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Steve Schueth

January 12, 2026

Mayor Stephanie Hellman
Fairfax Town Council
142 Bolinas Road
Fairfax, CA 94930

Re: Agenda Item #1: Introduction of an Ordinance Amending Chapter 8.44

Dear Mayor Hellman, Vice Mayor Egger, and members of the Fairfax Town Council,

Americans for Nonsmokers' Rights is writing to express our support for the proposed ordinance to **strengthen Fairfax's tobacco retailer license requirements** to end the sale of all electronic smoking devices, heated smoking products, and nicotine pouches, as well as set a minimum price for tobacco and nicotine products and prohibit coupons and discounts.

This ordinance would expand upon Fairfax's long and admirable history of adopting strong tobacco prevention laws to protect the community's health, including prohibiting smoking in all workplaces and public places including many outdoor spaces in 2011, expanding smokefree protections to include electronic smoking devices and marijuana in 2015, enacting a tobacco retailer license requirement and setting a minimum pack size and price for cigars in 2017, ending the sale of all flavored tobacco products in 2019, and expand smokefree protections to not allow smoking and vaping in multi-unit housing and outdoor dining areas in 2021.

The proposed tobacco retailer licensing regulations will work together to help create a healthier retail environment by reducing the impact of the tobacco industry's predatory marketing of its products and limiting the negative public health consequences of tobacco use.

It's important for Fairfax to enact the proposed ordinance because despite years of health progress both locally and at the state level, tobacco use and exposure is still the leading cause of preventable death and disease, and California is still the largest cigarette market in the United States. In 2024, 12% of California adults used some type of tobacco product, with vaping products (5%) and cigarettes (5%) being the most commonly used products.ⁱ For youth, 6.5% of California high schoolers used some type of tobacco product in 2024, with vaping products (5.0%) being the vast majority of use.ⁱⁱ

Likewise, exposure to the secondhand smoke and aerosol released by smoked, heated, and vaped tobacco products remains a significant health threat. Secondhand tobacco smoke contains fine particulate matter—and aerosol from electronic smoking devices contains even smaller ultrafine particulate matter. Fine and ultrafine particles can be breathed deeply into the lungs and can cause lung

irritation, asthma attacks, and makes respiratory infections more likely. Fine and ultrafine particles also constrict arteries, which can trigger a heart attack.ⁱⁱⁱ

California communities are leading the way in adopting innovative tobacco retail sales regulations in order to reduce the availability of tobacco products and tobacco product advertising, in effort to decrease tobacco use and improve health outcomes in our communities.

We applaud Fairfax for putting the health of your community ahead of tobacco industry profits.

Thank you for your leadership and desire to make Fairfax the best place to live, work, and visit. Please feel free to contact me at 510-841-3045 if you have questions, comments, or feedback.

Sincerely,



Cynthia Hallett, MPH
President and CEO

Americans for Nonsmokers' Rights is a national, member-based, not-for-profit organization based in Berkeley, CA that is dedicated to helping nonsmokers breathe smokefree air since 1976.

ⁱ California Department of Public Health, California Tobacco Control Program. [Key Findings From the 2024 Online California Adult Tobacco Survey](#). Sacramento, CA: 2025.

ⁱⁱ California Department of Public Health, California Tobacco Prevention Program. [California Tobacco Facts and Figures 2025](#). Sacramento, CA: California Department of Public Health; August 2025.

ⁱⁱⁱ American Nonsmokers' Rights Foundation, [Electronic Smoking Devices and Secondhand Aerosol Fact Sheet](#); July 2025.

Draft tobacco ordinance

From Elizabeth O <elizabethodonnellong@gmail.com>

Date Mon 1/12/2026 1:10 PM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfaxca.gov>

Dear Fairfax Mayor and Councilmembers,

As a member of the local, all volunteer public health advocacy group **Marin Residents for Public Health Cannabis Policies**, I am writing to express my **strong support** for adoption of a local **draft ordinance** which will prohibit the sale of all e-cigarettes, heated tobacco products, nicotine pouches and snus, and set a minimum price/pack on cigarettes, little cigars, cigars and chewing tobacco in Fairfax. Taking this step is an important opportunity to protect community health and prevent future harms.

As we are now all aware, the tobacco industry has been marketing to teens for decades in an attempt to replace people who have died from tobacco with new, young customers. The advent of fruit and candy flavored e-cigarettes fostered a boom in youth use. In the past, Fairfax and the rest of Marin have been national leaders in standing up to Big Tobacco by banning flavored nicotine products that hook kids.

Now, with the advent of the new nicotine pouches and snus, the industry is once again trying to reel in youthful consumers. They are marketing on social media and utilizing young influencers in advertising campaigns in a push to try to make nicotine use more popular among teens and young adults.

Our kids are vulnerable to the tobacco industry's lure. The latest Healthy Kids Survey shows Marin high school juniors vape nicotine at almost double the rate as the statewide average. This is seriously concerning. Fairfax's leaders need to help combat these trends in nicotine use by ensuring the future prohibition of nicotine sales in town, supporting a healthier environment for our residents and young people.

By banning tobacco and nicotine sales, the Town would affirm its commitment to protecting youth, advancing public health, and fostering a community where residents and visitors alike can thrive.

Marin Residents for Public Health Cannabis Policies strongly urges the Town Council to adopt this ordinance and ensure Fairfax becomes free from the sale of all tobacco and

nicotine products. Thank you for your dedication to the health and well-being of all Fairfax residents.

Sincerely,

Elizabeth O'Donnell

Founding member

Marin Residents For Public Health Cannabis Policies



January 12, 2026

RE: Fairfax proposed ordinance regulating the sale of tobacco and nicotine products

Dear Mayor Hellman, Vice Mayor Egger, and Councilmembers,

On behalf of the Smoke-Free Marin Coalition (SFMC), we write to express our strong support for approving the draft ordinance adding Chapter 8.44 Establishing Minimum Pricing For Packages of Cigarettes, Cigars, Little Cigars, and Smokeless Tobacco; Prohibiting the Redemption of Coupons and Discounts, Banning the Sale of Electronic Smoking Devices, Heated Smoking Systems and Tobacco Or Nicotine Pouches; and Imposing Other Requirements in the Town of Fairfax.

SFMC is a coalition of volunteers, educators, and public health professionals committed to advancing tobacco-free and nicotine-free environments across Marin County. Over the past two decades, we have worked in close partnership with the Town of Fairfax which has passed strong ordinances regulating tobacco and nicotine products, most recently banning flavored products.

We view the proposed ordinance as an important proactive step for protecting the health of Fairfax's community members and Fairfax's environment for generations to come.

