep with the opposition, often citing how small businesses were vital to the local community, and any type of policy or measure that negatively impacted their bottom line was detrimental to the larger community. This was seen most blatantly in the town of Delano, where a TRL “flavors” ordinance was passed in November 2019 but repealed just one year later (November 2020) after local tobacco retailers voiced their displeasure with the ordinance, calling it “unfair” to their small businesses. Additionally, they cited the pandemic as exacerbating the issue, reporting that their profits were already “way down” due to the pandemic and the concomitant restrictions pressed upon them.

While the case in Delano was the most obvious example, similar interactions played out throughout the county, especially after the onset of COVID-19. Project staff who approached policy makers and city staff after March 2020 were often told that, “Now is not a good time,” referencing the pandemic and its economic “hit” on local businesses. Policymakers were hyper-cognizant of how any type of TRL ordinance would be viewed as “anti-business” due to COVID-19’s negative impacts on businesses and seemed to want to steer clear of any ordinances or policies that may add to it. In essence, there was an overall resistance to change within the county, and this dynamic seemed to be more pronounced after the onset of COVID-19.

Although the objective was not met, the project has built the foundation to get TRL measures adopted in the coming years. In this manner, the project is hopeful about the future and feels optimistic about the traction it has gained throughout Kern County, despite the prevailing political climate. In getting to

this place and pushing the TRL adoption campaign forward, the project successfully followed the CTCP/TCEC playbook. For one, the initial KILs, PIS/POPs and ongoing policy record review offered an insightful look into the local political landscape in the targeted jurisdictions, and it was during the KILs that the project found a few strong “champions” from the respective city councils who assisted with spreading knowledge about the potential policy to community members and most importantly, their fellow council members.

Additionally, and perhaps most importantly, youth involvement was deemed instrumental as well. Youth volunteers not only engaged in YATPS “decoy buys,” but they also worked at fairs and outdoor events on behalf of the Kern County Tobacco Education Program in an effort to educate the community. They also helped with educational presentations, and their participation in public discussions during the open forum section of city council meetings, as well as giving formal presentations to policymakers under special invitation, was critical for building the aforementioned foundation for the future.

The timing of intervention activities has also been found to be an important aspect of successful local policy adoption, and this was found to be true during this intervention when the timing of interventions was disrupted throughout. On the positive side, youth volunteers were recruited early in the campaign, as were other allies and champions. Combined, their work provided a necessary push and enabled the stirrings of support for TRL policy adoption. For instance, getting youth involved early in the campaign/objective provided vital help in staffing a number of information booths and presentations given to the general public. Likewise, and as previously mentioned, the youth helped to collect valuable data—store observations, POP/PIS, YATPS—that were later used to share with policymakers and key decision makers within the respective communities. This was important because several council members noted during key informant interviews that they wanted to see “evidence” and “data” that the public would support TRL measures.

Finally, Delano provides a perfect case study of “what can happen” after a TRL policy is adopted and is worthy of further review when thinking about lessons learned. While many of the details of what occurred have already been described, it’s important to understand what occurred *after* the TRL flavors policy was adopted. The original policy, which prohibited the sale of flavored tobacco products and related paraphernalia, was formally adopted on November 18, 2019. Three months later on February 18, 2020, public comment was made by three retail owners, with each asking for the city council to rescind the law, and at the very least provide retailers with an opportunity—via an extension—to sell their inventory of flavored tobacco products. Public comment was closed, and six months later—on August 16, 2020, there was an adoption of an “urgency ordinance” amending the effective date of the flavor’s ordinance, giving retailers 180 days to sell their tobacco inventory. Council members stated that they wanted to be considerate of local businesses who would be impacted by the ordinance. On November 16, 2020, the Delano City Attorney reported to the Council that the recently passed state law—SB 793—would ultimately supersede the Delano law since the state law was more stringent in its scope. To avoid confusion the City Attorney further stated it would be less confusing for retailers if they simply repealed the ordinance and waited for SB 793 to take effect. The Delano City Council voted 5-0 to officially repeal their TRL “flavors” ordinance.



Because a rescission of the policy was never brought up previously during any of the city council meetings, TEP and project staff had no idea that a repeal was on the proverbial table. They expected that tobacco retailers would receive a grace period by which they could sell their outstanding inventory, but never expected what had ultimately transpired. Additionally, the city council meetings were held virtually during this time (COVID-19) and in retrospect, any issues related to the ordinance seemed to be shrouded in secrecy, from the perspective of TEP who were blindsided by the City Council's decision. While the Delano City Council rationalized their decision that SB 793 would take precedent over whatever any ordinance they adopted and implemented, we know now that this is not the case since there is a ballot referendum—sponsored by the tobacco industry—to repeal SB 793. This ballot measure will not be voted on until November 2022, and if the referendum is defeated, it wouldn't take effect until January 2023. Thus, due to a series of unfortunate events, tobacco retailers will continue to sell flavored tobacco products until, at least, 2023. The lesson here—learned the hard way by TEP—is that monitoring policies and proceedings after the policies have been enacted is a critical component of the adoption campaign. It seems stranger than fiction the way this played out in real time.

