BUSINESS SPOTLIGHT

Smokers decry ban on flavors

Anger, confusion and hoarding are some smokers' reactions to recent federal legislation.

By Christopher Cadelago
News-Press

Business owners and smokers, many of them still fuming over recent anti-smoking ordinances, are denouncing a recent federal prohibition affecting cigarettes with fruit, candy or clove flavors.

The ban, effective Sept. 22, was authorized by the new Family Smoking Prevention and Tobacco Control Act as part of a national effort by the Food and Drug Administration to curb smoking, though it stops well short of banning nicotine or tobacco outright.

FDA Commissioner Margaret Hamburg said the agency's ban on candy and fruit-flavored cigarettes seeks to cut down the number of children who become addicted to the cancer-causing products, noting that 90% of adult smokers began as children. Cigarette smoking causes an estimated 438,000 deaths, or about one in every five deaths, each year in this country, according to the Centers for Disease Control and Prevention.

Despite accounting for only a small segment of the market, shop owners, clerks and smokers said they view the prohibition as the first significant step taken by the agency since assuming jurisdiction over the tobacco industry — with more steps likely to come.

"What's next?" said Cindy Johnson, 26, a longtime smoker of Djarum cigarettes, imported from Indonesia by Kretek International.

The Van Nuys student said she stopped off at her neighborhood market to load up, and plans on adding to her stockpile in the coming days as stores empty their shelves.

To circumvent the rules and satisfy customers like Johnson, Kretek released filtered cigars similar in size to cigarettes and flavored with clove, vanilla and cherry. The FDA will examine small cigars on a case-by-case basis.

"If they take away one type of cigarette — arbitrarily — you can be sure they'll continue to until there's nothing left," she said. "And nobody is saying anything about the smokers, or the business owners for that matter."

Hanni Piuo, owner of the Smoke Shop at 101 N. Victory Blvd., scanned a wall of tobacco products including cigarettes, cigars and rolling papers — about half of which is dedicated to flavors from strawberry and grape, to coconut and cherry. The ban also includes tobacco products defined as cigarettes, even though they may not be labeled as such.

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The Smoke Shop in Burbank is one of many such shops in the area that owners expect to suffer from a recent ban on flavored cigarettes. "It's not fair to let me smoke what you want," the Smoke Shop owner said. "If I like cherry, why is that your business?"

"It's going to be bad, man," he said Monday. "It's not fair to let me smoke what you want. If I like cherry, why is that your business?"

Piuo has already received an earful from his 200 to 300 daily customers.

"They're not having it," he said.

Smoke shop owners have already been grappling with restrictions put in place in Burbank and Glendale that ban smoking across wide swaths of public spaces.

"We talk about it all the time, said Conchita Harb, manning the counter of Newsstand Etc., at 316 N. San Fernando Blvd. "Cloves and other flavors were selling OK, but when you add this to the number of people who stopped buying cigarettes here because they are afraid they'd be tempted to smoke, you see the big decline [in sales]."

Neighboring shop GM Cigar & Gifts reported up to a 70% drop in tobacco and general merchandise sales since the smoking ordinance took effect. Clerks, pointing to FDA plans to study a ban on menthol cigarettes and flavored smokeless tobacco products, said they expect that number to increase.

And others are just confused.

Amoojan Khalaj, of Village Liquor & Market at 211 E. Olive Ave., was among a handful of clerks and shop owners unaware of the new restrictions. Others reported calling an FDA-provided telephone number to solicit details and instead getting a tip line to report possible violators.

FDA officials along with the ban announced a range of enforcement and regulatory tools to address violations by manufacturers, importers, distributors and retailers.

The agency announced plans to issue warning letters to those who violated the new ban.

"I don't understand this country," Khalaj said. "Why don't they just come and shut my door. It's tax, tax, tax."