

SUPPLEMENTAL FILE

Interview Guide

INTRODUCTIONS
<ul style="list-style-type: none"> • So to get things going, can you please confirm your job title and your main role and responsibilities? <ul style="list-style-type: none"> ○ Briefly describe your involvement in any work related to flavored tobacco bans or restrictions. ○ If applicable, briefly describe what your local ban entails (all flavors, menthol, targeted restrictions), or feel free to speak more broadly about any bans that you may be familiar with.
QUESTIONS
<p>1. Let's start by assuming that a flavor ban has passed without any exemptions. We want to create a timeline of necessary steps and procedures for our state agencies to undertake in preparation for enforcement. I'm going to quickly run through a general sequence of events and then ask for your thoughts and feedback at the end.</p> <ul style="list-style-type: none"> • Our preliminary research has shown that there is often a preparation period (3 months to 12 months) before the ban goes into full effect. <ul style="list-style-type: none"> ○ How did you determine the amount of time needed/what do you think is appropriate, given that this would be statewide in Hawai'i? How much time did you have in your city/municipality? • This could include notification activities, where educational materials and resources are distributed (e.g., guidance document on flavored products, enforcement timeline, notification letter explaining ban, etc.). <ul style="list-style-type: none"> ○ What agencies/stakeholders were responsible for informing the public about the ban? In particular for notifying vendors and stores? Mailing a notification letter to all stores? ○ Who distributes educational materials? • Notification may be accompanied by town hall style meetings inviting merchants/retailers and the community to learn more about the ban, or online platforms for feedback <ul style="list-style-type: none"> ○ If so, who leads the town hall events/campaigns? • Some places have also established a helpline - who to call for questions/comments and/or to report violations <ul style="list-style-type: none"> ○ What agency(s) run this? • The preparation period also allows for direct engagement with retailers. It gives them some time to discontinue stocking of flavor products and time for warning visits <ul style="list-style-type: none"> ○ Did you find this was a problematic area among retailers? <p>- Based on this, are we missing any key components or steps from this general preparation timeline?</p> <p>- What do you think was the most important thing for your jurisdiction to do after the flavor ban had been passed?</p>

2. Once the ban has gone into effect, how has it been enforced in your city/municipality (or jurisdiction that you are most familiar with)?

- What agencies are responsible for enforcing and monitoring the flavor ban? (e.g., Attorney General)? Of note, the Hawai'i bill did not specify an enforcement agency, so that is something still to be determined.
- Does your enforcement process include fines and suspensions of retail licenses? Describe what this entails.
 - Hawai'i has been considering fines of up to \$500 for first offenses, and up to \$2,000 for subsequent offenses. Is this in line with your experience/what other jurisdictions are doing?
 - If applicable: do fines focus exclusively on retailers or on individuals/consumers as well?
 - Has the money collected from the fines been designated to go towards a particular purpose?
- How are violations determined or identified? Who issues the violations? Police, DOH, etc.
 - Is enforcement incorporated into current tobacco compliance checks? Or did you have to develop new procedures or alter current procedures?
- What happens if someone calls to report a selling violation? Who would be responsible for going out in the field to check this?
- We're not sure how much this has come up for you, but we only ask because there is a big military presence in Hawai'i. How did the new law impact the military/was the military cooperative with the new legislation?

3. We would like to learn how flavored tobacco bans are being evaluated in other locations. Did you or any of your partners develop an evaluation plan (or evaluation measures)?

Probes:

- If so, would you be willing to share this with us or direct us to where it may be online?
- What evaluation indicators (if any) did you establish to measure the effectiveness of the ban?
 - Inventory/sales rates decreased? Access decreased?
 - Has flavored ESD usage decreased? YRBS/BRFSS data
 - Has cigarette usage increased/decreased? YRBS/BRFSS data
 - Any other data from the helpline?
- If not, what evaluation indicators would you use to measure the effectiveness of the ban?
- What would your ideal evaluation include?

4. In general, do you feel your flavor ban (or the one you are most familiar with) has been effectively implemented?

Probes: Are retailers/merchants complying? Has e-cigarette usage gone down?

Switching gears a bit, in Hawai'i, the conversation around banning flavored tobacco products has focused primarily on reducing underage vaping, and the original bill sought to ban all tobacco products with a characterizing flavor other than tobacco. However, menthol unexpectedly became a focus of major pushback as mentholated cigarettes comprise a substantial percentage of our cigarette sales. In Hawai'i, cigarette taxes are used to fund critical health and research services including our cancer research center,

our statewide trauma system, emergency medical services, and community health centers. Menthol was actually removed from the bill as resistant parties voiced concerns in Hawai'i that an immediate and total ban on flavors could impact state tax revenues, to which advocates responded that the potential health benefits and health care dollars saved from this ban far outweigh any negative financial impact on upfront revenue generation.

So we have a two-part question related to financial impacts and to menthol.

5a. Firstly, have you heard of any economic and financial impacts from a flavor ban? For example on tax revenues, lost revenue for retailers, wholesalers, and/or job loss?

- Have you been able to measure or quantify dollars saved or any other positive impacts?

5b. For the second part, what strategies have you used to frame the menthol issue or engage communities/educate communities about menthol?

Probes:

- What were some of the challenges that you encountered?
- For Canadian interviewees:
 - Do you feel there might be some lessons learned from the menthol ban that can be applied to a broader flavor ban for e-cigarettes?
 - Do you feel the menthol ban has been successfully implemented in Canada?

6. Were there any other unforeseen consequences to the ban that you had not anticipated?

Probes:

- For example, do you think internet purchases of flavored ESDs increased in your area as a result of the in-person flavor ban?
- Any other areas that you didn't expect to receive pushback in?

7. As we've discussed, Hawai'i is working on a statewide ban without exemptions and including menthol, and not just for one specific city, county, or municipality. Can you think of any other factors that might be important to consider for a statewide ban?

- Jurisdictional challenges? Timing? Enforcement?

8. Do you have any last comments, questions, lessons learned, or advice that could be useful for Hawai'i?

- Any helpful documents you would like to share with us or direct us to?
- Do you have any questions for us before we close?