Despite not meeting its objective, TEP has recommendations based on some lessons learned in carrying out the SOW during the 2018-2021 objective cycle. The primary recommendations include the following:

- Speak to policymakers and discern what they need in order to get a policy enacted.
- Recruit youth volunteers and engage them in all phases of the process.
- Target and recruit champions from the local community who can be liaisons with the policymakers.
- Collect local data that offer a fair assessment of the community's views on the issue.
- Present the data to the local legislative bodies.
- If and when a policy is adopted, check-in and monitor its implementation.

First and foremost, in future years TEP will utilize their youth volunteers (SWAT members), coalition members (TFK), allies and champions that enabled them to get their foot in the door in a few jurisdictions and to set the foundation for TRL policy adoption in upcoming SOW objective cycles. It cannot be overstated the import of coalition involvement in this process. Finally, it's important to use the many resources offered by CTCP, including TCEC's data collection instruments and the ROVER library to keep abreast of the latest research on these issues. Using the aforementioned recommendations, in terms of the processes and resources, will greatly enhance local lead agencies' prospects in securing the adoption of TRL's and tobacco control policy more generally.

# Appendices

**Exhibit 1: Intervention and Evaluation Activities by Year**

| Year 1—Pre-policy Adoption  | Year 2— Pre-Policy Adoption   | Year 3—Pre-Policy Adoption  | Year 4—Policy Adoption   |
|---|---|---|--|
| <ul style="list-style-type: none"> <li>Recruit high school volunteers for <b>participation in Students Working Against Tobacco (SWAT)</b></li> <li><b>Recruit high school aged volunteers for YATPS data collection.</b></li> <li>KIIs with policymakers and retailers to <b>assess support and opposition to retail, as well as policy readiness, facilitators and barriers for policy.</b></li> <li>Collaborate and meet with law enforcement personnel <b>in the targeted communities.</b></li> <li>YATPS of local tobacco retailers.</li> <li><b>Collaborate with Students Working Against Tobacco (SWAT)</b> for presentations.</li> <li>Conduct strategic planning sessions—</li> </ul> | <ul style="list-style-type: none"> <li><b>KIIs with policymakers and retailers</b> to assess support and opposition to TRL, as well as policy readiness, facilitators and barriers for policy.</li> <li><b>Engaging and training youth.</b></li> <li><b>Store Observation Survey</b>—data collection effort coordinated by CTCF.</li> <li>YATPS of local tobacco retailers.</li> <li><b>Media campaign</b> activities.</li> <li><b>Presenting TRL informational campaigns to local youth.</b></li> <li><b>Produce media packet</b> to distribute YATPS and TRL-related data</li> <li><b>Conduct TRL-related PIS/POP</b></li> <li>Prepare volunteers to</li> </ul> | <ul style="list-style-type: none"> <li><b>Engaging and training youth.</b></li> <li><b>Conduct TRL-related PIS/POP</b></li> <li>YATPS of local tobacco retailers.</li> <li><b>Information sharing</b> with the public via local media.</li> <li><b>Disseminate to California Tobacco Control Program.</b></li> <li><b>Develop radio, TV and Billboard ads</b> related to tobacco and youth issues.</li> <li><b>Collaborate with Students Working Against Tobacco (SWAT)</b> for presentations.</li> <li><b>Partner with law enforcement agencies for presentation on tobacco-related laws.</b></li> <li>Prepare volunteers to <b>present at city council meetings.</b></li> </ul> | <ul style="list-style-type: none"> <li><b>Retail density and TRL addendum/ policy adoption</b></li> <li><b>Evaluate enforcement</b> activities</li> <li>Issue press release of <b>YATPS results and TRL policies enacted.</b></li> <li>Carry out <b>media activity review</b> of TRL-related news (paid and earned)</li> <li><b>Conduct KIIs</b> with local retailers and community stakeholders</li> <li><b>Conduct policy record review</b> of local city councils</li> <li><b>Presenting TRL informational campaigns to local youth.</b></li> <li>Coordinate press conference to</li> </ul> |

|   |  |   |   |
|---|--|---|---|
| <p><b>Midwest Academy Strategy Chart.</b></p> <ul style="list-style-type: none"> <li>• Partner with law enforcement agencies for presentation on tobacco-related laws.</li> <li>• Engaging and training youth.</li> <li>• <b>Carry out media activity review of TRL-related news (paid and earned)</b></li> <li>• <b>Conduct policy record review of local city councils</b></li> </ul> | <p><b>present at city council meetings</b></p> <ul style="list-style-type: none"> <li>• Carry out <b>media activity review of TRL-related news</b> (paid and earned)</li> <li>• <b>Recruit high school volunteers</b> for participation in <b>Students Working Against Tobacco (SWAT)</b></li> <li>• <b>Partner with law enforcement agencies for presentation on tobacco-related laws.</b></li> <li>• <b>Conduct policy record review of local city councils</b></li> </ul> | <ul style="list-style-type: none"> <li>• <b>Present at local city council meetings.</b></li> <li>• Carry out <b>media activity review of TRL-related news</b> (paid and earned)</li> <li>• <b>Recruit high school volunteers</b> for participation in <b>Students Working Against Tobacco (SWAT)</b></li> <li>• <b>Conduct policy record review of local city councils</b></li> </ul> | <p>present <b>new TRL policies.</b></p> <ul style="list-style-type: none"> <li>• <b>Disseminate to California Tobacco Control Program.</b></li> <li>• <b>Evaluate four-year retail density / TRL addendum intervention and evaluation activities</b></li> </ul> |
|---|--|---|---|

