



New York City Department of Consumer
and Worker Protection
42 Broadway
New York, NY, NY 10004

RE: Proposed rule banning the use of residential addresses for Tobacco Retail Dealer and Electronic Cigarette Retail Dealer Licenses

Public Health Solution (PHS) is one of the largest public health service nonprofit organizations in New York City (NYC). We work to improve the health among the city's most vulnerable populations by tackling social, physical, and environmental factors that impact New Yorkers' ability to thrive. Our NYC Smoke-Free program works to protect the health of New Yorkers through tobacco control policy, advocacy, and education. We work closely with local youth to expose the deceptive marketing tactics of the tobacco industry through education, advocacy outreach and media campaigns.

Currently, allowing residential addresses for tobacco retail licenses leaves too much room to continue negative health impacts of tobacco use. In New York City, 11.9% of adults smoke cigarettes. Over 8,000 public high school students smoke cigarettes while 37, 000 smoke e-cigarettes. Tobacco and e-cigarette retail licenses issued to residential locations creates an opportunity for youth to be influenced to smoke and use tobacco products. Youth access to tobacco products makes them more vulnerable to become addicted thus causing an increase in smoking rates among youth who later become adult smokers. These already alarming numbers will continue to rise if we do not protect current policies in place that limit the sale and amount of tobacco products that are available and can easily be distributed in community districts.

Ensuring that tobacco and e-cig licenses accurately reflects the physical location of the retail outlet is corrective action to protect the health of NYC residents. In NYC, the Tobacco Retail Licensing Law (N.Y.C. Admin. Code §§17-703, 20-202 & 20-561) is aimed at cutting the amount of licensed tobacco retailers by half in each district. Cutting back on the amount of licensed tobacco retailers meant cutting back on the amount of tobacco products in our communities mainly to those most vulnerable to Big Tobacco. Allowing retailers to utilize residential addresses to apply for tobacco and e-cigarette licenses would undermine reaching the city's goal of cutting in half, in each district, the amount of licensed tobacco retailers.

Tobacco and e-cig licenses registered to residential addresses circumvent current policies with regards to health equity in some of the most vulnerable neighborhoods with higher amounts of tobacco retail outlets. We believe every New Yorker has the right to breathe clean, smoke-free air where they live, work and play. We have worked so hard on providing education to the community at large when it comes to tobacco control advocacy. Tobacco and e-cig license registered to the physical address of retail outlets will reinforce all the work that residents and youth and tobacco advocacy programs have done to combat Big Tobacco and their harmful, deadly products.

Public Health Solutions

NYC Smoke-Free Program