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TESTIMONY OF CHARLES S. TAUMAN, PRESIDENT OF  
TOBACCO FREE COALITION OF OREGON BEFORE  
MULTNOMAH COUNTY COMMISSION IN SUPPORT OF  
TOBACCO RETAIL LICENSING

My name is Chuck Tauman and I am the President of the Tobacco Free Coalition of Oregon (TOFCO), an Oregon 501c(3) nonprofit and statewide anti-tobacco advocacy leader.

Oregon is one of only a handful of states that does not license tobacco retailers. Oregon has had the highest rate in the nation of illegal sales to minors in the last few years – over 20%. In Multnomah County, the illegal sale rate exceeds 30%. Coincidence? I think not.

The consensus of tobacco policy experts advises that a strong tobacco retail licensing program should include:

- A license that all retailers must purchase in order to sell tobacco products, renewable annually.
- A license fee adequate to fund administration of the licensing program and retailer monitoring and enforcement efforts.
- A clearly stated enforcement plan that includes compliance checks.
- 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 law.

According to convenience store industry sources, cigarettes are the number one selling item in convenience stores accounting for an

average annual profit of almost \$100,000 per store or about \$275 a day. Tobacco retailers should easily be able to afford a fee in the \$250-\$500 range.

Violations of a tobacco-related sales or display law, whether local, state, or federal, would be documented during inspections and referred to appropriate enforcement agencies. Such violations would jeopardize the license. Repeat violations would lead to suspension or revocation of the license. Research shows fines are ineffective as they can easily be absorbed as a cost of doing business. And education, while important, is no substitute for effective enforcement.

Tobacco retail sales are a key source of tobacco to minors comprising some 20% of cigarettes consumed by minors.

It is proven that a TRL program that includes robust inspection and enforcement reduces illegal sales to minors and thereby reduces youth tobacco use. Suspending or revoking a tobacco retailer's license is the most effective means to motivate compliance with age-of-sales laws. Researchers have found that enforcement programs that disrupt the sale of tobacco to youth reduce youth smoking, whereas merely enacting a law or conducting merchant education do not. TRL is recommended by the Institute of Medicine and the Centers for Disease Control and Prevention.

Tobacco retail licensing is recommended by leaders in the public health community, including the Institute of Medicine and the Centers for Disease Control and Prevention.

Additionally, there is broad public support for tobacco retail licensing. Recent polls in Oregon have found that 97% of adults agree that it is important for communities to keep stores from selling tobacco to minors and that the vast majority of Oregonians support TRL. Licensing was favored by nearly 80 percent of nonsmokers and 60 percent of smokers.

The State Legislature has failed to act and thus has failed our children; the focus has shifted to Multnomah County. Passing a strong tobacco retail licensing program would be a major step in reducing illegal tobacco sales to minors and in demonstrating Multnomah County's leadership in public health in our state.