## Key Informant Interview Guide—Tobacco Retail Licensing Policy Amendment

Date: \_\_\_\_\_

Name of person interviewed: \_\_\_\_\_

Community the person represents (and position): \_\_\_\_\_

- *Introduce self & role*
  - *Assure confidentiality and permission to record (if recording)*
  - *Purpose of Interview: We are interested in understanding the views of city staff and policy makers about a tobacco retail licensing policy amendment. VERY IMPORTANT TO PROVIDE BACKGROUND ON TRL POLICY AND WHEN ADOPTED IN THEIR JURISDICTION—see attached. Make sure to provide definition of TRL and context relating to amending policy and convey that the interview will help to determine the facilitators and barriers to adapting amendments to existing TRL policies in Kern County.*
- 1) How long have you been on the city council? [*If not on city council, tailor question to position and ask about role within city government or law enforcement.*]
    - Probes: Were you working for the city when the original tobacco retail policy was adopted? Any memories of process?
  - 2) First of all, how is the current tobacco retail policy going?
    - Probes: Any issues? Enforcement checks? Etc.
  - 3) Many recent studies have documented that underage minors and young smokers tend to try to obtain tobacco products via commercial retailers, particularly by buying “single” cigarettes or cigarillos (i.e. swisher sweets). Would you be in favor of prohibiting the sale of single cigarettes or cigarillos, essentially, implementing a minimum pack size at tobacco retail shops?

- Probes: Do you think public would be in favor of something like this?
- 4) Would you be in favor of prohibiting any new tobacco retail shops (e.g. convenience stores selling tobacco products; hookah bars; vape shops; etc.) from opening up within 1,000 feet of schools, parks and youth facilities?
- Probes: Do you see the proximity of tobacco retailers impacting underage or youth tobacco use? Do you think the public would be supportive a policy that would prohibit the opening of tobacco retailers from within 1,000 feet of school, parks and youth facilities?
- 5) As someone who represents your community, what do you think would be the strongest argument to get public support to amend the current TRL policy?
- 6) What do you see as the some of the major challenges in securing the adoption of these TRL policy amendments like minimum pack size or prohibiting new tobacco retailers from opening by schools and parks?
- Probes: Any other potential barriers? What type of strategies do you think may be effective in countering these challenges?
- 7) Would you support the adoption of these types of amendments to the tobacco retailer licensing policy in your community?
- Probes: Why or why not? Are there any conditions under which you would change your position? If opposed—Would greater public support impact your decision?
- 8) Do you think the city council would be supportive in adopting these amendments to tobacco retailer licensing policy?
- Probes: Why or why not? What do you think would need to happen to secure adoption of these amendments to the TRL policy in your community?)

9) What recommendations do you have for us here at the Kern County Department of Public Health Services in moving these TRL policy amendments forward?

- Probes: Ask about best and most effective process; “next steps”; resources that would be helpful; ways in which Kern County DPHS could help city council or law enforcement—try to see if they will collaborate)

10) Is there any other information that you think is important for us to know that may enable us to move this process of securing a TRL policy amendment forward? Any final suggestions or comments?

**INTERVIEW NOTES:**

## Tobacco Retail Licensing (TRL) Facts and Background Information

- TRL policies are ordinances that require all tobacco retailers within a jurisdiction to obtain a license to sell tobacco products. This is in addition to the state license that tobacco retailers are legally required to purchase in order to sell tobacco products.
- TRL policies generate funding which enables local law enforcement personnel to carry out vital enforcement and inspection operations in an effort to make sure that retailers are compliant with youth access tobacco laws.
- This funding is viewed as necessary given that the California state-level licensing process has only limited funds for direct enforcement of youth access tobacco laws. Moreover, a provision in most TRLs is the suspension and possible loss of license when sales to minor prohibitions are violated, thus adding a significant deterrence for retailers.
- More than 100 communities in California have adopted strong local tobacco retailer licensing ordinances in an effort to reduce illegal sale of tobacco products to minors. A typical policy will include the following:
  - License that all retailers must obtain in order to sell tobacco products and that must be renewed annually.
  - A fee set high enough to sufficiently fund an effective program including administration of the program and enforcement efforts. An enforcement plan, that includes compliance checks, should be clearly stated.
  - Coordination of tobacco regulations so that a violation of any existing local, state or federal tobacco regulation violates the license.
  - A financial deterrent through fines and penalties including the suspension and revocation of the license. Fines and penalties should be outlined in the ordinance.
- Research overwhelmingly demonstrates that local tobacco retailer licensing ordinances with strong enforcement provisions are effective. Rates of illegal tobacco sales to minors have decreased, often significantly, in all municipalities with a strong tobacco retailer licensing ordinance where there is before and after youth sales rate data available.
- TRL fees are paid annually by tobacco retailers, similar licenses to sell alcohol products. The fees depend on the jurisdiction's law enforcement costs (for annual or biannual compliance checks), and usually range between \$200-\$400 a year.





