

Dear Kansas City Council Members:

We collectively represent businesses that support countless jobs and millions in total sales in Kansas City and we are writing to express our strong opposition to Ordinance 240897, which would ban the sale of flavored tobacco and nicotine products. Our opposition to this policy is based on the significant financial impacts it would have on the businesses we represent.

History shows this policy is destined to fail. In 2019, Massachusetts passed a flavored tobacco ban that led to a [24 percent](#) drop in sales in the state. [Ninety percent](#) of lost sales went to neighboring states, including New Hampshire, where cigarette sales increased by nearly [25 percent](#) in the year immediately following the ban's implementation. This ill-advised policy cost the Bay State more than [\\$125 million](#) a year in excise tax revenue.

Similar consequences for Kansas City's economy will be felt if the proposed ban is implemented. According to the Kansas City Finance Department, the ban would cost the city between \$1 million and \$6 million in tax revenue.

In Golden, Colorado, the city council implemented a ban on flavored tobacco and nicotine products and recently [had to create](#) a \$100,000 relief fund for small businesses that lost sales as a result. These same impacts will be felt in Kansas City if you choose to move forward with this ban.

As responsible retailers, we care deeply about and take seriously our role in preventing tobacco products from being purchased or acquired by young people. That is why we are proud that our strong commitment to enforcement has helped drive youth smoking rates to an [all-time low](#). New data from the U.S. Centers for Disease Control and Prevention's (CDC) [National Youth Tobacco Survey](#) (NYTS) found that youth e-cigarette use has dropped to the lowest level in a decade, while nicotine pouch use among youth remains less than two percent.

Our businesses are committed to continuing this trend, and we look forward to partnering with the city council and other state and local lawmakers to ensure that products intended for adults remain out of the hands of young people.

The city council's intentions are commendable, and we certainly share and support your goal of promoting public health in Kansas City. But the evidence shows that bans on flavored products result in the exact opposite effect. In a [recent study](#) from the Yale School of Public Health, researchers found that banning flavored vaping products can actually lead to increased use of cigarettes.

We strongly urge members of the city council not to replicate the mistakes that other cities and states have made. A better path forward for Kansas City would be to further bolster enforcement and youth prevention policies.

As representatives of our city and state's business community, we ask that you spare the City of Fountains and the Show Me State from these entirely predictable consequences and vote no on legislation that would ban the sale of flavored tobacco and nicotine products in Kansas City, MO (Ordinance 240897).

Respectfully,



Dave Overfelt, President – Missouri Retailers Association



Ray McCarty, President – Associated Industries of Missouri



Ronald J. Leone, Executive Director – Missouri Petroleum & Convenience Association



Jon McCormick, President and Chief Executive Officer – Retail Grocers Association Missouri and Kansas

*Dan Shaul*



Dan Shaul, Executive State Director – Missouri Grocers Association