As you probably know, tobacco and nicotine use remains the leading cause of preventable death, disease, and disability in the United States, killing over 480,000 each year. Involuntary exposure to secondhand tobacco smoke and vape aerosol is also a major killer and causes diseases like asthma among innocent children. Youth uptake of smoking cigarettes is still a serious problem in Marin. Nearly 90% of adults who smoke cigarettes started before age 18. We continue to be faced with a youth vaping epidemic. Vaping causes rapid addiction to nicotine – a neurotoxin – and results in preventable respiratory and cardiovascular diseases. Now, we are faced with preventing the use of the industry's new oral nicotine pouches and nicotine-containing snus, which are highly addictive and harmful to oral health, and keep people giving their hard-earned money to the industry.

In Marin County, the issue of preventing youth initiation and use is particularly urgent. Among Marin's 11th graders, 50% say that it's easy to obtain cigarettes, and 70% say that it's easy to obtain vaping products. Extensive research in California shows that there is a strong association between youth's ease of access to tobacco and nicotine products and their initiation and use of these highly addictive products.

The tobacco and nicotine industry continues to target our children, youth, and minority populations at retail stores with sophisticated eye-catching point-of-sale advertising – often at children's eye level.

The proposed ordinance contains some proven strategies to prevent children and youth from starting to use these highly addictive, toxic products.

Preventing retail access and exposure to electronic smoking devices and oral tobacco pouches and nicotine pouches is an important way to keep youth and all community members from starting a potential lifetime of addiction and to support a healthier, tobacco-free and nicotine-free future. Fairfax previously banned the sale of flavored nicotine vapes and flavored oral nicotine products, and now it is time to finish the job.

Raising the price of tobacco and nicotine products has been shown by extensive research to be one of the most effective methods for decreasing initiation, reducing consumption, encouraging cessation, and preventing relapse. Implementation of a minimum price and minimum pack size policy for conventional products, and prohibiting discounts, will strengthen Fairfax's efforts to create a healthier community. While price increases reduce adult consumption and promote quitting, price increases have an even greater effect on youth, because youth typically have smaller incomes and are more sensitive to changes in price.

In addition to the public health harms caused by the use of tobacco and nicotine products, they are incredibly bad for Fairfax's environment. Cigarette butts are the #1 most littered item in California. Discarded nicotine pouches are fast become a source of environmental contamination in Marin. Besides being an eyesore, the plastic (cellulose acetate) cigarette "filters" and nicotine pouches take decades to break down, and end up becoming microplastics. Wildlife and pets eat them and get sick or die, and the residual nicotine is a poison. Discarded electronic smoking devices like vapes, are even worse – add plastic debris and lithium batteries to the nicotine leaching out. They are listed as California hazardous waste. School staff confiscate them, but there is no easy way to dispose of them.

The Smoke-Free Marin Coalition applauds Fairfax's commitment to community health and urges the Town Council to adopt the proposed ordinance. Thank you for your continued dedication to protecting the well-being of your residents.

Sincerely,

Pamela Granger, Co-chair Robert Curry, Co-chair
Smoke-Free Marin Coalition (SFMC)

Agenda Item #1: Tobacco Control Ordinance

From Kelsey Fernandez <kelsey@mhyp.org>

Date Mon 1/12/2026 12:18 PM

To Stephanie Hellman <shellman@townoffairfaxca.gov>; Lisel Blash <lblash@townoffairfaxca.gov>; Barbara Coler <bcoler@townoffairfaxca.gov>; Fairfax Town Council <fairfaxtowncouncil@townoffairfaxca.gov>; Frank Egger <fegger@townoffairfaxca.gov>; Michael Ghiringhelli <mghiringhelli@townoffairfaxca.gov>

Dear Mayor Hellman, Vice Mayor Egger, and Council Members,

I appreciate the opportunity to provide context on the proposed tobacco control ordinance before you tonight.

Research shows that the tobacco, alcohol, cannabis, and opioid industries share common tactics to maximize consumption of addictive products:

1. Deny or minimize harm - Downplaying health risks and addiction potential through selective research funding and messaging
2. Target vulnerable populations - Particularly youth and low-income communities
3. Manipulate product design - Engineering products for maximum addictiveness (potency levels and flavors)
4. Influence policy and regulation - Lobbying against restrictions and funding opposition to public health measures
5. Normalize use - Creating cultural associations through advertising, sponsorships, and media placement that make consumption seem ordinary or desirable

The ordinance you're considering directly addresses some of these tactics:

- **MINIMUM FLOOR PRICING AND BAN ON COUPONS AND DISCOUNTS.** (\$12 per 20-pack cigarettes, with comparable pricing for cigars, little cigars, and smokeless tobacco): Price increases are among the most effective tools for reducing tobacco use, particularly among youth and price-sensitive consumers. This counters the industry's strategy of using discounts and promotional pricing to maintain market share.
- **BAN ON ELECTRONIC SMOKING DEVICES, HEATED SMOKING SYSTEMS, AND NICOTINE POUCHES.** These newer products represent the industry's evolution in product design and youth targeting.
- **MINIMUM PACKAGE SIZES.** This prevents the sale of single cigars and small packages that are particularly attractive to youth with limited purchasing power.

The evidence is clear: tobacco-related illness accounts for approximately 230 deaths annually in Marin County, with \$138 million in associated local healthcare costs. This ordinance aligns Fairfax with the County of Marin's model ordinance and evidence-based public health strategies.

Thank you for considering this important public health measure.

Respectfully,
Kelsey

--

Kelsey Fernandez, MA

Executive Director

[Marin Healthy Youth Partnerships](#)

MARIN
healthyyouth
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January 12, 2026

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Re: Agenda Item #1: Introduction of an Ordinance Amending Chapter 8.44

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Americans for Nonsmokers' Rights is writing to express our support for the proposed ordinance to **strengthen Fairfax's tobacco retailer license requirements** to end the sale of all electronic smoking devices, heated smoking products, and nicotine pouches, as well as set a minimum price for tobacco and nicotine products and prohibit coupons and discounts.

This ordinance would expand upon Fairfax's long and admirable history of adopting strong tobacco prevention laws to protect the community's health, including prohibiting smoking in all workplaces and public places including many outdoor spaces in 2011, expanding smokefree protections to include electronic smoking devices and marijuana in 2015, enacting a tobacco retailer license requirement and setting a minimum pack size and price for cigars in 2017, ending the sale of all flavored tobacco products in 2019, and expand smokefree protections to not allow smoking and vaping in multi-unit housing and outdoor dining areas in 2021.