## Kern County Tobacco Education Program

### Tobacco Retail Licensing Survey

The Kern County Tobacco Education Program would like your feedback on Tobacco Retail Licenses (TRLs). Please circle the answer that best represents your agreement or disagreement with each of the following statements.

A tobacco retail license requires all retailers that sell tobacco within a jurisdiction to obtain a license to sell tobacco products. A tobacco retail license is aimed at ensuring that retailers do not sell tobacco products to minors and discourage smoking among youth.

1. A tobacco retail license should not allow stores that sell tobacco products (including smoke shops, vapes, hookah lounges) to be located within 1,000 feet from schools, parks or youth facilities.

Strongly Agree      Agree      Disagree      Strongly Disagree      Don't Know

2. All retailers that sell tobacco products (including electronic cigarettes and smoking devices) should be required to obtain a local tobacco retail license.

Strongly Agree      Agree      Disagree      Strongly Disagree      Don't Know

3. Tobacco retailers should not be allowed to sell single tobacco products. (i.e. one single cigarette, swisher sweet, etc.).

Strongly Agree      Agree      Disagree      Strongly Disagree      Don't Know

4. Retail licensing of tobacco products and electronic cigarettes is a good way to prevent youth from experimenting with nicotine.

Strongly Agree      Agree      Disagree      Strongly Disagree      Don't Know

5. A minimum pack size / price requirement restricts minors from purchasing tobacco.

Strongly Agree      Agree      Disagree      Strongly Disagree      Don't Know

6. Retailers who sell tobacco products should be licensed so that the costs can go towards paying for local activities to prevent tobacco sales to minors.

Strongly Agree    Agree    Disagree    Strongly Disagree    Don't Know

7. A tobacco retail license should set a minimum price requirement for retailers who sell tobacco products so that the cost discourages minors from buying inexpensive tobacco products.

Strongly Agree    Agree    Disagree    Strongly Disagree    Don't Know

What is your current zip code of residence? \_\_\_\_\_

In the past year, have you used any tobacco products?                      Yes                      No

In the past year, have you used any electronic smoking devices such as e-cigarette, e-hookah, e-pen, e-cigar, vaporizers, etc.?

Yes                      No

Gender:    M                      F

Age group:                      18-25                      26-49                      50-64                      65 and older

Please feel free to write any other comments you may have about tobacco retail licensing in the space below:

**KERN COUNTY TOBACCO EDUCATION PROGRAM  
Presentation Satisfaction Survey**

This survey asks about your experience with the training that you attended. We would like your reaction of the training and any information that you think would improve future trainings. The survey is anonymous, and we appreciate your honest feedback.

On a scale from 1 to 5, please rate the following regarding the training that you attended. [*Please check one of the numbers below, with 1 being “Very Dissatisfied” and 5 being “Very Satisfied.”*]

|                                    | Very dissatisfied | Dissatisfied | Neither satisfied nor dissatisfied | Satisfied | Very satisfied |
|------------------------------------|-------------------|--------------|------------------------------------|-----------|----------------|
| Quality of training                | 1                 | 2            | 3                                  | 4         | 5              |
| Usefulness of training             | 1                 | 2            | 3                                  | 4         | 5              |
| Knowledge gained from training     | 1                 | 2            | 3                                  | 4         | 5              |
| Overall satisfaction with training | 1                 | 2            | 3                                  | 4         | 5              |

**After attending the training, do you feel more confident in administering the public opinion poll surveys? Please explain.**

**Do you have additional comments regarding the training?**

## Young Adult Tobacco Purchase Survey Instrument

Survey Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Time of Visit \_\_\_\_\_ a.m. / p.m.

Store Name:

Address:

City:

1.  Yes <sup>[1]</sup>  No <sup>[0]</sup> **Able to conduct survey?**

Reason (if No):  Closed <sup>[1]</sup>  Can't find <sup>[2]</sup>  No tobacco <sup>[3]</sup>  Unsafe <sup>[4]</sup>

2. **Type of Store:**

Gas station (only)<sup>[1]</sup>

Convenience (w/gas)<sup>[2]</sup>

Convenience (w/o gas)<sup>[3]</sup>

Independent market<sup>[4]</sup>

Supermarket<sup>[5]</sup>

Liquor<sup>[6]</sup>

Discount<sup>[7]</sup>

Drug/Pharmacy<sup>[8]</sup>

Deli/Meat/Produce<sup>[9]</sup>

Other<sup>[12]</sup> \_\_\_\_\_

**3. What type of tobacco product did the investigator attempt to purchase?**

- Cigarettes<sup>[1]</sup>
- Little cigars / Cigarillos <sup>[2]</sup>
- E-cigarettes <sup>[3]</sup>
- Smokeless tobacco (e.g. chew, snuff) <sup>[4]</sup>
- Other <sup>[5]</sup> (specify): \_\_\_\_\_

**4. What was brand of tobacco? \_\_\_\_\_**

**5.  Yes <sup>[1]</sup>  No <sup>[0]</sup> Sale Outcome: Was a sale made?**

**6. When you tried to buy a tobacco product, were you (select all that apply):**

- Yes <sup>[1]</sup>  No <sup>[0]</sup> Asked your age?
- Yes <sup>[1]</sup>  No <sup>[0]</sup> Asked to show your ID?
- Yes <sup>[1]</sup>  No <sup>[0]</sup> Asked if the tobacco was for you?

