



**Kristin Mullins, Interim President/CEO  
Ohio Grocers Association  
Proposed Ordinance 929-15**

**December 1, 2015**

Chairman Cimperman, and members of the Health and Human Services Committee, thank you for the opportunity to submit written comments on proposed Ordinance 929-15, an emergency ordinance to ban the sale of distribution of flavored tobacco products, except in a retail tobacco store. I am writing today to express our concerns with the proposed ordinance and its potential impact on our members and industry.

As Interim President of the Ohio Grocers Association, I proudly represent nearly 400 food retailers, wholesalers and suppliers across the state. My members range from the largest chain stores to the smallest mom and pop independent grocers as well as the wholesalers who supply these stores. At our last market study in 2013, Ohio's grocery industry employs over 110,000 people in full- and part-time jobs. Ohio grocers generated over \$18.5 billion in sales, paid over \$2.3 billion in wages, and paid \$1.1 billion in state and federal taxes. I give you these numbers to illustrate that Ohioans not only depend on grocers as distributors of their food supply, but as employers and taxpayers, as well.

Ohio grocers are responsible and vital members of the local community. Our members are dedicated citizens, giving their valuable time and resources to local food banks, churches, and countless other charities within the city and all across the state. At the heart of this issue is keeping tobacco out of the hands of minors, one that as retailers we serve as the front line of defense and take responsibility for this incredibly important service. Selling any tobacco product to minors is illegal and the FDA requires that retailers ask anyone under age 27 for proof of age identification. Moreover, the 2013 CDC's Youth Risk Behavior Surveillance Report shows that 82% of youth report getting their cigarettes from social sources and **not** legal retail establishments. My members are committed to keeping tobacco away from minors and would not want to risk their reputation and operations by selling products to minors.

Furthermore, banning flavored tobacco products will likely lead to many adult tobacco consumers simply leaving the city of Cleveland to make their purchases, which would have a significant economic impact on our Cleveland retailers. Given our industry's razor thin 1.0% profit margin, Ohio's grocers count on large volumes of purchases to keep their businesses afloat. Any loss in sales would lead to the grocer having to cut back hours and ultimately lay off workers. Moreover, a less profitable grocer is not going to be able to re-invest in their store which can have a ripple effect on their ability to make capital investments and hire lighting, refrigeration and other contractors servicing our industry.

The bottom line is that banning flavored tobacco products will not decrease youth smoking rather it will further drive current Cleveland smokers to alternative options, such as out-of-city retailers. Impactful policy should instead be focused on enforcing the law, not driving these products from the shelves of responsible retailers. Banning flavored tobacco products will only lead to a loss of legitimate Cleveland retailer jobs and sales.

Thank you for your time and consideration on this important issue.