The proposed tobacco retailer licensing regulations will work together to help create a healthier retail environment by reducing the impact of the tobacco industry's predatory marketing of its products and limiting the negative public health consequences of tobacco use.

It's important for Fairfax to enact the proposed ordinance because despite years of health progress both locally and at the state level, tobacco use and exposure is still the leading cause of preventable death and disease, and California is still the largest cigarette market in the United States. In 2024, 12% of California adults used some type of tobacco product, with vaping products (5%) and cigarettes (5%) being the most commonly used products.ⁱ For youth, 6.5% of California high schoolers used some type of tobacco product in 2024, with vaping products (5.0%) being the vast majority of use.ⁱⁱ

Likewise, exposure to the secondhand smoke and aerosol released by smoked, heated, and vaped tobacco products remains a significant health threat. Secondhand tobacco smoke contains fine particulate matter—and aerosol from electronic smoking devices contains even smaller ultrafine particulate matter. Fine and ultrafine particles can be breathed deeply into the lungs and can cause lung

irritation, asthma attacks, and makes respiratory infections more likely. Fine and ultrafine particles also constrict arteries, which can trigger a heart attack.ⁱⁱⁱ

California communities are leading the way in adopting innovative tobacco retail sales regulations in order to reduce the availability of tobacco products and tobacco product advertising, in effort to decrease tobacco use and improve health outcomes in our communities.

We applaud Fairfax for putting the health of your community ahead of tobacco industry profits.

Thank you for your leadership and desire to make Fairfax the best place to live, work, and visit. Please feel free to contact me at 510-841-3045 if you have questions, comments, or feedback.

Sincerely,



Cynthia Hallett, MPH
President and CEO

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ⁱⁱ California Department of Public Health, California Tobacco Prevention Program. [California Tobacco Facts and Figures 2025](#). Sacramento, CA: California Department of Public Health; August 2025.

ⁱⁱⁱ American Nonsmokers' Rights Foundation, [Electronic Smoking Devices and Secondhand Aerosol Fact Sheet](#); July 2025.

Ban on Electronic Nicotine Devices

From Mick Bruckner <mick.lodgeffx@gmail.com>

Date Mon 1/12/2026 10:46 AM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfaxca.gov>

Hi there,

My name is McKinley Bruckner and I work and live in Fairfax. I'd like to register my absolute opposition to the proposed ban on electronic nicotine devices. I'd like to keep my comment as brief as possible, so I will break down my opposition into two key points:

(1) Vaping is less harmful than combustible delivery methods. While there are risks and concerns associated with vaping, there is no evidence establishing that vaping is nearly as deadly as smoking tobacco. In fact, in countries like the UK, where the NHS has studied long-term effects of vaping, they publish [guidance and evidence](#) for using vapes as a method to quit and/or minimize the harms associated with combustible tobacco products. Rather than banning the only forms of tobacco that do not lead to the worst outcomes highlighted in the agenda packet (230 deaths annually), we should encourage smokers to switch to vaping as a means of harm reduction. Furthermore, [emerging evidence](#) has suggested that bans on vapes and other smokeless tobacco products have paradoxically led to a reemergence of cigarette smoking.

(2) Prohibition and clandestine contraband markets go hand in hand. If the concern is for minors obtaining electronic nicotine devices (as stated in the agenda packet), then banning their sale in Fairfax will do little to prevent this outcome. It is already illegal for anyone under the age of 21 to purchase tobacco products of any kind—this likely suggests Marin youth are using fake IDs (a related issue) or they are going to other places in the county or Bay Area to purchase them from places where they are legal or who will sell to minors ([likely the latter](#)). A ban on smokeless tobacco products in Fairfax does little if anything to address this problem.

I too share the concern for increased consumption of nicotine amongst Marin youth. However, I think it is misguided and frankly reckless to ban the sale of smokeless tobacco products when so many in our adult smoking population have already switched successfully to a less harmful product. If the council truly wants to address the health concerns associated with tobacco, they should instead look to ban the sale of SMOKEABLE tobacco (cigarettes, cigars, etc.) and engage in education and enforcement of the legal age to purchase (21) with our tobacco vendors.

Sincerely,
Mckinley Bruckner

Sources Cited:

National Health Service. "Vaping to Quit Smoking." *NHS Choices*, NHS, www.nhs.uk/better-health/quit-smoking/ready-to-quit-smoking/vaping-to-quit-smoking/. Accessed 12 Jan. 2026.

Saffer, Henry, et al. "Comprehensive e-cigarette flavor bans and tobacco use among youth and adults." *Health Economics*, vol. 34, no. 12, 3 Sept. 2025, pp. 2238–2254, <https://doi.org/10.1002/hec.70030>.

Chen, Tengjiao, et al. "Spatial spillover effects of state-level policies banning electronic nicotine delivery systems." *American Journal of Health Economics*, vol. 10, no. 4, 1 Sept. 2024, pp. 539–567, <https://doi.org/10.1086/726003>.

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Sincerely,

Elizabeth O'Donnell

Founding member

Marin Residents For Public Health Cannabis Policies



January 12, 2026

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Pamela Granger, Co-chair Robert Curry, Co-chair
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Date Mon 1/12/2026 12:18 PM

To Stephanie Hellman <shellman@townoffairfaxca.gov>; Lisel Blash <lblash@townoffairfaxca.gov>; Barbara Coler <bcoler@townoffairfaxca.gov>; Fairfax Town Council <fairfaxtowncouncil@townoffairfaxca.gov>; Frank Egger <fegger@townoffairfaxca.gov>; Michael Ghiringhelli <mghiringhelli@townoffairfaxca.gov>

Dear Mayor Hellman, Vice Mayor Egger, and Council Members,

I appreciate the opportunity to provide context on the proposed tobacco control ordinance before you tonight.

Research shows that the tobacco, alcohol, cannabis, and opioid industries share common tactics to maximize consumption of addictive products:

1. Deny or minimize harm - Downplaying health risks and addiction potential through selective research funding and messaging
2. Target vulnerable populations - Particularly youth and low-income communities
3. Manipulate product design - Engineering products for maximum addictiveness (potency levels and flavors)
4. Influence policy and regulation - Lobbying against restrictions and funding opposition to public health measures
5. Normalize use - Creating cultural associations through advertising, sponsorships, and media placement that make consumption seem ordinary or desirable

The ordinance you're considering directly addresses some of these tactics:

- **MINIMUM FLOOR PRICING AND BAN ON COUPONS AND DISCOUNTS.** (\$12 per 20-pack cigarettes, with comparable pricing for cigars, little cigars, and smokeless tobacco): Price increases are among the most effective tools for reducing tobacco use, particularly among youth and price-sensitive consumers. This counters the industry's strategy of using discounts and promotional pricing to maintain market share.
- **BAN ON ELECTRONIC SMOKING DEVICES, HEATED SMOKING SYSTEMS, AND NICOTINE POUCHES.** These newer products represent the industry's evolution in product design and youth targeting.
- **MINIMUM PACKAGE SIZES.** This prevents the sale of single cigars and small packages that are particularly attractive to youth with limited purchasing power.