**7. What was the price of the tobacco product?**

**8. When you tried to buy a tobacco product, did you:**

- Yes <sup>[1]</sup>  No <sup>[0]</sup> Say your real age?
- Yes <sup>[1]</sup>  No <sup>[0]</sup> Show your real ID?

**9. Comments and Additional Observations (use back page if necessary):**

## KERN COUNTY TOBACCO EDUCATION PROGRAM

### Key Informant Interview Guide—Flavors and Smoke-Free Multi-Unit Housing

Date: \_\_\_\_\_

Name of person interviewed: \_\_\_\_\_

Community the person represents (and position): \_\_\_\_\_

- *Introduce self & role*
- *Assure confidentiality and permission to record (if recording)*
- *Purpose of Interview: We are interested in understanding the views of city staff, city council and community stakeholders about flavors (eg. Vaping), as well as tobacco use at multi-unit housing complexes. Or, you can simply say that you're interested in understanding the views and perspectives of community members (or stakeholders) about tobacco-related issues.*

### FLAVORS

1. What is your current position and how long have you been doing it? [Possible probe: Have you dealt with any tobacco-related issues?]
2. I want to ask about overall trends or concerns related to tobacco use in \_\_\_\_\_ (name of community). Is there anything that you have you seen in the community—related to tobacco use or secondhand smoke-- that may be a concern? [Probe: "Maybe among youth or tobacco usage in certain parts of the community?" Probe: What do you see? Or, What is happening? Probe youth access (if deemed a concern)].
3. What would the retail environment look like without flavored tobacco products? [Probe: Do you see any benefits if flavors were prohibited? Probe to get explanation, if possible.]

4. In thinking about the ideal as it relates to tobacco and tobacco use, what does \_\_\_\_\_ (community name) look like without tobacco? **Probe:** How would \_\_\_\_\_ benefit if all tobacco was no longer sold in the community? **Probe:** Do you think this is possible?
5. What would be needed in the retail environment to eliminate tobacco? [Probe depending on person being interviewed—What do you think would be needed to help retailers pivot away from tobacco sales?]
6. What would be your recommendation for the next steps to take over the next few years to eliminate the sale of flavors? All tobacco? [**Probe:** Do you think it's possible?]
7. What type of challenges do you foresee in this process of eliminating the sale of tobacco? [How can these challenges be overcome?—may discuss flavors and/or elimination of tobacco altogether]
8. Do you think a messaging campaign would be useful for moving forward? What other recommendations do you have in working to prohibit flavors?
9. Any other recommendations or suggestions? [If also asking about MUH (below), this can be skipped.]

Mult-unit Housing (MUH) Questions [You may ask interviewee all the questions above AND these (below), or just stick with one set—your preference based on the interviewee's position and area of influence.]

10. [**Skip if asked above**] What is your current position and how long have you been doing it? [**Possible probe:** Have you dealt with any tobacco-related issues?]

11. **[Skip if asked above]** I want to ask about overall trends or concerns related to tobacco use in \_\_\_\_\_ (name of community). Is there anything that you have you seen in the community—related to tobacco use or secondhand smoke-- that may be a concern? **[Probe:** “Maybe among youth or tobacco usage in certain parts of the community?” Probe: What do you see? Or, What is happening? Probe youth access (if deemed a concern)].
  
12. What would local housing look like if there was smoke-free housing policy in \_\_\_\_\_ (your community)? Do you see a benefit for multi-unit housing residents?
  
13. How does creating smoke-free multi-unit housing policies fit into the community’s health policy priorities, if at all?
  
14. What do you think would be needed to do in order to get policymakers on board to enact smoke-free MUH policy in \_\_\_\_\_?
  
15. What type of challenges do you see in trying to get smoke-free multi-unit housing policies adopted in \_\_\_\_\_?
  
16. With these challenges, what are your recommendations in terms of overcoming them? [Any “next steps”?]
  
17. Are there ways that we—as the Kern County Tobacco Education Program—can be helpful to you or your office? Recommendations?
  
18. Any final suggestions or recommendations about this process?



**KERN COUNTY TOBACCO EDUCATION PROGRAM**  
**Tobacco Products and the Retail Environment (SurveyAnalytics Survey)**

Hello, the Kern County Public Health Services Department is conducting public opinion surveys on tobacco products and the retail environment. Your participation in the poll is voluntary and all responses will be anonymous.

Are you under the age of 21?

1. Yes
2. No

What is the zip code where you live?

Do you think that having stores sell tobacco near schools, parks, and youth sensitive areas (such as churches, youth centers, child care facilities) makes it more likely for youth to use tobacco products?

1. Yes
2. No
3. I don't know

Would you support a law to prevent new stores that sell tobacco products from opening within 1000 feet of youth sensitive areas?

