

## Municipal Tobacco Control Technical Assistance Program

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The Massachusetts Tobacco Treatment and Cessation Program uses two samples for cities and towns to enact local policies that reduce second-hand smoke/vape exposure, reduce tobacco and vape use by minors and encourage current users to quit. The samples are for second-hand smoke (Environmental Tobacco Smoke) and tobacco product/vape product sales. These samples are set up as health regulations as most local tobacco control policy is enacted thusly.

The benefits of using local stand-alone regulations work well for enforcement purposes and when a retailer contests a penalty before a clerk magistrate. The benefits are:

- All local policies and municipal expectations are in the “four corners” of the regulations;
- Definitions, policies and penalties are all captured within the regulations;
- Penalties for new violators and repeat violators are clearly spelled out;
- Updates and additional policies are added within the regulations;
- The regulation is handed out at initial Tobacco Product Sales Permit issuance and every time there is a change;
- Some municipalities require each retailer to sign off that they received the regulation;
- It is easy to use the regulations at any court hearing;
- The regulation for sales is given to retailers and the regulation for second-hand smoke is given to bars/restaurants/Smoking Bars; and
- Can address proactive policies before they become common practice.

The reasons provided above can be mimicked for both pouring license holders and retail license holders to:

- Increase compliance;
- Clearly state expectations for licensees; and
- Increase the chance for a municipality to prevail at an ABCC appeal.

Both the Pouring License and the Retail License samples contain a comprehensive set of possible policies for cities and towns, and their attorneys, to consider. This is a small select list:

- Ban sale of nips, caffeinated alcohol products and/or powdered alcohol products;
- Set a clear cap on each type of liquor license;
- Clarify BYOB rules;
- Ban or restrict alcohol sales at drive-through windows and/or vending machines;
- Include a “Social Host” policy;
- Set out clear rules for home delivery; and
- Owner, clerk, bartender, waitstaff training expectations

## The Toll of Alcohol on Massachusetts

Alcohol is the third leading preventable cause of death in the United States behind tobacco and poor diet/physical inactivity.



### MASSACHUSETTS

31% HS students report current alcohol use

16% HS students report binge drinking

22.4% adults report current binge drinking or heavy drinking

### UNITED STATES

30% HS students report current alcohol use

13% HS students report binge drinking

18.2% adults report current binge drinking or heavy drinking

<i>Risks of Excessive Drinking</i>	
Short Term	Long Term
<ul style="list-style-type: none"> <li>● Unintentional injuries such as falls, drowning, burns and motor vehicle accidents</li> <li>● Violence such as homicide, suicide and sexual assault</li> <li>● Alcohol poisoning</li> <li>● Poor decision-making and engagement in risky behaviors such as unprotected sex</li> </ul>	<ul style="list-style-type: none"> <li>● Hypertension, heart disease, stroke and liver disease</li> <li>● Cancer of the breasts, mouth, throat, esophagus, liver or colon</li> <li>● Alcohol dependence</li> <li>● Memory and learning problems</li> </ul>