The evidence is clear: tobacco-related illness accounts for approximately 230 deaths annually in Marin County, with \$138 million in associated local healthcare costs. This ordinance aligns Fairfax with the County of Marin's model ordinance and evidence-based public health strategies.

Thank you for considering this important public health measure.

Respectfully,
Kelsey

--

Kelsey Fernandez, MA

Executive Director

[Marin Healthy Youth Partnerships](#)

MARIN
healthyyouth
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President and CEO

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January 12, 2026

Mayor Stephanie Hellman
Fairfax Town Council
142 Bolinas Road
Fairfax, CA 94930

Re: Agenda Item #1: Introduction of an Ordinance Amending Chapter 8.44

Dear Mayor Hellman, Vice Mayor Egger, and members of the Fairfax Town Council,

Americans for Nonsmokers' Rights is writing to express our support for the proposed ordinance to **strengthen Fairfax's tobacco retailer license requirements** to end the sale of all electronic smoking devices, heated smoking products, and nicotine pouches, as well as set a minimum price for tobacco and nicotine products and prohibit coupons and discounts.

This ordinance would expand upon Fairfax's long and admirable history of adopting strong tobacco prevention laws to protect the community's health, including prohibiting smoking in all workplaces and public places including many outdoor spaces in 2011, expanding smokefree protections to include electronic smoking devices and marijuana in 2015, enacting a tobacco retailer license requirement and setting a minimum pack size and price for cigars in 2017, ending the sale of all flavored tobacco products in 2019, and expand smokefree protections to not allow smoking and vaping in multi-unit housing and outdoor dining areas in 2021.

The proposed tobacco retailer licensing regulations will work together to help create a healthier retail environment by reducing the impact of the tobacco industry's predatory marketing of its products and limiting the negative public health consequences of tobacco use.

It's important for Fairfax to enact the proposed ordinance because despite years of health progress both locally and at the state level, tobacco use and exposure is still the leading cause of preventable death and disease, and California is still the largest cigarette market in the United States. In 2024, 12% of California adults used some type of tobacco product, with vaping products (5%) and cigarettes (5%) being the most commonly used products.ⁱ For youth, 6.5% of California high schoolers used some type of tobacco product in 2024, with vaping products (5.0%) being the vast majority of use.ⁱⁱ

Likewise, exposure to the secondhand smoke and aerosol released by smoked, heated, and vaped tobacco products remains a significant health threat. Secondhand tobacco smoke contains fine particulate matter—and aerosol from electronic smoking devices contains even smaller ultrafine particulate matter. Fine and ultrafine particles can be breathed deeply into the lungs and can cause lung

irritation, asthma attacks, and makes respiratory infections more likely. Fine and ultrafine particles also constrict arteries, which can trigger a heart attack.ⁱⁱⁱ

California communities are leading the way in adopting innovative tobacco retail sales regulations in order to reduce the availability of tobacco products and tobacco product advertising, in effort to decrease tobacco use and improve health outcomes in our communities.

We applaud Fairfax for putting the health of your community ahead of tobacco industry profits.

Thank you for your leadership and desire to make Fairfax the best place to live, work, and visit. Please feel free to contact me at 510-841-3045 if you have questions, comments, or feedback.

Sincerely,



Cynthia Hallett, MPH
President and CEO

Americans for Nonsmokers' Rights is a national, member-based, not-for-profit organization based in Berkeley, CA that is dedicated to helping nonsmokers breathe smokefree air since 1976.

ⁱ California Department of Public Health, California Tobacco Control Program. [Key Findings From the 2024 Online California Adult Tobacco Survey](#). Sacramento, CA: 2025.

ⁱⁱ California Department of Public Health, California Tobacco Prevention Program. [California Tobacco Facts and Figures 2025](#). Sacramento, CA: California Department of Public Health; August 2025.

ⁱⁱⁱ American Nonsmokers' Rights Foundation, [Electronic Smoking Devices and Secondhand Aerosol Fact Sheet](#); July 2025.

Ban on Electronic Nicotine Devices

From Mick Bruckner <mick.lodgeffx@gmail.com>

Date Mon 1/12/2026 10:46 AM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfaxca.gov>

Hi there,

My name is McKinley Bruckner and I work and live in Fairfax. I'd like to register my absolute opposition to the proposed ban on electronic nicotine devices. I'd like to keep my comment as brief as possible, so I will break down my opposition into two key points:

(1) Vaping is less harmful than combustible delivery methods. While there are risks and concerns associated with vaping, there is no evidence establishing that vaping is nearly as deadly as smoking tobacco. In fact, in countries like the UK, where the NHS has studied long-term effects of vaping, they publish [guidance and evidence](#) for using vapes as a method to quit and/or minimize the harms associated with combustible tobacco products. Rather than banning the only forms of tobacco that do not lead to the worst outcomes highlighted in the agenda packet (230 deaths annually), we should encourage smokers to switch to vaping as a means of harm reduction. Furthermore, [emerging evidence](#) has suggested that bans on vapes and other smokeless tobacco products have paradoxically led to a reemergence of cigarette smoking.

(2) Prohibition and clandestine contraband markets go hand in hand. If the concern is for minors obtaining electronic nicotine devices (as stated in the agenda packet), then banning their sale in Fairfax will do little to prevent this outcome. It is already illegal for anyone under the age of 21 to purchase tobacco products of any kind—this likely suggests Marin youth are using fake IDs (a related issue) or they are going to other places in the county or Bay Area to purchase them from places where they are legal or who will sell to minors ([likely the latter](#)). A ban on smokeless tobacco products in Fairfax does little if anything to address this problem.

I too share the concern for increased consumption of nicotine amongst Marin youth. However, I think it is misguided and frankly reckless to ban the sale of smokeless tobacco products when so many in our adult smoking population have already switched successfully to a less harmful product. If the council truly wants to address the health concerns associated with tobacco, they should instead look to ban the sale of SMOKEABLE tobacco (cigarettes, cigars, etc.) and engage in education and enforcement of the legal age to purchase (21) with our tobacco vendors.