1. Yes
2. No
3. I don't know

Do you think tobacco products should be sold within 1000 feet of schools?

1. Yes
2. No
3. I don't know

Do you think tobacco products should be sold within 1000 feet of parks?

1. Yes
2. No
3. I don't know

Do you think tobacco products should be sold within 1000 feet of youth facilities (eg. Boys and Girls Clubs, churches, child centers, etc.)?

1. Yes
2. No
3. I don't know

Do you think it's easy for someone under the age of 21 to purchase tobacco products in your community?

1. Yes
2. No
3. I don't know

Would you support a law that requires stores that sell tobacco to get a local license? (Only applicable to surveys identified living in Bakersfield or Ridgecrest.)

1. Yes
2. No

Are you a parent of someone under the age of 21?

1. Yes
2. No

Do you currently use any tobacco products?

1. Yes, on a regular basis
2. Yes, on occasion
3. No, I do not use tobacco products
4. Decline to answer

If yes, what products do you use? Check all that apply. [Skip if you do not use tobacco products.]

1. Cigarettes
2. Chewing Tobacco
3. Vaping Products (e.g. e-cigarettes, JUUL, etc.)
4. Cigarillos or little cigars
5. Cigars
6. Snus
7. Other \_\_\_\_\_

Do you see or hear any ads from the Flavors Hook Kids campaign (i.e. billboards, radio ads, TV ads, newspaper ads, etc.)?

1. Yes
2. No
3. Not sure

**KERN COUNTY TOBACCO EDUCATION PROGRAM  
HSHC PUBLIC OPINION POLL (SurveyAnalytics Survey\*)**

\*Survey is downloaded from SurveyAnalytics

What is your coder ID?

The Kern County Public Health Services Department wants to know your opinions about stores in the community. Many things impact our health, including the types of products our stores sell, such as alcohol, tobacco, and different types of foods and beverages. I'd like to ask about stores in the community and about proposed changes. The questions will take 5-7 minutes of your time, and the survey is anonymous. We aren't selling anything. You are free to stop at any time.

"The first set of questions is a series that asks about a variety of different products.1. Think of all stores in the community, including grocery stores, convenience stores, corner stores, and gas stations. How easy or difficult is it to buy these products?"

a. Cigarettes Definition: Includes all types of traditional cigarettes such as regular and menthol. Examples: Marlboro, Newport, Camel

1. Easy
2. Difficult
3. Don't know

b. Menthol cigarettes Definition: Includes cigarettes flavored with menthol. Examples: Newport Green, Camel Crush

1. Easy
2. Difficult
3. Don't know

c. Vaping Products Definition: Includes all electronic smoking and vaping devices, refills, and accessories such as JUUL, e-cigarettes, e-hookah, e-liquids, etc. Examples: JUUL, Suorin, blu

1. Easy
2. Difficult
3. Don't know

d. Cigarillos/Little cigars Definition: About the size of cigarettes but with a brown wrapper. Examples: Swisher Sweets, Black & Mild

1. Easy
2. Difficult
3. Don't know

e. Chewing tobacco Definition: Comes in a pouch or tin for chewing and spitting. Examples: Kodiak, Copenhagen, Grizzly

1. Easy
2. Difficult
3. Don't know

f. Flavored tobacco Definition: Includes any vaping product, cigarillo/little cigar, chew that is flavored (such as strawberry, peach, wine, mint, etc.). Examples: Mango JUUL, grape Swisher Sweets, Camel wintergreen

1. Easy
2. Difficult
3. Don't know

g. Beer Definition: an alcoholic drink made from yeast-fermented malt flavored with hops. Examples: Budweiser, Coors

1. Easy
2. Difficult
3. Don't know

h. Low-end fortified wine Definition: a wine to which a distilled spirit is added; usually flavored and very inexpensive; has an alcohol content between 14% and 20% alcohol by volume. Examples: Thunderbird, Wild Irish Rose

1. Easy
2. Difficult
3. Don't know

i. Malt liquor Definition: alcoholic liquor made from malt by fermentation rather than distillation; beer with a relatively high alcohol content. Examples: Colt 45, Mickeys

1. Easy
2. Difficult
3. Don't know

j. Alcopops Definition: Fruity, single serve bottles labeled "premium malt beverages," often sold individually. Examples: Mike's Hard Lemonade, Smirnoff Ice, Four Loko

1. Easy
2. Difficult
3. Don't know

k. Novelty alcoholic beverages or products Definition: Any beverage or product containing alcohol; will likely have alcohol by volume on the side of the container; Examples: pouches, BuzzBallz, jello shots

1. Easy
2. Difficult
3. Don't know

l. Condoms Definition: Includes all types of condoms. Examples: Trojan, Durex, LifeStyles, Kimono, and ONE

1. Easy
2. Difficult
3. Don't know

m. Water Definition: Bottled water, water refill stations, NOT free fountains. Examples: Aquafina, Fiji, Glacier

1. Easy
2. Difficult
3. Don't know

n. Soda Definition: Includes diet and regular soda. Common brands: Coke, Pepsi, Dr. Pepper

