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May 6, 2024

Assembly Business and Professions Committee
1020 N Street, Room 379
Sacramento, CA 95814

Re: Letter of Opposition: Assembly Bill 1775

Dear Committee Chair Berman:

The Tobacco Education and Research Oversight Committee (TEROC) is a legislatively mandated oversight committee that monitors the use of Proposition 99 and Proposition 56 tobacco tax revenues for tobacco control, prevention education, and tobacco-related research in California.^{1,2} TEROC advises the California Department of Public Health; the University of California; and the California Department of Education with respect to policy development, integration, and evaluation of tobacco education programs funded by Proposition 99 and Proposition 56.

TEROC opposes Assembly Bill (AB) 1775. AB 1775 would authorize a local jurisdiction, if specified conditions are met, to allow for the preparation or sale of noncannabis food or beverage products; prepackaged, non-cannabis-infused, nonalcoholic food and beverages; and to allow for the sale of tickets for live musical or other performances on the premises of a licensed retailer or microbusiness in the area where the consumption of cannabis is allowed.

TEROC is concerned that AB 1775 will not only endanger the health of retail workers and food handlers in cannabis cafes and lounges, but it will also undermine existing smoke-free indoor air laws by re-establishing the concept of smoking at nonsmoking establishments, such as restaurants and concert/performance venues.

While cannabis smoking is currently permitted in certain licensed cannabis consumption cafes and lounges, AB 1775 will allow for the preparation of certain noncannabis foods and beverages on the premises of businesses, thereby increasing exposure to dangerous chemicals and cannabis SHS particulate for workers employed to cook or prepare food and beverages in these businesses. In addition, this bill will provide unequal protection for food service workers under California's comprehensive smokefree air law by creating an exemption for exposure to SHS for some workers.

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CALIFORNIA TOBACCO CONTROL PROGRAM
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Year and Health Visionary

Secondhand smoke (SHS) from combusted cannabis contains many of the same chemicals as smoke from tobacco, including those linked to lung cancer, and has been shown to cause lung irritation, asthma attacks, and increase the likelihood of respiratory infections.³ Cannabis smoke is listed on California's Proposition 65 list of chemicals known to cause cancer, birth defects, or reproductive harm because it contains chemicals that can cause developmental harm to exposed fetuses and cancer to a person smoking or exposed to cannabis smoke.⁴ Significant amounts of mercury, cadmium, nickel, lead, hydrogen cyanide, and chromium, as well as three times the amount of ammonia, are found in mainstream cannabis smoke than is in tobacco smoke.⁵ Secondhand cannabis exposure also impairs blood vessel function and has been shown to have a greater and longer-lasting effect on blood vessel function than exposure to secondhand tobacco smoke.⁶ Cannabis can also be contaminated with mold, insecticides or other chemicals that may be released in SHS.⁷

TEROC is also concerned that the passage of this bill also threatens existing social expectations around where it is appropriate to smoke and vape in California by creating the impression that smoking and vaping inside is safe and acceptable. California has an extensive 30-year history of adopting strong smoke-free policies to protect all Californians from exposure to SHS, both in and out of the workplace, and as a result of these policies, many Californians have grown up without ever having been to a bar, restaurant, or other indoor area where smoking or vaping is allowed.

Since 1995, these social norms related to where people can smoke have created a shared expectation among Californians that smoking is not allowed where people are eating or drinking, and that people should not be exposed to SHS when at a bar, restaurant, or in indoor spaces. The passage of AB 1775 will undermine established norms around where smoking and vaping is permitted and has the potential to impact and potentially rollback current and future tobacco-related laws. Undermining existing non-smoking laws contradicts California's long, successful history of reducing smoking in California and would be detrimental to public health in California.

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Finally, AB 1775 proposes a policy that is contradictory to TEROC's recommended strategies for protecting Californians and countering the commercial tobacco epidemic in California. This bill is inconsistent with Objectives 3 ("Emerging Products") and 5 ("Smokefree Environments") in the [TEROC Master Plan 2023-2024: Achieving Health Equity: Breaking The Commercial Tobacco Industry's Cycle Of Addiction, Death, And Environmental Degradation](#). TEROC's strategic Plan includes broad objectives and goals for addressing the commercial tobacco epidemic in California. In this Plan, TEROC notes that as cannabis use becomes more acceptable and its use is permitted in more public places, it threatens to renormalize smoking and roll back existing tobacco laws. TEROC recommends in its Plan restricting vaping and cannabis use wherever tobacco use is prohibited, including in multi-unit housing, indoor and outdoor workplaces, parks, and other public places. Additionally, TEROC recommends that existing laws on smokefree environments are not threatened by exemptions for smoking or vaping cannabis in places like cannabis lounges.

In order to protect workers from dangerous SHS and to preserve the more than 30 years of established social norms around the acceptability of smoking in indoor dining facilities in California, **TEROC strongly opposes AB 1775.**

Sincerely,



Michael K. Ong, M.D., Ph.D.
Chairperson

References:

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2. Revenue and Taxation Code Section 30130.56(e)
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