Sincerely,
Mckinley Bruckner

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Fairfax Town Council

January 9, 2026

Dear Councilmembers,

I write to extend enthusiastic support for the first item of your January 12, 2026 Agenda, which would introduce an ordinance amending Chapter 8.44 by establishing minimum prices for tobacco products, prohibiting coupons and discounts for tobacco products, and banning sales of e-cigarettes, heated smoking systems, and tobacco or nicotine pouches. This ordinance is consistent with a county-wide effort to strengthen tobacco control policies, particularly at local levels.

As a now-professor emerita of nursing and health policy at UCSF, my work has focused for decades on the tobacco industry, its strategic efforts to thwart effective measures to constrain it in any way, and since 2010, on how to achieve an “endgame” for the industrially-produced tobacco epidemic, which still kills some 490,000 Americans yearly. In addition to publishing numerous peer-reviewed papers on endgame-advancing policies, I served for 14 years as editor-in-chief of the top international policy journal in the field, *Tobacco Control*, published by the British Medical Association’s BMJ journals. I have been invited to speak about the tobacco endgame in multiple countries and I recently served on a WHO Expert Panel that produced a new report on “forward-looking measures” to end the tobacco epidemic, including minimum price polices.

An extensive body of research demonstrates that raising prices reduces consumption of tobacco products, particularly for price-sensitive groups such as young people. Minimum price laws also reduce the tobacco industry’s ability to manipulate prices by offering discounted or lower cost products, thus retaining consumers who might otherwise be motivated to quit by price increases.

Regarding the sales ban on vaping and heated tobacco products, the urgency of addressing youth vaping and vaping addiction more generally is demonstrated by a recent announcement from the FDA that an accelerated review timeline would be pursued for nine products as a matter of urgency (<https://www.fda.gov/news-events/press-announcements/fda-awards-first-ever-national-priority-vouchers-nine-sponsors>). Among these is a drug to treat nicotine vaping addiction, cytisinicline. Vaping has long overtaken smoking in terms of youth tobacco use, and widespread retail availability promotes use and makes it harder for users trying to quit.

You may or may not be aware that under the current administration, the CDC Office on Smoking and Health was eliminated in its entirety a few months ago. As a result, more than ever before, real progress on addressing the tobacco epidemic depends upon courageous policy leadership at local and state levels. To some, banning sales of any products seems unthinkable. What is truly unthinkable is that we have let this all go on so long and that the tobacco industry, while hooking new generations decade after decade, is now trying to convince people it is the solution to the problems it created. California state program surveys have shown for years consistent public support of around 70% for banning sales of *all* non-pharmaceutical nicotine products.

You have an opportunity to continue to advance Marin's public health leadership with this innovative policy. I hope you will seize it and take a role in ending this industrially-produced epidemic. Other local jurisdictions will surely follow.

Sincerely,

A handwritten signature in black ink that reads "Ruth E. Malone". The signature is written in a cursive, flowing style.

Ruth E. Malone, RN, PhD
Professor Emerita
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ruth.malone@ucsf.edu



January 12, 2026

RE: Fairfax proposed ordinance regulating the sale of tobacco and nicotine products

Dear Mayor Hellman, Vice Mayor Egger, and Councilmembers,

On behalf of the Smoke-Free Marin Coalition (SFMC), we write to express our strong support for approving the draft ordinance adding Chapter 8.44 Establishing Minimum Pricing For Packages of Cigarettes, Cigars, Little Cigars, and Smokeless Tobacco; Prohibiting the Redemption of Coupons and Discounts, Banning the Sale of Electronic Smoking Devices, Heated Smoking Systems and Tobacco Or Nicotine Pouches; and Imposing Other Requirements in the Town of Fairfax.

SFMC is a coalition of volunteers, educators, and public health professionals committed to advancing tobacco-free and nicotine-free environments across Marin County. Over the past two decades, we have worked in close partnership with the Town of Fairfax which has passed strong ordinances regulating tobacco and nicotine products, most recently banning flavored products.

We view the proposed ordinance as an important proactive step for protecting the health of Fairfax's community members and Fairfax's environment for generations to come.

As you probably know, tobacco and nicotine use remains the leading cause of preventable death, disease, and disability in the United States, killing over 480,000 each year. Involuntary exposure to secondhand tobacco smoke and vape aerosol is also a major killer and causes diseases like asthma among innocent children. Youth uptake of smoking cigarettes is still a serious problem in Marin. Nearly 90% of adults who smoke cigarettes started before age 18. We continue to be faced with a youth vaping epidemic. Vaping causes rapid addiction to nicotine – a neurotoxin – and results in preventable respiratory and cardiovascular diseases. Now, we are faced with preventing the use of the industry's new oral nicotine pouches and nicotine-containing snus, which are highly addictive and harmful to oral health, and keep people giving their hard-earned money to the industry.

In Marin County, the issue of preventing youth initiation and use is particularly urgent. Among Marin's 11th graders, 50% say that it's easy to obtain cigarettes, and 70% say that it's easy to obtain vaping products. Extensive research in California shows that there is a strong association between youth's ease of access to tobacco and nicotine products and their initiation and use of these highly addictive products.

The tobacco and nicotine industry continues to target our children, youth, and minority populations at retail stores with sophisticated eye-catching point-of-sale advertising – often at children's eye level.

The proposed ordinance contains some proven strategies to prevent children and youth from starting to use these highly addictive, toxic products.

Preventing retail access and exposure to electronic smoking devices and oral tobacco pouches and nicotine pouches is an important way to keep youth and all community members from starting a potential lifetime of addiction and to support a healthier, tobacco-free and nicotine-free future. Fairfax previously banned the sale of flavored nicotine vapes and flavored oral nicotine products, and now it is time to finish the job.

Raising the price of tobacco and nicotine products has been shown by extensive research to be one of the most effective methods for decreasing initiation, reducing consumption, encouraging cessation, and preventing relapse. Implementation of a minimum price and minimum pack size policy for conventional products, and prohibiting discounts, will strengthen Fairfax's efforts to create a healthier community. While price increases reduce adult consumption and promote quitting, price increases have an even greater effect on youth, because youth typically have smaller incomes and are more sensitive to changes in price.

In addition to the public health harms caused by the use of tobacco and nicotine products, they are incredibly bad for Fairfax's environment. Cigarette butts are the #1 most littered item in California. Discarded nicotine pouches are fast become a source of environmental contamination in Marin. Besides being an eyesore, the plastic (cellulose acetate) cigarette "filters" and nicotine pouches take decades to break down, and end up becoming microplastics. Wildlife and pets eat them and get sick or die, and the residual nicotine is a poison. Discarded electronic smoking devices like vapes, are even worse – add plastic debris and lithium batteries to the nicotine leaching out. They are listed as California hazardous waste. School staff confiscate them, but there is no easy way to dispose of them.