1. Easy
2. Difficult
3. Don't know

- o. Sports drinks. Definition: Contain electrolytes Common brands: Gatorade, Powerade
1. Easy
  2. Difficult
  3. Don't know
- p. Energy drinks Definition: Contain caffeine. Common brands: Red Bull, Monster
1. Easy
  2. Difficult
  3. Don't know
- q. Non/Low-fat milk. Definition: Also called skim. 0%, or 1%. Does NOT include 2%, whole milk, or flavored milk
1. Easy
  2. Difficult
  3. Don't know
- r. 100% juice (NOT including punch drinks such as Sunny Delight) Definition: 100% juice such as orange, apple. Does not include punch or artificial fruit drinks such as Sunny Delight
1. Easy
  2. Difficult
  3. Don't know
- s. Whole wheat bread Definition: Lists "whole wheat" as the first ingredient
1. Easy
  2. Difficult
  3. Don't know
- t. Fresh fruit
1. Easy
  2. Difficult
  3. Don't know
- u. Fresh vegetables
1. Easy
  2. Difficult
  3. Don't know

2. “The next set of questions asks if you would be in favor or against interventions to change the ways that stores promote and sell tobacco products.”

a. Would you be in favor or against a law that bans pharmacies from selling tobacco products?

1. In favor
2. Against
3. I don't know [don't read]

b. Would you be in favor or against a law to prevent stores near schools from selling tobacco?

1. In favor
2. Against
3. I don't know [don't read]

c. Would you be in favor or against a law that requires store owners to have a local license to sell tobacco? The license fees would cover the cost of checking whether stores follow tobacco laws, including making sure they don't sell to minors.

1. In favor
2. Against
3. I don't know [don't read]

d. Would you be in favor or against a law to ban the sale of flavored tobacco products?

1. In favor
2. Against
3. I don't know [don't read]

e. Would you be in favor or against a law that makes it illegal to sell small amounts of tobacco like single cigarillos, or other tobacco products in packs of one?

1. In favor
2. Against
3. I don't know [don't read]

f. Would you be in favor or against a law that sets a minimum price for tobacco products?

1. In favor
2. Against
3. I don't know [don't read]



g. Would you be in favor or against a law that bans price discounts on tobacco?

1. In favor
2. Against
3. I don't know [don't read]

h. Would you be in favor or against a law to ban sale of vaping products?

1. In favor
2. Against
3. I don't know [don't read]

i. Would you be in favor or against a tax on sugary drink distributors?

1. In favor
2. Against
3. I don't know [don't read]

3. If stores were rated, for instance by giving 5 stars to the healthiest stores and 0 stars to the unhealthiest stores, would you be more likely to shop at stores with a high rating?


1. I would be more likely to shop at stores with high health ratings.
2. No, I would not be more likely to shop at stores with high health ratings.
3. I am not sure if I would pay attention to the store rating. [don't read]

4. Select all that apply. Do you think advertisements at stores should be:

1. Allowed anywhere
2. Allowed only on the inside of the store
3. Limited to a small percentage outside of the store
4. Allowed but only in places that are hard for children to see
5. Not allowed at all
6. I don't know [don't read]

“Now I would like to ask you a few questions about yourself. Your answers will remain anonymous.”

5. What is your zip code?



6. What is your age?



7. In the past 30 days, how often did you use vaping products?

1. Every day
2. Some days
3. Not at all
4. Decline to state [don't read]

8. In the past 30 days, did you use other tobacco products (cigarettes, cigar products, hookah, pipes, chewing tobacco)?

1. Every day
2. Some days
3. Not at all
4. Decline to state [don't read]

9. Do you identify as Latino or Hispanic?

1. Yes
2. No
3. Decline to state [don't read]

10. Which category best describes your race? Select all that apply.

1. American Indian or Alaska Native
2. Asian
3. Black or African American
4. Hispanic or Latino
5. Native Hawaiian or Other Pacific Islander
6. White
7. Decline to State
8. Race not listed: \_\_\_\_\_

11. (If "Asian" is chosen) What is your specific Asian background?

1. Bangladeshi
2. Burmese
3. Cambodian
4. Chinese
5. Filipino
6. Hmong
7. Indian (India)
8. Indonesian
9. Iu Mien
10. Japanese
11. Korean
12. Laotian
13. Malaysian
14. Nepalese
15. Pakistani
16. Srilankan
17. Taiwanese
18. Thai
19. Vietnamese
20. I prefer not to answer
21. Another Asian background \_\_\_\_\_

12. (If "Native Hawaiian or Other Pacific Islander" is chosen) What is your Pacific Islander background?

1. Native Hawaiian
2. Guamanian
3. Fijian
4. Samoan
5. Tongan
6. I prefer not to answer
7. Another Pacific Islander background \_\_\_\_\_

13. Do you have children under 18 living with you?

1. Yes
2. No
3. Decline to state [don't read]

14. What best describes your gender identity?

1. Man
2. Woman
3. Trans male or Trans man
4. Trans female or Trans woman
5. Genderqueer or Nonbinary
6. Questioning or unsure of gender identity
7. Decline to state
8. Gender category not listed (please fill in the blank): \_\_\_\_\_

15. What best describes your sexual orientation?

1. Straight or Heterosexual
2. Lesbian or Gay or Homosexual
3. Bisexual or Pansexual or Sexually Fluid
4. Queer
5. Questioning or unsure
6. Decline to state
7. Sexual orientation not listed (please fill in the blank): \_\_\_\_\_

"Thank you for participating in this survey"

## FOCUS GROUP INTERVIEW PROTOCOL—CONSUMER TESTING

### DENSITY AND PACKAGE SIZE FACT SHEETS

#### INTRODUCTION

- Introduce self. Explain the purpose of the group and invite focus group participants to be honest (ask for candor).
- Reinforce notion of confidentiality (no names or specific job titles will be on anything written or disseminated).

