ARGUMENT AGAINST
PROPOSITION 31

The politicians who wrote Proposition 31 say it will reduce underage tobacco use – but it’s already illegal to sell any tobacco product to anyone under the age of 21 in California, with big penalties for breaking the law.

PROP 31 IS ADULT PROHIBITION

Prop 31 enacts a sweeping new ban on menthol cigarettes, flavored smokeless tobacco, and other flavored non-tobacco nicotine products for adults over the age of 21. Prohibition has never worked – it didn’t work with alcohol or marijuana, and it won’t work now.

And Prop 31’s prohibition will impact minority neighborhoods more than any other, criminalizing the sale of menthol cigarettes which are primarily the choice of adult tobacco consumers in these communities.

PROP 31 WILL INCREASE CRIME

Almost half of all cigarettes in California are sold in the underground market, smuggled in from other states or countries like China and Mexico. Prop 31 will drive even more sales underground from licensed neighborhood retailers to gangs and organized crime. What’s worse, Proposition 31 does not add a single penny to law enforcement to fight the violent crime that will follow.

“Proposition 31 is practically unenforceable. It will put criminals in charge and convert a highly regulated tobacco market into an unregulated criminal market, creating unnecessary and potentially dangerous police interactions.”

SUBJECT TO COURT ORDERED CHANGES
ARGUMENT AGAINST
PROPOSITION 31

- Edgar Hampton, Retired California Police Officer

PROP 31 WILL COST TAXPAYERS

A legislative analysis found that Prop 31 will lead to “significant revenue losses” that will exceed $1 billion in the next four years. That means less money for healthcare, education, programs for seniors and law enforcement.

PROP 31 BANS FDA AUTHORIZED REDUCED HARM PRODUCTS AND COULD INCREASE CIGARETTE USE AMONG YOUNG PEOPLE

The Food and Drug Administration (FDA) now has regulatory authority over tobacco and vapor products and already has banned many flavored tobacco products, but Prop 31 goes too far – banning the sale of flavored reduced risk, smoke-free products authorized by the FDA “appropriate for the protection of public health” for adults 21 and over.

When adult consumers are denied access to potentially less harmful products authorized by the FDA, they continue with traditional cigarettes that produce second-hand smoke. San Francisco’s flavor ban is a perfect example of the impact on youth as well: a Yale University study found there was a significant INCREASE in cigarette smoking among high school students – the exact opposite result the politicians promised.

PUBLIC EDUCATION IS BETTER THAN PROP 31

California led the nation in raising the age to purchase tobacco to 21, has among the toughest anti-tobacco laws in the country, and spends over $140 million a year to help people quit tobacco and stop kids from starting.
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The results are clear: Youth vaping is down 59% in the last three years, and youth smoking is at an all-time low of just 1.9% according to the Centers for Disease Control and Prevention and the Food and Drug Administration.

California should not abandon what is clearly working and replace it with a failed policy of the past — prohibition — that will increase crime, cost taxpayers, and backfire on the communities we are trying to protect.

Please join us and vote NO on Prop 31.

Michael Genest, Former Director, California Department of Finance
Julian Canete, President, California Hispanic Chambers of Commerce
Tom Hudson, President, California Taxpayer Protection Committee