The Smoke-Free Marin Coalition applauds Fairfax's commitment to community health and urges the Town Council to adopt the proposed ordinance. Thank you for your continued dedication to protecting the well-being of your residents.

Sincerely,

Pamela Granger, Co-chair Robert Curry, Co-chair
Smoke-Free Marin Coalition (SFMC)

Re. Proposed Amendments to Chapter 8.44 (Clean Indoor And Outdoor Air And Health Protection – Smoking Regulations)

From Anderson, Stacey <Stacey.Anderson@ucsf.edu>

Date Sat 1/10/2026 9:12 AM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfaxca.gov>

Re. Proposed Amendments to Chapter 8.44 (Clean Indoor And Outdoor Air And Health Protection – Smoking Regulations)

To the members of the Fairfax Town Council:

I write in strong support of the Town's proposed amendments to Chapter 8.44. Establishing a Minimum Floor Price Law for cigarettes and banning the sale of e-cigarettes are essential steps to take for the health of the entire Fairfax community. These next steps are critically important.

As the Council knows, increasing the price of tobacco products is an effective way to reduce demand,(1) particularly among lower socioeconomic status populations. Minimum Floor Price Laws are a promising tobacco control strategy with the potential to reduce socioeconomic disparities in cigarette smoking prevalence and consumption.(2)

As the Council also knows, e-cigarette sales have skyrocketed in recent years, particularly among youth, as has the nicotine strength in many e-cigarette products.(3) Marin youth have come out in strong support of banning e-cigarettes, many reporting they cannot even use the restrooms in their schools due to the pervasive e-cigarette use in school bathrooms. Sonoma, San Francisco, and Los Angeles Counties have banned the sale of e-cigarettes.

When Marin County voted to ban the sale of e-cigarettes (misleadingly referred to as "vapes") in our unincorporated areas, Marin County Public Health Officer Dr. Lisa Santora said, "We don't want to have the reputation as being the community where people drive to get their vapes. We don't want people coming from Sonoma, Napa, Solano, San Francisco knowing that in Marin County they still carry those products."(4)

Fairfax does not want to be the community people drive to in order to purchase these products either. Of course, we need to join with Ross and Tiburon in banning sales of all tobacco products, including cigarettes, cigars, chewing tobacco, nicotine pouches, and electronic smoking devices--a ban that is widely supported by Marin students. We can start by eliminating sales of the smoking products most prevalently used by youth, e-cigarettes.

The proposed amendments to Chapter 8.44 must be adopted for the protection and promotion of the health of all Fairfax residents and visitors. A unanimous YES vote will show our unity and commitment to the well-being of our people.

Thank you,
Stacey J. Anderson, PhD

37 Redwood Rd, Fairfax

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Institute for Health & Aging

Wendy Max, Ph.D.
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January 12, 2026

Fairfax Town Council
Fairfax, CA

RE: Agenda item 1.

Public Hearing: Introduction of an Ordinance Amending Chapter 8.44

Comment from:

Wendy Max, PhD
Professor Emerita of Health Economics
Director Emerita, Institute for Health & Aging
University of California, San Francisco

Dear Mayor Hellman, Vice Mayor Egger, and Councilmembers:

I write in strong support of the ordinance you are considering that would establish a minimum price and prohibit discounts on all tobacco products and ban sales of electronic smoking devices and heated smoking systems. I applaud you for extending the model Marin County ordinance by also banning the sale of nicotine pouches, a highly and increasingly popular product among youth.

I am a retired health economist and Professor at UCSF, where I spent over 30 years studying the economic and health impact of tobacco use in California, the US, and internationally. I am also a current member of TERO, the Tobacco Education and Research Oversight Committee that oversees the use of Propositions 99 and 56 funds in the state.

The cost of tobacco use in Marin County as a whole is high.¹ My colleagues and I found that cigarette smoking alone amounted to:

- Over \$138 million, including \$95 million in healthcare costs and \$43 million in lost productivity from illness and premature death
- \$377 in healthcare costs per resident and \$3,295 per smoker
- 228 lives lost due to smoking

Healthcare costs for smoking for the entire state amounted to \$11 billion.²

We have studied healthcare costs for the US for many different tobacco products and found that tobacco attributable healthcare costs were:

- \$63 million for ER visits for children exposed to secondhand smoke at home³

- \$4.6 billion for hospitalizations and ER visits for adults exposed to secondhand smoke at home⁴
- \$3.4 billion for hospitalizations, ER visits, and doctor visits for adults who use smokeless tobacco⁵
- \$1.75 billion for hospitalizations, ER visits, and home-care visits for adults who smoke cigars⁶
- \$15.1 billion for adults who use e-cigarettes⁷

Smoking has a strong impact on particularly vulnerable populations, including African Americans,⁸ Hispanics,⁹ the lesbian, gay, and bisexual community,^{10,11} and people living in multiunit housing (who are exposed to secondhand smoke).¹²

Raising the price of tobacco products has been shown by multiple studies including ours to be one of the most effective ways to reduce tobacco use.¹³⁻¹⁶ Therefore, creating a minimum price for tobacco products and prohibiting discounts and coupons will help to improve the health of Fairfax residents and is well-supported by research.

Our finding of the high healthcare costs associated with e-cigarette use provides justification for banning the sale of electronic smoking devices in Fairfax. Furthermore, a substantial literature has found that e-cigarettes are often a gateway product for teens and young adults who may go on to use other tobacco products.

In summary, I strongly urge you to pass the proposed ordinance. It is supported by my own 30 plus years of research in tobacco control as well as studies conducted by many others. It will have a positive impact on health equity as well as reducing uptake of tobacco use by young people. Fairfax is to be lauded for its forward-thinking and for playing a strong leadership role in tobacco policy.

Sincerely,



Wendy Max, PhD
Professor Emerita of Health Economics
Director Emerita, Institute for Health & Aging
University of California, San Francisco

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Fairfax Town Council

January 9, 2026

Dear Councilmembers,

I write to extend enthusiastic support for the first item of your January 12, 2026 Agenda, which would introduce an ordinance amending Chapter 8.44 by establishing minimum prices for tobacco products, prohibiting coupons and discounts for tobacco products, and banning sales of e-cigarettes, heated smoking systems, and tobacco or nicotine pouches. This ordinance is consistent with a county-wide effort to strengthen tobacco control policies, particularly at local levels.