#### Sample Introduction:

“Hello, my name is \_\_\_\_\_, and I’m from the Kern County Tobacco Education Program. We are here today to look at some tobacco prevention materials, and particularly a couple facts sheets that we’ve created. Thank you for joining us to help us test materials we are hoping to use with others like yourselves. Having materials tested before they are distributed provides developers with valuable information and feedback they can use to make improvements to the materials. Your honest feedback is critical. You’re not going to hurt my feelings. 😊 Your responses will be kept private and confidential. We really want to hear from you.”

*Add...*

“Each of you may have different opinions about the materials and we want to assure you that it is completely reasonable to disagree with someone else’s opinion about the materials and we want to assure you that it is completely fine to disagree with someone else’s opinion. Our intent is to gather as much feedback as we can about the fact sheets as possible. We will also be audio-recording today’s group. If you are uncomfortable with being recorded, please let us know before we begin the group.”

#### FACILITATION

- Reveal material each fact sheet one at a time
- Rotate order of material from group-to-group or participant-to-participant

##### *Participant Notes*

- It may be good to provide an option that for each fact sheet, participants first jot down their individual reactions on a notepad (optional—sometimes it’s easier for participants to produce their own ideas on paper prior to speaking about it).
  - Writing down reaction notes before participating in group discussion may help participants from getting swayed by other participants.
  - The notes could have graphic images of parts of the materials.
  - The notes could have some icons or emoji’s to help participants record their initial response as each material is shown. Or, it can simply be blank and the facilitator provides guidance for each piece of material.

## QUESTIONS:

- Optional Ice Breaker: “Please briefly introduce yourself and see if you can give me an example of a fact sheet that have seen (about anything) that you found interesting, helpful or provocative. Or, if you cannot remember any type of facts or fact sheet that was provocative, give me your favorite commercial or what you think is the most memorable commercial or ad of all time.” 😊

**[Begin with the density fact sheet and go through all the questions and then start from the beginning with questions about the package size fact sheet.]**

**[Pull out the density fact sheet—optional: give participants 2 minutes to jot down notes regarding the fact sheet (good, bad, overall impressions, etc.)]**

1. What are your overall impressions of the fact sheet? [Make sure to probe to uncover more information and ideas.]
2. What do you think is the main message of the fact sheet?
3. Are there any words that are difficult to understand or new to you? Anything that needs to be clarified? Any stats that don't necessarily make sense?
4. What do you like best about the material? Or: What element most grabs your attention? **[This may be a bit of a repeat from the first question (about their overall impression), but this will provide an opportunity to discuss the aspects of the fact sheet that stand out].**
5. Are there any facts or stats that stand out in a positive way? Why?
6. Are there any parts or aspects of this that you would change or alter? [Anything unclear?] **[This is important, and typically there will be some comments or feedback that will contrast with what some participants find best. Try to discuss this. For example, at one point it may be good to point this out: “It looks like there are some specific things that some of you like a lot, but others found problematic. Let's see what others think about these things... [Try to get some kind of consensus, one way or another—even if you have them raise their hands to agree with feedback]**
7. Are there any facts that either don't make sense or need clarification?
8. Is there anything missing? Is there anything that you would like to see in terms of facts that are missing, or anything else?

**\*\*If time, you can read each fact from the sheet and see what people think (thumbs up, thumbs down); however, this can be very time consuming if lengthy discussions are part of it, so it depends on**

the amount of time that you have the participants and whether you tell them that you want a quick survey.

**Subset of questions (some of these questions may have already been discussed during the previous section—if so, you can skip them):**

1. Was there anything—i.e. pieces of information in the fact sheet—that was new to you?

**[Additional follow-up questions that can be asked...]**

1. What do you see as the overall impact of this fact sheet? [Again, ask for each fact sheet]
2. Is there anything about the fact sheet that makes you uncomfortable?

**More specifics about each fact sheet presented one at a time:**

1. What do you like about the colors used in this fact sheet?
2. How likely would you be to pick up this fact sheet or even read it when placed among other brochures and materials? If in newspaper, how likely would you be to read this?
3. What do you think about the length of the fact sheet? Is 2 pages okay?
4. Please look through the material and comment on the size and type of font used. Okay?

***“I know we got down to the small specifics by the end, but returning to the big picture...” [Sum up some of the ideas presented (i.e. the good, the areas that need improving, etc.) and ask if there’s anything else they would like to add.]***

***Return to second fact sheet and start over. 😊***

***“Thank you all so much for coming in today and providing your insight and perspective. We really appreciate it.”***