As a now-professor emerita of nursing and health policy at UCSF, my work has focused for decades on the tobacco industry, its strategic efforts to thwart effective measures to constrain it in any way, and since 2010, on how to achieve an “endgame” for the industrially-produced tobacco epidemic, which still kills some 490,000 Americans yearly. In addition to publishing numerous peer-reviewed papers on endgame-advancing policies, I served for 14 years as editor-in-chief of the top international policy journal in the field, *Tobacco Control*, published by the British Medical Association’s BMJ journals. I have been invited to speak about the tobacco endgame in multiple countries and I recently served on a WHO Expert Panel that produced a new report on “forward-looking measures” to end the tobacco epidemic, including minimum price polices.

An extensive body of research demonstrates that raising prices reduces consumption of tobacco products, particularly for price-sensitive groups such as young people. Minimum price laws also reduce the tobacco industry’s ability to manipulate prices by offering discounted or lower cost products, thus retaining consumers who might otherwise be motivated to quit by price increases.

Regarding the sales ban on vaping and heated tobacco products, the urgency of addressing youth vaping and vaping addiction more generally is demonstrated by a recent announcement from the FDA that an accelerated review timeline would be pursued for nine products as a matter of urgency (<https://www.fda.gov/news-events/press-announcements/fda-awards-first-ever-national-priority-vouchers-nine-sponsors>). Among these is a drug to treat nicotine vaping addiction, cytisinicline. Vaping has long overtaken smoking in terms of youth tobacco use, and widespread retail availability promotes use and makes it harder for users trying to quit.

You may or may not be aware that under the current administration, the CDC Office on Smoking and Health was eliminated in its entirety a few months ago. As a result, more than ever before, real progress on addressing the tobacco epidemic depends upon courageous policy leadership at local and state levels. To some, banning sales of any products seems unthinkable. What is truly unthinkable is that we have let this all go on so long and that the tobacco industry, while hooking new generations decade after decade, is now trying to convince people it is the solution to the problems it created. California state program surveys have shown for years consistent public support of around 70% for banning sales of *all* non-pharmaceutical nicotine products.

You have an opportunity to continue to advance Marin's public health leadership with this innovative policy. I hope you will seize it and take a role in ending this industrially-produced epidemic. Other local jurisdictions will surely follow.

Sincerely,

A handwritten signature in black ink that reads "Ruth E. Malone". The signature is written in a cursive, flowing style.

Ruth E. Malone, RN, PhD
Professor Emerita
Department of Social and Behavioral Sciences
School of Nursing
University of California, San Francisco
490 Illinois St., Floor 12, Box 0612
San Francisco, CA 94143
Fedex: Same street address, Zip 94158
ruth.malone@ucsf.edu



January 12, 2026

RE: Fairfax proposed ordinance regulating the sale of tobacco and nicotine products

Dear Mayor Hellman, Vice Mayor Egger, and Councilmembers,

On behalf of the Smoke-Free Marin Coalition (SFMC), we write to express our strong support for approving the draft ordinance adding Chapter 8.44 Establishing Minimum Pricing For Packages of Cigarettes, Cigars, Little Cigars, and Smokeless Tobacco; Prohibiting the Redemption of Coupons and Discounts, Banning the Sale of Electronic Smoking Devices, Heated Smoking Systems and Tobacco Or Nicotine Pouches; and Imposing Other Requirements in the Town of Fairfax.

SFMC is a coalition of volunteers, educators, and public health professionals committed to advancing tobacco-free and nicotine-free environments across Marin County. Over the past two decades, we have worked in close partnership with the Town of Fairfax which has passed strong ordinances regulating tobacco and nicotine products, most recently banning flavored products.

We view the proposed ordinance as an important proactive step for protecting the health of Fairfax's community members and Fairfax's environment for generations to come.

As you probably know, tobacco and nicotine use remains the leading cause of preventable death, disease, and disability in the United States, killing over 480,000 each year. Involuntary exposure to secondhand tobacco smoke and vape aerosol is also a major killer and causes diseases like asthma among innocent children. Youth uptake of smoking cigarettes is still a serious problem in Marin. Nearly 90% of adults who smoke cigarettes started before age 18. We continue to be faced with a youth vaping epidemic. Vaping causes rapid addiction to nicotine – a neurotoxin – and results in preventable respiratory and cardiovascular diseases. Now, we are faced with preventing the use of the industry's new oral nicotine pouches and nicotine-containing snus, which are highly addictive and harmful to oral health, and keep people giving their hard-earned money to the industry.

In Marin County, the issue of preventing youth initiation and use is particularly urgent. Among Marin's 11th graders, 50% say that it's easy to obtain cigarettes, and 70% say that it's easy to obtain vaping products. Extensive research in California shows that there is a strong association between youth's ease of access to tobacco and nicotine products and their initiation and use of these highly addictive products.

The tobacco and nicotine industry continues to target our children, youth, and minority populations at retail stores with sophisticated eye-catching point-of-sale advertising – often at children's eye level.

The proposed ordinance contains some proven strategies to prevent children and youth from starting to use these highly addictive, toxic products.

Preventing retail access and exposure to electronic smoking devices and oral tobacco pouches and nicotine pouches is an important way to keep youth and all community members from starting a potential lifetime of addiction and to support a healthier, tobacco-free and nicotine-free future. Fairfax previously banned the sale of flavored nicotine vapes and flavored oral nicotine products, and now it is time to finish the job.

Raising the price of tobacco and nicotine products has been shown by extensive research to be one of the most effective methods for decreasing initiation, reducing consumption, encouraging cessation, and preventing relapse. Implementation of a minimum price and minimum pack size policy for conventional products, and prohibiting discounts, will strengthen Fairfax's efforts to create a healthier community. While price increases reduce adult consumption and promote quitting, price increases have an even greater effect on youth, because youth typically have smaller incomes and are more sensitive to changes in price.

In addition to the public health harms caused by the use of tobacco and nicotine products, they are incredibly bad for Fairfax's environment. Cigarette butts are the #1 most littered item in California. Discarded nicotine pouches are fast become a source of environmental contamination in Marin. Besides being an eyesore, the plastic (cellulose acetate) cigarette "filters" and nicotine pouches take decades to break down, and end up becoming microplastics. Wildlife and pets eat them and get sick or die, and the residual nicotine is a poison. Discarded electronic smoking devices like vapes, are even worse – add plastic debris and lithium batteries to the nicotine leaching out. They are listed as California hazardous waste. School staff confiscate them, but there is no easy way to dispose of them.

The Smoke-Free Marin Coalition applauds Fairfax's commitment to community health and urges the Town Council to adopt the proposed ordinance. Thank you for your continued dedication to protecting the well-being of your residents.

Sincerely,

Pamela Granger, Co-chair Robert Curry, Co-chair
Smoke-Free Marin Coalition (SFMC)

Re. Proposed Amendments to Chapter 8.44 (Clean Indoor And Outdoor Air And Health Protection – Smoking Regulations)

From Anderson, Stacey <Stacey.Anderson@ucsf.edu>

Date Sat 1/10/2026 9:12 AM

To Fairfax Town Council <fairfaxtowncouncil@townoffairfaxca.gov>

Re. Proposed Amendments to Chapter 8.44 (Clean Indoor And Outdoor Air And Health Protection – Smoking Regulations)

To the members of the Fairfax Town Council:

I write in strong support of the Town's proposed amendments to Chapter 8.44. Establishing a Minimum Floor Price Law for cigarettes and banning the sale of e-cigarettes are essential steps to take for the health of the entire Fairfax community. These next steps are critically important.

As the Council knows, increasing the price of tobacco products is an effective way to reduce demand,(1) particularly among lower socioeconomic status populations. Minimum Floor Price Laws are a promising tobacco control strategy with the potential to reduce socioeconomic disparities in cigarette smoking prevalence and consumption.(2)

As the Council also knows, e-cigarette sales have skyrocketed in recent years, particularly among youth, as has the nicotine strength in many e-cigarette products.(3) Marin youth have come out in strong support of banning e-cigarettes, many reporting they cannot even use the restrooms in their schools due to the pervasive e-cigarette use in school bathrooms. Sonoma, San Francisco, and Los Angeles Counties have banned the sale of e-cigarettes.

When Marin County voted to ban the sale of e-cigarettes (misleadingly referred to as "vapes") in our unincorporated areas, Marin County Public Health Officer Dr. Lisa Santora said, "We don't want to have the reputation as being the community where people drive to get their vapes. We don't want people coming from Sonoma, Napa, Solano, San Francisco knowing that in Marin County they still carry those products."(4)

Fairfax does not want to be the community people drive to in order to purchase these products either. Of course, we need to join with Ross and Tiburon in banning sales of all tobacco products, including cigarettes, cigars, chewing tobacco, nicotine pouches, and electronic smoking devices--a ban that is widely supported by Marin students. We can start by eliminating sales of the smoking products most prevalently used by youth, e-cigarettes.

The proposed amendments to Chapter 8.44 must be adopted for the protection and promotion of the health of all Fairfax residents and visitors. A unanimous YES vote will show our unity and commitment to the well-being of our people.

Thank you,
Stacey J. Anderson, PhD

37 Redwood Rd, Fairfax

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2.

<https://pmc.ncbi.nlm.nih.gov/articles/PMC12104510/>

Golden, Kim, Kong, Tao, Carr, & Musberger (2022). Simulating the Impact of a Cigarette Minimum Floor Price Law on Adult Smoking Prevalence in California, *Nicotine Tob Res*, 22(10):1842-1850.

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Ali, Seaman, Crane, Schillo, & King (2023). Trends in US E-cigarette Sales and Prices by Nicotine Strength, Overall and by Product and Flavor Type, 2017–2022. *Nicotine Tob Res*;25(5):1052–1056.

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Bay City News Service (Oct 21, 2025). Marin Co.: Supervisors Approve Price Hike For Cigarettes, Ban On Selling Vapes In County. SF Gate; accessed 10 Jan 2026.

<https://www.sfgate.com/news/bayarea/article/marin-co-supervisors-approve-price-hike-for-21112912.php>



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January 12, 2026

Fairfax Town Council
Fairfax, CA

RE: Agenda item 1.

Public Hearing: Introduction of an Ordinance Amending Chapter 8.44

Comment from:

Wendy Max, PhD
Professor Emerita of Health Economics
Director Emerita, Institute for Health & Aging
University of California, San Francisco

Dear Mayor Hellman, Vice Mayor Egger, and Councilmembers:

I write in strong support of the ordinance you are considering that would establish a minimum price and prohibit discounts on all tobacco products and ban sales of electronic smoking devices and heated smoking systems. I applaud you for extending the model Marin County ordinance by also banning the sale of nicotine pouches, a highly and increasingly popular product among youth.

I am a retired health economist and Professor at UCSF, where I spent over 30 years studying the economic and health impact of tobacco use in California, the US, and internationally. I am also a current member of TEROCC, the Tobacco Education and Research Oversight Committee that oversees the use of Propositions 99 and 56 funds in the state.

The cost of tobacco use in Marin County as a whole is high.¹ My colleagues and I found that cigarette smoking alone amounted to:

- Over \$138 million, including \$95 million in healthcare costs and \$43 million in lost productivity from illness and premature death
- \$377 in healthcare costs per resident and \$3,295 per smoker
- 228 lives lost due to smoking

Healthcare costs for smoking for the entire state amounted to \$11 billion.²

We have studied healthcare costs for the US for many different tobacco products and found that tobacco attributable healthcare costs were:

- \$63 million for ER visits for children exposed to secondhand smoke at home³

- \$4.6 billion for hospitalizations and ER visits for adults exposed to secondhand smoke at home⁴
- \$3.4 billion for hospitalizations, ER visits, and doctor visits for adults who use smokeless tobacco⁵
- \$1.75 billion for hospitalizations, ER visits, and home-care visits for adults who smoke cigars⁶
- \$15.1 billion for adults who use e-cigarettes⁷

Smoking has a strong impact on particularly vulnerable populations, including African Americans,⁸ Hispanics,⁹ the lesbian, gay, and bisexual community,^{10,11} and people living in multiunit housing (who are exposed to secondhand smoke).¹²

Raising the price of tobacco products has been shown by multiple studies including ours to be one of the most effective ways to reduce tobacco use.¹³⁻¹⁶ Therefore, creating a minimum price for tobacco products and prohibiting discounts and coupons will help to improve the health of Fairfax residents and is well-supported by research.

Our finding of the high healthcare costs associated with e-cigarette use provides justification for banning the sale of electronic smoking devices in Fairfax. Furthermore, a substantial literature has found that e-cigarettes are often a gateway product for teens and young adults who may go on to use other tobacco products.

In summary, I strongly urge you to pass the proposed ordinance. It is supported by my own 30 plus years of research in tobacco control as well as studies conducted by many others. It will have a positive impact on health equity as well as reducing uptake of tobacco use by young people. Fairfax is to be lauded for its forward-thinking and for playing a strong leadership role in tobacco policy.

Sincerely,



Wendy Max, PhD
Professor Emerita of Health Economics
Director Emerita, Institute for Health & Aging
University of California, San Francisco

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